

PLANNING BOARD  
MINUTES FOR JULY 21, 2009

No public hearings were scheduled for this meeting. William Creen, Chairman, opened the meeting at 7:30p.m. Present were Tom Francello, Carole Furman, James Bruno, Dan Weeks, William Creen, Ken Goldberg and Howard Post. Alternate: Bill Hayes, present. Jeremy Kane-Town Planner and Nancy Campbell-Liaison were present.

A motion by Francello, seconded by Post to accept June 2009 Minutes. All in favor, none opposed, carried.

**PUBLIC HEARINGS:**

1. None

**OLD BUSINESS:**

1. Lot line revision-George Berger / Randy Angiel-Angiel Lane Ext.-Maps presented by George Berger-Subdivided the two lots in 2000. Berger owns them now. A private road runs through Angiel property and Berger property. Wants to change property lines and combine the two lots. All the property on Angiel's side of road will stay with Angiel and all the property on Berger side of road will stay with Berger. A motion by Post, seconded by Furman to waive the public hearing per Section 323. All in favor, none opposed, carried. A motion by Goldberg, seconded by Post to declare this a Type II Action. All in favor, none opposed, carried. A motion by Post, seconded by Bruno to grant Preliminary approval, waive submission of Final Plat and grant Conditional Final approval pending payment of fees and signatures. All in favor, none opposed, carried. \*\*\*George Berger paid his fees and signed the maps. Received 2 signed maps.\*\*\*

2. Major-Leading Edge Developers, LLC-Kings Highway-Maps presented by Ed Cooper. Received the property description. Discussed the wetlands delineation, aquifer protection overlay and layout of ROWs. These need to be addressed on the map. A motion by Post, seconded by Bruno to grant Preliminary approval, waive submission of Final Plat and grant Conditional Final approval pending payment of Recreational fees and signatures. Wetlands delineation, aquifer protection overlay and layout of ROWs are included as amendments to Site Plan. All in favor, none opposed, carried.

3. Site Plan-SBA Towers, II, LLC-Rt. 212-Maps presented by John Furst and Ed Frawley and members of Centerville Fire Co. Received Ul. Co. Pl. Bd. advisory comments. All legal documents are in place. Co. Pl. Bd. just looking out for Town's interest but Town handled. Kane-prepared Part 2 of EAF and distributed to members to

review – no negative impact. Weeks-is fire company protected in the lease with reference to taxes. Frawley-yes-taxes are responsibility of tower owner if taxes increase due to tower. Weeks-SBA has insurance policy and Bonded if need to remove tower. Frawley-has done it but not as common as before. A motion by Post, seconded by Bruno for a Neg Dec. All in favor, none opposed, carried. A motion by Post, seconded by Furman vote on Ul. Co. Pl. Bd. comments and to grant Preliminary approval, waive submission of Final Plat and grant Final approval. All in favor, none opposed, carried. Received 2 signed maps on July 31, 2009.

PRE-HEARING CONFERENCE:

1. Lot line revision-Christopher Kraft-Old Rt. 32 and Finger Rd.-Maps presented by Christopher Kraft. Has a 12 acre parcel and a 1.9 acre parcel. Taking a piece from 12 acre lot and adding to 1.9 lot to increase that lot to 2 acres. A motion by Goldberg, seconded by Furman to declare this a Type II Action. All in favor, none opposed, carried. A motion by Post, seconded by Bruno to waive public hearing per Section 323. All in favor, none opposed, carried. A motion by Post, seconded by Bruno to grant Preliminary approval, waive submission of Final Plat and grant Conditional Final approval pending mylar map with owner signatures. All in favor, none opposed, carried. \*\*\*Received 2 signed maps on July 31, 2009\*\*\*
2. Lot line revision-John Cimorelli-Grandview Circle off Brook Road-Maps presented by John Cimorelli. Road is now below 10% grade. Private road loops around so parcels are not landlocked. This lot line revision is eliminating the long flag lot. The septic on Lot 5A has been moved and has a permit to construct. Road is in Deed and has a Road Maintenance Agreement. Road loops and connects to Town Road. A motion by Post, seconded by Furman to waive public hearing per Section 323. All in favor, none opposed, carried. A motion by Goldberg, seconded by Furman to declare as a Type II Action. All in favor, none opposed, carried. A motion by Furman, seconded by Bruno to grant Preliminary Plat approval, waive submission of Final Plat and grant Final approval. All in favor, none opposed, carried. Receive 2 signed maps.
3. Minor-Ward Fleming-Augustine Road-Maps presented by Gary Harvey-This is a 33+ acre vacant wood lot being subdivided in a 15 acre lot and an 18+ acre lot. There is an existing wood road. Not building, he is selling a lot to a friend. NOTE on map stating NOT for building purposes to be placed on Preliminary Plan. There is also an existing 8' X 10' cabin with no utilities. Wood road would need much improvement before building. A motion by Goldberg, seconded by Furman to declare this an Unlisted Action. All in favor, none opposed, carried. A motion by Bruno, seconded by Post to grant sketch approval and to schedule a public hearing for August 18, 2009. All in favor, none opposed, carried.
4. Minor-Emilia Popowicz-Echo Hill Road-Maps presented by Chris DiChiaro of Rothe Engineering-subdividing 4 acres into 2 lots. Located on paved part of Echo Hill. Needs curb cut and Engineer letter on soil tests for septic. Test have been done and looks good for in-ground septic. A motion by Goldberg, seconded by Furman to declare this an

