

Aldus Francescott – County Route 6
Alfred Jantzen – Commons Road
William Phillips – County Route 6

Clare and Clifford Yasutake – Cemetery Rd.
Kenneth Casamento – County Route 6
William Cole – Route 9G

CLERMONT PLANNING BOARD

JUNE 13, 2007

The Clermont Planning Board held its regular meeting on Wednesday, June 13, 2007 at the Town Hall. Those members present were Laurence Saulpaugh, Dianne O'Neal, Clayton Andrus, Aldo Dusman, Garret O'Connor, and Amandus Fuchs. Robert Queirolo was absent. Others present were Dan Wheeler, Kenneth Casamento, Aldus Francescott, Marie Welch, William Phillips, Robert Desmond, Irving Minkowitz, Clare and Clifford Yasutake, Billy Cole and Alfred Jantzen.

Chairman Saulpaugh opened the meeting.

Minutes: A motion was made to approve the minutes of the May meeting with a correction on page 3 – 'Garret will take a look at aerial photographs of parcel' by Dianne O'Neal, seconded by Garret O'Connor. All in favor. So carried.

Ken Casamento for Prime Development – Mountain View Farm – County Route 6
The applicant has received preliminary comments from Health Department and has finalized design of septics, which will be submitted, to the health department. Brought maps showing grading, etc. The applicant is looking for the next step, possibly a public hearing for comment.

- The question arose as to whether health department approvals should be completely finalized and Dianne O'Neal pointed out that we have been requiring final plans before approval.
- Former dumpsite - Deep tests were dug and the soil was sand and gravel, but water table is high. Site is to the left of that area. Mr. Casamento does have photographs of what was dug up at site. Soil sample test was sent to a lab. Well should be as far away as possible just to be on the safe side. There was nothing in soils according to tests. Mandy is concerned about anything else that might have been in there. Dianne asked what was tested for at the site. The applicant tested for everything, heavy metals, etc. Dianne asked who would end up owning that site. It will be the owner of the parcel and it will be disclosed that it was a dumpsite.
- Mandy has concerns about the wet area. Could a swale or ditch be incorporated into the plan? The applicant will be filling the area and could create some kind of slope. Maps will be submitted to Dan. Will provide copies of responses from DEC.
- During the site visit, there were discussions about a potential walkway/trail. The applicant came to the Town Board to present a plan, however the Town Board was not in favor of taking the land for a walkway or trail. The Planning Board had requested a fifty-foot easement connecting to the Borgia property on the south side of

Route 6. The fifty-foot easement is not shown, because they would have to grade this now and it changes the design. Mandy believes that we have to decide if we are going to ask the developer to show the fifty-foot easement now, we cannot ask him to come back two months from now. The question is at what location they should locate it. Concern is about the wetlands and buffer. Dianne – if the town was interested in the land being set aside for the trail it would take care of the connectivity problem. Ken – it is a lot of work for something that may never work. Mandy we either have to ask him to continue the road or consider that because of the wetlands it is out of the question. Ken Casamento - if you make a decision that a through road is not possible, then we could still leave a walking trail easement for a potential connection in the future. Dianne asked how will we ever know if there is an obstacle in the way, such as a wetland, it seems unfair to require him to build an actual road where it may not be continued. At least if there is a walking trail it is usable. Larry asked the applicant if they have a problem leaving a ten-foot easement to the wetland. Ken stated that they could leave a ten-foot easement on both sides to intentionally create a walking path through parcel. Dianne asked if there is an alternative to divide off an acre or so for a wilderness lot if the property can not be sold with the easement. Dan Wheeler asked who would own this ten-foot wide easement. It will run through the owner's parcel. Dianne's question is could it later be divided out by the owner and put into a conservation easement. This would be a question for an attorney because of liability issues. Dan sees three options – the owner of the parcel own the easement, the town owns it, or it is put into a conservation easement. Dan suggests letting the developer call town attorney and/or a conservation organization and ask the questions. Mandy Fuchs made a motion based on these discussions and the unlikely event that there would not be enough lots created on the parcel adjoining, cost associated with developing the easement and the location of the wetlands, to not pursue the requirement of the fifty-foot easement for a road connection. Motion seconded by Dianne O'Neal. All in favor. So carried. Ken Casamento will look into the trail aspect.

