

**Minutes  
Warrensburg Planning Board  
May 17, 2011**

**Board Members Present:** David Spatz, Alice Farrell, Lynn Smith (Alternate), Laura Moore, Art Healy

**Board Members Absent:** Shale Miller, Danielle Robichaud (Alternate)

**Others Present:** Kathie Ferullo, Tom Decelle, Lynn & Pam Swanson, Linda Marcella, Patti Corlew, Chris Belden (Zoning Administrator)

**Meeting Commenced at 7:00 p.m.**

Mrs. Moore - ...we do have a quorum this evening. Does any of the members of the Board have any questions about the previous meeting minutes.

Mr. Healy - I make a motion we accept them.

Mr. Spatz - I'll second that.

Mrs. Moore - All those in favor.

**RESOLUTION #2011-25**

Motion by: Art Healy

Second by: David Spatz

**RESOLVED**, to approve Planning Board minutes of April 19, 2011 (without correction).

**DULY ADOPTED ON THIS 17<sup>TH</sup> DAY OF MAY, 2011 BY THE FOLLOWING VOTE:**

Ayes: David Spatz, Alice Farrell, Lynn Smith, Laura Moore, Art Healy

Nays: None

Mrs. Moore - Okay. We'll move onto old business. Under site plan review, site plan 2011-2, tax map 211.18-1-6, address is 3675-71 Main Street. Applicant is Thomas Decello, Decelle, to allow new use of popcorn and ice cream sales in the rear of the building.

Mr. Decelle - Hi, guys.

Mrs. Moore - Hi.

Mrs. Smith - Hi.

Mr. Decelle - First of all, (inaudible) sign, I changed the sign, and you wanted all the measurements on all the, the parking lot and the deck, so that was drawn up. The only questions I have are, I, I just don't know how far (inaudible). I don't know how, what the setback requirement for (inaudible) off the street.

Mrs. Moore - Off the street or your property line?

Mr. Belden - Five feet.

Mrs. Smith - Five feet.

Mr. Decelle - Five feet, okay. Alright. (Inaudible).

Mrs. Moore - Somebody needed a pen (inaudible).  
(Tape inaudible).

Mr. Decelle - Now the propane tanks around the residence and I want to move the propane tanks to the back corner of my property, and I don't know if there's any requirements...

Mrs. Moore - For relocation of..?

Mr. Decelle - Yes. And I want to have it, ya know, off (inaudible) how far off the (inaudible).

Mrs. Moore - I'm not aware of...

Mr. Decelle - Paraco's going to come out and relocate these. I just need to know how, ya know, how... Obviously I want them far away (inaudible) living here and right now they're on the house.

Mrs. Moore - 'Kay and they, and what, what does the propane service?

Mr. Decelle - Paraco. It's...

Mrs. Moore - What...

Mr. Decelle - Oh, it services my house.

Mrs. Moore - So you're going to dig a new line?

Mr. Decelle - Yeah. We're going to run a trench and put lines in, 18 inches, they said I got to be 18 inches (inaudible) conduit.

Mrs. Moore - Okay.

Mr. Decelle - I just want to know how, how far...

Mrs. Moore - Chris, is there a distance that the propane tanks needs to be from the property line?

Mr. Belden - Not, not as far as the zoning's concerned. I would say that's more of a building code question. There, there might be some sort of setback requirement (inaudible) from New York State.

Mr. Spatz - Could you excuse me for a minute? I wish you could have gotten five copies of that so we could see what was going on.

Mr. Decelle - I'm sorry. I, I...

Mrs. Moore - What I foresee is, is maybe answering some of these questions, going over this material and then having him... I think there's going to be additional questions that we'll probably have as board members and then either arrange for what he needs to do next and then bring it back in again.

Mr. Decelle - Sure, of course.

Mrs. Moore - So if you just have some... I don't know.

Mr. Decelle - (Inaudible).

