

Alfred Jantzen – Commons Road      Michael Kokas/Jan Greer – Pleasantvale Road  
Richard Messmer – Commons Road      Aldus Francescott – County Route 6

## CLERMONT PLANNING BOARD

April 11, 2007

The Clermont Planning Board held two public hearings and the regular meeting on Wednesday, April 11, 2007. Those members present were Chairman Laurence Saulpaugh, Dianne O'Neal, Amandus Fuchs, Garret O'Connor, Clayton Andrus, Aldo Dusman and Robert Queirolo. Others present were: Michael Kokas, Richard Messmer, Robert Desmond, Paul Doherty, Aldus Francescott, Marie Welch, surveyor for Alfred Jantzen, Irving Minkowitz, Dan Wheeler, Randy Bloom, Clifford Yasutake, Alfred and Julia Jantzen and Tom Jantzen.

A motion was made by Dianne O'Neal, seconded by Clayton Andrus to accept the minutes of the March meeting with the following corrections: Page 2 – Change Marie Welch to Everett White on line 21; Page 3 – Add to line 16 'concrete markers' after five-inch and change line 17 to 'concrete markers at corners bordering road' after four-inch; Page 4 – Re: Motion to accept 'application' on Moran subdivision of two lots on Commons Road. All in favor. So carried.

A motion was made by Garret O'Connor, seconded by Dianne O'Neal to close the regular meeting and open the public hearing of Michael Kokas and Jan Greer to subdivide two lots on Pleasantvale Road. Mr. Kokas has submitted Health department approval, has notified by certified mail the adjoining landowners, deed descriptions of both lots, driveway permit for shared driveway and the driveway agreement, which has been reviewed by our attorney. There has been a slight change on the map because pins were not set at last meeting and now they have been. All fees and escrow have been paid. Mandy Fuchs noted that the map shows that there is 94.3 acres remaining. Is that the correct total after this subdivision? It was determined that the map shows incorrect total acreage and should be corrected before maps can be stamped. There should be 70 acres more or less remaining. Dan Wheeler suggested continuing the hearing until this is straightened out because the purpose of a public hearing is for the public to comment and the map should be correct.

It was noted that there was no one present for or against this subdivision. Chairman Saulpaugh read the EAF. A motion was made to declare a negative declaration by Dianne O'Neal, seconded by Clayton Andrus. All in favor. So carried.

Mandy Fuchs made a motion to continue the public hearing of Michael Kokas and Jan Greer, seconded by Garret O'Connor.

Garret O'Connor recused himself from the next hearing. The hearing on the five-lot subdivision of Alfred Jantzen on Commons Road was reopened. Marie Welch, surveyor for Mr. Jantzen stated that the pins have been placed. There is a cross over pole – power

easement across Lot 1 for the benefit of Lot 2 & 3. All pins and markers are in. Between lot 3 & 4 there is a spike because of rock, sub distances are noted in parentheses on the map.

A letter has been received from the Health Department and approval is close. The applicant is requesting conditional approval, contingent on health department approval, at which time maps could be stamped. Thomas Cummings has engineered the systems and a letter could be submitted to the Board. The health department has some issues, which are being addressed by the engineer.

Mandy feels that this is a preliminary map. Marie Welch said it is a final map and all you are going to get. Mandy Fuchs pointed out that our regulations state there is a sketch approval, preliminary approval and final approval.

The applicant would like preliminary and final approval, contingent on health department approval. Board has authority to approve contingent on health department approval. Mandy Fuchs, as was stated at the last meeting, all papers and maps must be complete. Contingent approval is at discretion of planning board, they can grant conditional approval at their will. The Board should have complete package, which includes the engineering plans and survey plans. Dan Wheeler has not reviewed Health department letter. Ms. Welch - if the board gave conditional approval, maps would not have to be stamped until health department is given. Planning board has specific criteria to meet including septic, well, etc. Marie Welch believes the board has never before asked for submission of health department approval. Dan Wheeler stated that an application is complete when you submit a complete application.

Mr. Jantzen has a copy of the actual plan and this is what the board would be looking for - the actual approval by the Health department. Aldo Dusman thinks we should get everything in before final approval. There was discussion about the subdivision regulations, etc.