William Phillips – County Route 6 – Mr. Phillips submitted an application to the Planning Board on 5/10/06 requesting a subdivision of 5.50 acres into three lots. It was determined that he did not have the required fifty-foot road frontage for the two new lots. Mr. Phillips did receive an area variance for the road frontage because he did not have the required 50-foot frontage for two lots. An application was submitted to the Zoning Board of Appeals on 5/14/06 for an area variance for the road frontage. He received the area variance. He has now come back to the Planning Board but after discussion and checking the ordinance, there is a six-month period for action to be taken on an application. Mr. Phillips stated that he did have several hardships occur since he originally filed citing a death in the family and a fire. In the interim, the residential agricultural district was rezoned for two acres. Since his total acreage is 5.50 acres, he does not meet the requirements. It was suggested that he reapply to the ZBA for an area variance because the new zoning of two acres has created a hardship for him to subdivide his land. Dan

Wheeler agreed that Mr. Phillips could ask for a variance citing a hardship because of the zoning changing. Board cannot approve three non-conforming lots.

Clare and Cliff Yasutake – Cemetery Road – Creating two new lots

- Offset pins have been shown on map
- Wells and septics on neighboring properties are shown on the map.
- Adjusted lot lines while maintaining acreage for original lot twenty-five feet from middle of road.

Has completed all that was asked for at last meeting. We have health department approval, driveway permits for two entrances. The deed descriptions will change because the lines were amended so we will need new descriptions. A public hearing will be advertised for next month on July 11th at 7:30 P.M. Requested eight copies of the map. No agricultural data statements are needed.

Garret O'Connor removed himself from board because of a possible conflict with the next action.

A motion was made by Dianne O'Neal, seconded by Clayton Andrus to close the regular meeting and re-open the public hearing, which was continued from April 11th on the Alfred Jantzen five-lot subdivision on Commons Road. Marie Welch, surveyor was also present with Mr. Jantzen. Chairman Saulpaugh reviewed the SEQRA. A motion was made by Dianne O'Neal, seconded by Clayton Andrus to declare a negative declaration. All in favor. So carried. A motion was made by Dianne O'Neal, seconded by Clayton Andrus to close the public hearing and open the regular meeting.

A motion was made by Amandus Fuchs, seconded by Clayton Andrus to approve the Jantzen subdivision. All in favor. So carried.

Garret is back on the board.

Aldus Francescott – County Route 6 – Subdivision of 28.9 acres with residence and barns from a parcel of approximately 121 acres. Needed health department approval on remaining acreage. National Grid easement is noted on map and driveway permit are in file. The proposed well is shown on map. Schedule public hearing for July 11 at 7:30 P.M. Send Agricultural Data Statement to Werners, Finck and Potts Farm.

Billy Cole – Test holes have been dug on the former LaMunyan property on Route 9G. Dan submitted a letter regarding test sites dug. Three holes were dug, two on the level of the building and the third on the toe of the slope, on the north side of the building. The purpose was to do a spot check on the property in order for Mr. Cole to put up two storage units on the five acre parcel which was not involved with the C&D site. Planning Board is concerned about site being acceptable for the use, not with the engineering of the storage units. C&D site is three acres with building. Submit two copies of site plan and building plans to Dan for review. We could ask for a Draft Environmental Impact Statement on significance of storage units and office.

Madison Hills Subdivision on Cemetery Road – Larry stamped maps – It should be noted in the minutes that as soon as conditions are met, the chairman could stamp the maps – noting contingent final approval.

Discussed agendas, submission of information to planning board and minutes with Dan. A motion was made by Garret O'Connor, seconded by Dianne O'Neal to adjourn at 10:30 P.M.

Respectfully submitted,

Mary Helen Shannon
Secretary