Mr. Spatz - Everybody else had a chance to (inaudible)?

Mr. Decelle - I apologize.

Mrs. Moore - The sign, what's the size of the sign, do you have a dimension?

Mr. Decelle - Like 4 by 8. The first one I propose is a, a backlit or (inaudible), ya know.

Mrs. Moore - Hm hm.

Mr. Decelle - (Inaudible).

Mr. Healy - (Inaudible) see that, please.

Mr. Decelle - Okay. Sure. I shortened up the parking spots and there's one other question I have on parking.

Mrs. Moore - What is your question on parking?

Mr. Decelle - I don't know how much room... 3675 is the front of the property. I have about 30 feet between my house and well, I have 33 feet between where I can (inaudible) existing driveway and my neighbor's property line (inaudible) 30 foot of it's going to be pavement. I don't know if I could put, how wide the requirements are for cars to be entering and exiting. I wanted to add parking spots up in this area just to give me additional parking. I don't know if I'm going to have enough room. I don't know what the requirement is for the width.

Mrs. Moore - Of a drive aisle?

Mr. Decelle - Yeah.

Mrs. Moore - You're going to propose... Is that two-way traffic there?

Mr. Decelle - Yes. I don't know what my width is and setbacks from the neighbors.

Mrs. Moore - And right now, you're saying that you have 30 feet from...

Mr. Decelle - I (inaudible) 30 foot from where I can actually pave, ya know, without, ya know, being really on my home, ya know, so.

Mrs. Moore - To the edge of the property to the, your neighbors.

Mr. Decelle - Yes.

Mrs. Moore - (Inaudible). Chris, what could the... Do we have a dimension requirement for parking size?

Mr. Belden - For parking?

Mrs. Moore - Yeah, a parking space.

Mr. Belden - (Inaudible) the drive width or the parking?

Mrs. Moore - The parking space?

Mr. Belden - No.

Mrs. Moore - Is it usually 10 by 18?

Mr. Belden - I would, I would say probably a parking, standard parking size is probably about like 20 by 8 or 8 by 20.

Mrs. Moore - 20 by 8.

Mrs. Farrell - That's, that's a tight one because I actually measured the parking spaces at the Wal Mart in Queensbury, and they're 12 by 20. So an 8 by 20 is going to be, be tight.

Mrs. Moore - Okay. (Inaudible).

Mr. Belden - We don't have any... I'm sorry, we don't have...

Mrs. Moore - (Inaudible) requirement.

Mr. Belden - No. The...

Mrs. Moore - Okay. I, I guess I'm concerned about...

Mr. Decelle - (Inaudible).

Mrs. Moore - Right.

Mr. Decelle - (Inaudible). There's a, ya know, if I (inaudible) make this (inaudible) that's fine. (Inaudible). I just didn't want it all striped out. (Inaudible) freak anybody out. So if it's 30 foot,

12 feet off the 30 foot is eight, it leaves me 18 feet. Is 18 feet enough for two cars to be coming in and out?

Mrs. Farrell - (Inaudible) really tight.

Mrs. Moore - (Inaudible) tight.

Mr. Decelle - Tight?

Mrs. Farrell - Yeah.

(Tape inaudible).

Mrs. Farrell - Exceptionally tight.

Mr. Decelle - Okay.

Mrs. Moore - I guess I would, my, my... Maybe my suggestion might be is that you work with Chris.

Mr. Decelle - Okay.

Mrs. Moore - Maybe get hold of our, someone in the fire department.

Mr. Decelle - Okay.

Mrs. Moore - Because, or some emergency services, so we that we know that our trucks can facilitate...

Mr. Decelle - Okay.

Mrs. Moore - ...that 'cause you're using the rear building.

Mr. Decelle - (Inaudible).

Mrs. Moore - And we want to make sure that we, we have... You're going to have, you're going to have a couple different types of traffic I believe; you're going to have our typical tourist traffic, which is that big RV...

Mr. Decelle - Okay.