A motion was made by Clayton Andrus, seconded by Dianne O'Neal to continue the public hearing.

Garret O'Connor is back on the board.

Richard and Patti Messmer – Commons Road – Proposing a three lot subdivision on the former Ross property. The property is seven acres and the lot sizes, 4.82 acres, 1.15 acres and 1.03 acres. He is proposing a shared driveway for two of the lots with approval from Town Highway Superintendent. There is 200' road frontage. The applicant submitted an application, sketch plan information, agriculture data statement and short EAF at the March meeting. Must get board of health approval. There was discussion on when an application is deemed complete as recently a local law was approved, which increases lot density in the Residential Agriculture district from one acre to two acres and would effect this application. The discussion centered on what constitutes accepting an application under the former one-acre requirements. As Dan Wheeler pointed out, a complete application starts the time frame, it must be completed, the EAF must be filled out and the Board considers the map something that they can work with. There was a question on whether fees must have been paid prior, but usually fees are collected once we know how

many lots are involved. Garret O'Connor thinks we are putting a burden on the applicant, as the paperwork was submitted prior to the approval of the local law and the applicant has gotten driveway approval. Aldo Dusman asked who would check on whether the grade is correct as noted on the permit. Dan Wheeler said it is the Highway Superintendent's responsibility, in fact the Town places the culverts.

As Garret O'Connor stated, we have this application, the Yasutake application for two additional lots and the John Moran two-lot subdivision application, which came in at the last meeting. Dan Wheeler said that the fact that it was discussed at the last meeting and submitted, you could make an argument that the application was basically complete. Dianne O'Neal made a motion to go forward with this application, seconded by Garret O'Connor. All in favor. So carried.

Health department approval is needed on all three lots. Power runs along the road, one pole on corner, one across road and the other down in back; can possibly get easement from Tom Jantzen for electric from across the road. Have the surveyor, Phil Massaro work on the electric easements. A copy of the shared driveway agreement should go to our attorney from their attorney for review.

Paul Doherty has met with Jim Potts and discussed incorporating a six-foot wide heavy-duty shoulder adequate for fire vehicles and so forth into the proposed road in his Turkey Hill subdivision. He is submitting a revised EAF form because of eliminating the Milan portion of subdivision. He is submitting a new map and specification on shoulders. Aldo Dusman asked if the six-foot shoulder is going to be plowed or not plowed. Dan Wheeler responded that the Highway Superintendent has approved this plan, and the shoulder would be made relatively hard so that it can be driven on in the event of an emergency. The developer will bear the expense and the specifications can specify to add calcium.

Mr. Doherty stated that each entrance to a driveway and mailbox has to have a paved apron according to our highway specs. The recommended length in our subdivision for a road with a cul-de-sac is 500 feet and the Planning Board has the jurisdiction over the length. Jim Potts wants a turnaround at the end to have a 110-foot radius to accommodate trucks. There are 10 lots proposed on the road, which is under the limit. The mailboxes will have to be pretty far back from road if there is going to be an apron. Dianne O'Neal would like to review the EAF and ask questions for next month when a review will be done. The board requested that significant topographical features within two hundred feet of the property line be shown on map, show the location of power, wells and septic systems within 200 feet; and the source of the utilities. There are six lots under two acres in this proposal.

A motion was made by Mandy Fuchs to accept the plan submitted conceptually, seconded by Garret O'Connor. All in favor. So carried.

Aldus Francescott is proposing subdividing a parcel of 28.976 acres from 123 acres on County Route 6. He must return next month with seven copies of the map, completed application and show utility easements along the road on the map.

Chairman Saulpaugh read a letter from Garret O'Connor regarding a meeting with our town engineer and the planning board members on board's role in the process. There was discussion on sending all applications to the engineer to review before every planning board meeting. The idea is to eliminate having applicants come in over and over and say we didn't tell them everything. Dianne O'Neal would also like to talk to someone about redoing our application and forms for the applicants.

A motion was made by Clayton Andrus, seconded by Garret O'Connor to adjourn at 9:55 P.M.

Respectfully submitted,

Mary Helen Shannon  
Secretary