Unlisted Action. All in favor, none opposed, carried. A motion by Post, seconded by Bruno to grant sketch approval and to schedule a public hearing for August 18, 2009. All in favor, none opposed, carried.

5. Lot line revision and Major subdivision- John Stowell-Rt. 32S-Maps presented by Chris DiChiaro of Rothe Engineering. Has 2 lots off Rt. 32S. Lot 1 has an existing house and will be the 10 lot subdivision. Lot 2 is in the back. Discussed Town road and stormwater management plan. Duplex on each lot – if selling and have to re-subdivide would have 20 subdivided lots or could rent duplex. A conservation subdivision. Discussed Affordable housing. Discussed connecting to Crowne Management project. DiChiaro-can connect with water and will have to check on road. Creen-will probably make a push for connections so contact them before you start building. Kane-submit more detailed maps before public hearing on road, plantings, stormwater management, etc. A motion by Goldberg, seconded by Post to declare this an Unlisted Action. All in favor, none opposed, carried. Need to submit a long form EAF. Discussed if stormwater management plan would be in question if cul-de-sac were taken out. Large pond needs verifying. Goldberg-if a public hearing was held and then all these changes, would another hearing be needed. DiChiaro-will let Pl. Bd. know if they want a public hearing in August, or can hold hearing open until changes are made. Creen-public could then hear both changes. A motion by Furman, seconded by Post to grant sketch approval and to schedule a public hearing for August 18, 2009. All in favor, none opposed, carried.

6. Major-Jody Dwellings, LLC-Band Camp Road & Rt. 212-Maps presented by Robert Hagopian-Has 52 acres-Conservation Subdivision as will subdivide into 12 lots. Discussed open space formula 60% would not work but 40% could, if Pl. Bd. could work with them. They have 20 acres of open space and the law says they need 30 acres. Also flood plain concerns. Creen-Applicant should put a list of conflicts together, maybe ZBA can give relief. Applicant would like a regular subdivision not a cluster. Pl. Bd. will find a determination – ask Town Attorney.

#### MISCELLANEOUS:

1. Win One for Jesus-Special Use Permit-Rt. 32S                      Francello recused.  
Kane-reviewed situation by reading letters from Building Inspector on 7/1/09 and 6/30/09 Order of Remedy Violation and correspondence from Town and Win One, letter from Thomas Francello on 7/14/09 and Teen Challenge letter of 7/20/09 stating they have an on-sight review set for 8/11/09. Issue-considering violation or remedy of Special Use Permit. Creen-cannot take official action until after 7/31/09. This is up to Town Attorney and Applicant Attorney until 7/31/09. Creen-we are aware of situation and waiting for information. Kane-has been there but no one was there at that time. Not appropriate to ask Applicant at this time. Furman-hope it gets cleaned up. Creen-hope they will be in conformance before then. Weeks-gave them 12 months. Kane-gave them until 9/1/09 to get accreditation. Discussion on having a hearing with Town Attorney. Would have to give everyone an opportunity to prepare. If no accreditation by 9/1/09 then they did not make deadline for the Special Use Permit.                      Francello – returned.

2. Received ZBA June Minutes on July 8, 2009.
3. David Mauro – received signed maps.
4. DiLeo – received signed maps.
5. Donald Lezette – received signed maps.
6. Highwoods Development – received signed maps.

Since there was no further business to discuss, a motion by Creen, seconded by Furman to adjourn the meeting at 9:30p.m.

Respectfully submitted:

Juanita M. Wilsey,  
Recording Secretary