Mrs. Moore - ...or the other person that has the boat behind their...

Mr. Decelle - Okay.

Mrs. Moore - ...boat behind their car.

Mr. Decelle - Right.

Mrs. Moore - So...

Mr. Decelle - Okay.

Mrs. Moore - You might have to be, review your, your layout...

Mr. Decelle - Okay.

Mrs. Moore - ...in the sense that you, you might have that type of traffic.

Mr. Decelle - Sure.

Mrs. Moore - In your space.

Mr. Decelle - Okay.

Mrs. Moore - My hope is that it's just cars.

Mr. Decelle - Okay.

Mrs. Moore - But emergency services, cars, our tourist traffic, you might want to look at that.

Mr. Decelle - Okay.

Mr. Spatz - If you want the Fire Chief's number, I'll give it you.

Mr. Decelle - Yeah (inaudible).

Mr. Spatz - 232...

Mr. Decelle - Yep.

Mr. Spatz - 98...

Mr. Decelle - Yeah.

Mr. Spatz - ...35.

Mr. Decelle - Okay. Now...

Mr. Spatz - Justin...

Mr. Decelle - Justin?

Mr. Spatz - Hull, H U L L. Tell him I told you.

Mr. Decelle - Alright. Very good. What's your name? Are you Dave?

Mr. Spatz - Yeah.

Mr. Decelle - Okay. Okay. The only other thing was on the, I was going to pour a pad for my trash and have a, some kind of, my rubbish... I don't know what the requirement is. In the town of Colonie, you have to be 100 foot from a residence to have a dumpster but it's obviously a car wash on the other side and I'm like a couple hundred feet from my other neighbor, but is there any requirements on that (inaudible)?

Mr. Belden - No, there's, there's no formal requirement.

Mr. Decelle - Okay.

Mr. Belden - I mean, if the Planning Board has an idea of where they'd like you to place it...

Mr. Decelle - Okay. (Inaudible).

Mrs. Farrell - (Inaudible) another access issue for the truck to get into the dumpster, so you really have to make sure that you have your ingress and egress.

Mr. Decelle - Okay.

Mrs. Farrell - Plus the fact that in the summertime, and, and I know that's what you're aiming as far as business is concerned.

Mr. Decelle - Okay.

Mrs. Farrell - But this can be a highly congested area.

Mr. Decelle - I understand.

Mrs. Farrell - Right there, and one thing that I don't think we want to do is add to that congestion with either cars stopped on the side of the road...

Mr. Decelle - Right.

Mrs. Farrell - ...or in any way which might inhibit the flow of traffic across the bridge in...

Mr. Decelle - Okay.

Mrs. Farrell - ...in to town.

Mr. Decelle - (Inaudible). I mean, right now, I mean (inaudible) I mean, me and my wife, we just pull around and we park (inaudible). I have a couple kids and I just wanted to... I mean, if I have to open that up to the public to, to, ya know, exit through there just for the summer, then I guess I'll have to live with it, ya know. I, I don't want to do that, but I mean, if it's going to be a safety issue... I mean, there was a car accident on Sunday. Someone...

(Inaudible) see that?

Mr. Spatz - Yeah.

Mr. Decelle - From the trailer park. It sounded like a bomb went off. Yeah. So I understand, ya know, I don't want to put anybody in any danger, but (inaudible) guys want to review it and ya know, if you think I should open this up (inaudible) look around (inaudible).

Mrs. Farrell - Well, you might want to also check with DOT because you've got the car wash ingress/egress thing. You have this as a, just an exit and this as an entrance, you might want to check and see what DOT's regulations are as far as having those right on top of one another.

Mr. Decelle - Okay.

Mrs. Farrell - And...

Mr. Decelle - There's other parking... I don't know what... I mean... They had parking spots. There's a fire hydrant right here. (Inaudible). And if I, if I was to do that and (inaudible) one lane, then maybe I could use this for parking also (inaudible).

