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Planning Board Meeting Minutes
May 26, 2015 at 7:00 pm at the Visitor's Center

In attendance: Robert de Mello – vice chairman, William Bardeen, Robert Powell, Wayne Feeley, Sharon Garvey
Absent: Dean Caveney – chairman, James Liebeck

Public: Code Enforcement Officer Doug Rock, Stephen McKenna, Lucinda Pytlak, Brian Pytlak, Derek Crowningshield

Mr. de Mello called the meeting to order at 7:00 PM

Minutes
The following corrections were made to the minutes of the April 28, 2015 meeting minutes:

- Page 1, Greg LaDuke, Esq. is a member of the public; he is not a member of the Planning Board.
- Page 3, paragraph 2 - Change "sand and gravel versus mining" to "sand and gravel versus mineral extraction"
- Page 4, paragraph 5 - Change "trees over 100 feet must be replaced" to "trees that have been cut down within 100 feet of the property line must be replaced"
- Page 4, paragraph 12 - Change "before he votes he would like to review the material." to "before he votes he would like to review the DEC mining application which had been submitted to the board on the night of the meeting. The board briefly reviewed the mining application during the meeting."

Mr. Feeley moved that the minutes, as corrected, be approved. Mr. Bardeen seconded the motion. All voted in favor and the motion carried.

Anderson – Application 2490
This is an application for a Minor Division (aka boundary line adjustment) that would transfer approximately 2 acres of land from Anderson, lot 2 (39.4-2-2.111) to Crowningshield, lot 1 (39.4-2-2.???, lot designation is not yet available on Essex County web site). The land in question lies between Sunset Drive and Sanders Road. Both lots are in the R-R district. Minimum lot size in the R-R district is 350,000 square feet (8.03 acres). Lot 2 is approximately 29 acres before the transfer and will be approximately 27 acres after the transfer. Lot 1 is approximately 10 acres before the transfer and will be approximately 12 acres after the transfer. Mr. Crowningshield stated that lot 1 would not be further subdivided. Mr. de Mello noted that the transfer is between adjacent parcels and is not an attempt to create a subdivision and is therefore in conformance with the zoning ordinance.

Mr. Feeley moved that the application be accepted. Mr. Powell seconded the motion. All voted in favor and the motion carried.

Pytlak – Application 2497
This is an application for a sign for an orchard at 3936 Route 22. The location is in the HC-1 district. The sign would measure approximately 16 square feet. The sign would not be illuminated. The size of the proposed sign is compatible with the requirements of the zoning ordinance.

Mr. de Mello explained to the Pytlacs that the zoning ordinance requires that the sign be placed at least 30 feet from the edge of the road. It was noted that other nearby commercial signs are approximately 20 feet from the edge of the road. Mr. de Mello noted that the Planning Board does not have the authority to modify the setback requirement. Relief from the setback requirement must be obtained from the Zoning Board of Appeals. Members of the Planning Board discussed the possibility of providing a recommendation to the ZBA that a variance be granted to the Pytlacs so that their sign setback would be compatible with other nearby commercial signs. Reasons for the recommendation are:

1. Good signage is important to the health of local business.
2. Local business is important to the wellbeing of the community.
3. Nearby commercial signs are closer to the road than the 30 feet stipulated in the zoning ordinance.
4. The Town's Comprehensive Plan has recognized deficiencies in the sign provisions of the zoning ordinance and called for their overhaul.

The Pytlaks recognized that a request for a variance can be done at any time. They decided to place their sign 30 feet from the edge of the road as required by the zoning ordinance. If the location proves problematic they will seek a variance from the ZBA.

Mr. Bardeen moved to approve the sign application. Mr. Powell seconded the motion. All voted in favor and the motion carried.

McKenna – Application number to be assigned
This will be an application for a Minor Subdivision. Portions of the application were given to the Zoning Enforcement officer, Mr. Rock, on the day of the meeting. A map of the proposed subdivision was made available to members of the planning board during the meeting.

The parcel (30.12-2-19.100) is located at 3962 Route 22. Portions of the parcel are in the HC-1 district and portions of the parcel are in the RL-3 district. The proposed subdivision is entirely within the RL-3 district. Minimum lot size in the RL-3 district is 120,000 square feet (2.75 acre). The parcel has been previously subdivided. After this action the original parcel will have been divided into three sections. Subdivision into five or more sections would elevate the project from a minor subdivision to a major subdivision.

The parcel to be subdivided is approximately 89 acres in size. The lot to be created will be approximately 10 acres in size and will be approximately 2500 feet from the road. A 50-foot wide right of way (aka James Way) has been drawn on the map to access the new lot and any other lots that may be created by future subdivision. Water to the site will be provided by a 2-inch pipe connected to the Town's water system near the road. Power will be supplied from a pole-mounted transformer on an adjacent lot, also near the road.

The APA has determined that there are no wetlands on the property.

Even though his application is incomplete, Mr. McKenna requested that his application be moved to public hearing at the June 2015 Planning Board meeting. Among the information missing are:

- Documentation of a PERC test
- Copy of the deed and any proposed easements, covenants, or restrictions

- Copies of any driveway permits that may be required
- Other information that the Zoning Enforcement Officer may require

Mr. McKenna indicated that he will complete the application in a timely manner so that the Planning Board can review the application before the next meeting. Mr. Bardeen moved that the case be taken to public hearing at the June, 2015 meeting with the stipulation that the public hearing will remain open, at least until the July 2015 meeting, if the application is not complete in time for review prior to the June 2015 meeting. Mr. Powell seconded the motion. All voted in favor and the motion passed.

Concerns/Information

The APA is apparently reviewing Sam Blanchard's 4-lot subdivision on Farrell Road. It is unclear whether they will disallow or impose additional restrictions on transfer of wetlands and/or buffer zone to the condominium association associated with the subdivision.

Steve McKenna will be submitting an application (see above) for a 2-lot subdivision to the June 2015 Planning Board meeting.

Adjournment

There being no more business before the board, Mr. Bardeen moved to adjourn the meeting. Mr. Powell seconded the motion. All voted in favor and the motion carried.