Mrs. Farrell - Traffic is our biggest concern right there.

Mr. Decelle - Right.

Mrs. Farrell - And because I think we mentioned this before, if it, it's not only, that particular gateway to the community is not just the, for the folks of Warrensburg. That is the major transit for any kind of emergency vehicles coming from the north to get into the Northway. Most of them get on at 23. And...

Mr. Decelle - (Inaudible).

Mrs. Farrell - And you can't, you just can't be screwing with that traffic there if there's an ambulance coming through.

Mr. Decelle - True.

Mrs. Smith - Is there any way you can move it like down and then around the building?

Mr. Decelle - Yeah, I mean, (inaudible).

Mrs. Smith - Yeah.

Mr. Decelle - And how did they do it at the Bear Cupboard, how was there traffic?

Mr. Healy - Not like you're going to have.

Mr. Spatz - No.

Mrs. Smith - No.

Mr. Healy - Let me put it that way.

(Tape inaudible).

Mrs. Smith - And they, they (inaudible) park in the front, didn't they?

(Tape inaudible).

Mrs. Moore - On the side. They also parked on the side, and sometimes to the rear. So I mean, the...

Mr. Healy - If you're going to be successful, and I hope you are, you're going to have a lot of traffic there.

Mr. Spatz - Yeah.

Mr. Healy - Okay? Lot more than any other business that's been there before. Okay? So...

Mr. Decelle - Well, we're, any, I'm open to any suggestions (inaudible). I mean, I, I'm in the middle of fixing up the inside of the house (inaudible) I mean, I've been cleaning up a, a big debacle. I'm not totally prepared for all this, so I'm expecting to come here, ya know, in the next meeting also.

Mr. Spatz - Okay.

Mr. Decelle - If you just want to keep this (inaudible) more copies.

Mr. Spatz - That's okay.

Mr. Decelle - Although, the next time I come, I'll have my engineered plans as well.

Mrs. Farrell - Yeah.

Mrs. Moore - Okay. Do you want to take that back with you?

Mrs. Farrell - Yeah.

Mrs. Moore - That way, we're, we don't have information in our file that's not going to be part of the site plan.

Mr. Decelle - Okay. Alright then. Alright. Well, want me to make copies and give 'em to Chris tomorrow (inaudible). I'll get some more copies (inaudible).

Mrs. Farrell - Just another question, as you're working with your engineer.

Mr. Decelle - Okay.

Mrs. Farrell - That additional pavement that you're adding here.

Mr. Decelle - Yes.

Mrs. Farrell - You need to be concerned about because of the closeness to the river, if that's going to be solid blacktop...

Mr. Decelle - Right.

Mrs. Farrell - ...what the runoff's going to be...

Mr. Decelle - Right.

Mrs. Farrell - ...and whether or not there might be some other alternative kind of, of, ya know, permeable pavement that might...

Mr. Decelle - Sure.

Mrs. Farrell - ...be within the same...

Mr. Decelle - Right.

Mrs. Farrell - ...cost range...

Mr. Decelle - I, I, I did ask...

Mrs. Farrell - ...(inaudible) closeness to the river.

Mr. Decelle - I asked about that and (inaudible) about 30 feet from the water here, and he said 20 feet is plenty for a buffer zone...

Mrs. Farrell - Okay.

Mr. Decelle - ...(inaudible) ya know what I mean?

Mr. Healy - In dry season?

Mr. Decelle - I, I, I know.

(Tape inaudible).

Mrs. Moore - You purchased your property at a point in time that was pretty amazing.

Mr. Decelle - Yeah, I know. I just filed for an amendment for (inaudible).

Mrs. Moore - You did? Good. Okay. So...

Mr. Belden - ...you want him to... I'm sorry. Dave and I were having our own little conversation. I guess you'd like to have the plans submitted before...

Mr. Spatz - Before you...

Mr. Belden - ...the meeting.

Mr. Spatz - Before the meeting if possible.

Mr. Decelle - Of course.

Mrs. Moore - Yeah.

Mr. Belden - Yeah.

Mr. Decelle - Of course. Yep, no problem. I'll just...

Mr. Belden - If you want to come in tomorrow or whenever possible, we can just kind of go over things and...

Mr. Decelle - Sure.

Mr. Belden - ...flush things out a little bit more before (inaudible).

Mrs. Moore - So our next meeting is on June 21<sup>st</sup>.

Mr. Decelle - That's fine.

Mrs. Moore - And so...

Mr. Decelle - Yeah, I won't be ready. I don't want to even... Yeah, I won't...

Mrs. Corlew - So by the 10<sup>th</sup>.

Mrs. Moore - So by June 10 is, is the information (inaudible).

Mr. Decelle - Yeah, that's very, that's no problem at all

Mr. Belden - (Inaudible).

Mr. Decelle - Good. No problem at all.

Mrs. Moore - So we'll, I'll ask for a motion to table this application...

Mr. Decelle - Okay.

Mrs. Moore - ...until the next meeting to provide additional information...

Mr. Decelle - Okay.

Mrs. Moore - ...(inaudible) the applicant.

Mrs. Farrell - So moved.

Mrs. Moore - 'Kay.

Mr. Spatz - I'll second that.

Mrs. Moore - All those in favor.

#### **RESOLUTION #2011-26**

Motion by: Alice Farrell

Second by: David Spatz

**RESOLVED**, to table review on site plan application #2011-2 by Thomas Decelle, for tax map #211.18-1-6, located at 3675-71 Main Street, to all new use of popcorn and ice cream sales in the rear building.

**DULY ADOPTED ON THIS 17<sup>TH</sup> DAY OF MAY, 2011 BY THE FOLLOWING VOTE:**



Ayes: David Spatz, Alice Farrell, Lynn Smith, Laura Moore, Art Healy  
Nays: None

Mr. Belden - Alright, we'll be in touch.

Mr. Decelle - Thanks for your time.

(Tape inaudible).

Mr. Decelle - Thank you, guys.

Mrs. Moore - New business, amendment to map, map approved, subdivision #2008-2, tax map is 224.1-1-16, 1996 Harrington Hill Road. The applicant is Lynn and Pamela Swanson, amend map with one proposed single family dwelling in lieu of two, which were on map originally submitted and approved. Hi.

Mr. Swanson - Hi. How are you guys tonight?

Mrs. Moore - Good.

Mr. Swanson - This is a... We had a preliminary approval from about two years ago or more maybe and, and that was pending APA approval. We've since got our APA approval and it's been registered, the permit's been registered down at the County and tonight we've got our copies of the (inaudible).

(Mr. Swanson passed out maps).

Mrs. Farrell - Thank you.

Mr. Swanson - So what we've done is, with the original dwelling, we have created a five acre lot, and then a, about a nine acre lot and just, there's a little existing cabin on the nine a, acre lot that is rotten, falling down that will stay there for as long as it can, but our, our plan is not to use that. It's an old, old log cabin.

Mrs. Moore - I guess that would follow through with... The map will only demonstrate that there was an existing cabin on the lot and not from the preliminary. We have a potential that we could have sold the lot, I guess, that second lot?

Mr. Swanson - Yes.

Mrs. Moore - Explain.

Mr. Swanson - Yes.

Mrs. Moore - I guess I'm confused because usually, I mean, are you not proposing to sell this lot?

Mr. Swanson - The five acre lot with the house will be for sale.

Mrs. Moore - Okay.

Mr. Swanson - And we'll be keeping the nine acre lot.

Mrs. Moore - For potential future development or no future development?

Mr. Swanson - Possibly, possibly future development. With the APA, we have approval for a, a site. We've had perk tests. All of the requirements for the APA (inaudible) for one site, on the nine acre lot.

Mrs. Moore - Okay.

Mr. Belden - I think there's some confusion on why they're here today or..?

Mrs. Moore - Yes.

Mr. Belden - Okay. When you approved this, you approved the map as is.

Mrs. Moore - Hm hm.

Mr. Belden - And at that time, there were two sites, potential sites on the map, and since the Swansons have gone through the APA, the APA has narrowed it down to one site. So that is why... They're just here to get your blessing on, on the one site.

Mrs. Moore - The one site as being the camp?

Mr. Belden - On the nine acre parcel, before I, I believe it was the, the one out in back that you see...

Mrs. Moore - Yeah.

Mr. Belden - ...and the one up where the cottage is, that was another potential site to be developed. And the map has since then...

(Tape inaudible).

Mrs. Moore - This little one shows that, that, it demonstrates that there's...

(Tape inaudible; people speaking at once).

Mr. Swanson - Yes. When we went... When we went to the APA, they, in order to approve the subdivision, they required all kinds of blueprints of what type of dwelling we would be putting there, and so the APA plot map shows the location of the site for the house.

Mrs. Moore - Is this the same one that we have one in front of us?

Mr. Belden - That's the one you approved a couple years ago.

Mrs. Moore - Oh. Oh, okay.

Mr. Belden - That's the mod... Because he modified his previously approved map.

Mrs. Moore - Oh, so now...

Mr. Belden - That's the reason. He's just trying to get your blessing on the one site.

Mrs. Moore - And the one... Because his... This nine acre lot doesn't show either site?

Mr. Swanson - It doesn't show (inaudible) site, no.

Mrs. Corlew - It's just really the way the resolution was worded.

Mrs. Moore - Because you approved it "as is".

Mrs. Moore - Hm hm.

Mrs. Moore - And on that map, it shows multiple...

Mr. Belden - Yeah. It shows two sites and they're in different locations than what the APA (inaudible) wants to get it approved.

(Tape inaudible).

Mrs. Farrell - This is pre-existing. This was their intent to put two on the nine.

Mr. Spatz - I got ya.

Mrs. Farrell - And (inaudible) make it one (inaudible).

(Tape inaudible).

Mrs. Swanson - ...put that in there so that that's where the potential site could be.

Mrs. Moore - And this isn't... This is what, this is... One of these two sites would've been...

Mr. Swanson - One of those two sites...

Mrs. Moore - Would be on here?

Mr. Swanson - Right.

Mrs. Swanson - Right.

Mrs. Moore - Okay.

Mrs. Farrell - This is Harrington Hill.

Mr. Spatz - This is Harrington Hill.

(Tape inaudible).

Mrs. Moore - Is that..?

(Tape inaudible).

Mrs. Moore - I'm going to interrupt the Board for a second 'cause I want to ask Chris something.

Mr. Spatz - This comes on to...

Mrs. Moore - Dave? I just want to interrupt...

Mr. Spatz - I'm sorry.

Mrs. Moore - ...for a minute. Chris, do you, with reference to this subdivision map that's going to be filed, the Mylar that he's showing us only has the camp on that second lot. It doesn't show either of the, the two lots that could potentially be the house site for that nine acre that.

Mrs. Swanson - He drew that in to represent the house site.

Mr. Healy - This one here?

Mrs. Swanson - Yes. That's what he drew in. That's what he told me. He was drawing that in to represent the house site, the future house site potential. 'Cause the cabin is...

Mr. Swanson - That's not the cabin.

Mrs. Moore - Okay. So I misunderstood.

(Tape inaudible).

Mrs. Moore - Okay. Okay. I apologize.

Mrs. Swanson - Oh, (inaudible). It's not your fault. It's just he... He just said, well, I don't want to, in case something changes in the future, he didn't want to commit to exactly what was on the proposed.

(Tape inaudible).

Mrs. Moore - So I'm going to read this to see if this clarification provides information for a resolution. Proposed to amend reso 2008-2 to approve a two lot subdivision, lot #1 contains an existing house and lot #2 contains a, an approved site by APA or...? Is that sufficient.

Mr. Belden - That sounds fine by me. I mean, yeah, the only reason that it's appearing before you is because there's a, a section in, in the ordinance that says if there's any provisions to the approved plat, then...

(Tape inaudible).

Mrs. Moore - It's got to come to us. Okay.

Mr. Belden - Yeah.

Mrs. Moore - I understand now. I'm catching on. Okay. Do board members have any other questions?

Mrs. Farrell - I do...

Mrs. Moore - Okay.

Mrs. Farrell - ...have a question. Your, your nine acre lot comes off which is currently a (inaudible) dirt road. What's your intent, you're showing a driveway onto that dirt road. What's your intent with that dirt road there, just continue to use that as a driveway or are you, are you going to deed that to the town and ask for it to be paved or?

Mrs. Swanson - The Town owns it.

Mr. Belden - County, it's a County...

Mrs. Swanson - County, the County owns it.

Mr. Belden - Yep.

Mrs. Farrell - The dirt road off of Harrington Hill?

Mrs. Swanson - Hm hm.

Mr. Belden - Yeah. 'Cause they, when they, I guess when they redid the road, they, they expanded that right-of-way, ya know, across that existing driveway there, the one that kind of hooks off to the right.

Mrs. Farrell - Right.

Mr. Belden - So, yeah, it's technically in the County's right of way.

Mrs. Farrell - Okay.

Mrs. Swanson - We went through them and, and double-checked.

Mr. Belden - Hm.

Mrs. Farrell - Okay. I just want to make sure so that if anyone comes back in five years and says why isn't it paved... It doesn't... Take it to the County I guess.

Mr. Healy - I have no further questions.

Mr. Spatz - Neither do I.

Mrs. Moore - Okay. Do want me to reread that again?

Mrs. Corlew - No, you don't have to.

Mrs. Moore - Okay. (Inaudible) approve the motion that was read earlier?

Mrs. Smith - I approve it.

Mrs. Moore - Is there a second?

Mr. Healy - I second it.

Mrs. Moore - All those in favor.

#### **RESOLUTION #2011-27**

Motion by: Lynn Smith

Second by: Art Healy

**RESOLVED**, to amend subdivision #2008-2 by Lynn & Pamela Swanson, tax map #224.-1-16, located at 1996 Harrington Hill Road; the amendment

being that lot #1 contains an existing house and lot #2 contains an approved site by APA.

**DULY ADOPTED ON THIS 17<sup>TH</sup> DAY OF MAY, 2011 BY THE FOLLOWING VOTE:**

Ayes: David Spatz, Alice Farrell, Lynn Smith, Laura Moore, Art Healy  
Nays: None

Mrs. Moore - Okay, thank you.

Mrs. Farrell - Thank you.

Mrs. Moore - Sorry for our confusion.

Mrs. Swanson - Thanks. Sorry for the confusion. It was (inaudible) process.

Mr. Swanson - Do I leave one of these copies with you?

(Tape inaudible; people speaking at once).

Mrs. Moore - We are going to pause the tape for a brief five minutes, so I can address signing plats.

(TAPE TURNED OFF).

Mrs. Moore - Turn the tape back on. We'll continue. We have to set a public hearing for 2011-2, tax map #168.-2-6.4 & 6.5, located on Kelm Pond Road. Applicant is Kathleen and Carl Ferullo, to allow a three lot subdivision. This is two lots which are going to end up being three.

Mrs. Ferullo - Hello.

Mr. Healy - Good evening, Kathie.

Mrs. Ferullo - Kathleen. Kathleen.

(Laughter).

Mrs. Ferullo - Okay, you folks have a picture of the map previous to the corrections that were made by the surveyor that the APA required.

Mrs. Moore - Hm hm.

Mrs. Ferullo - Okay. So here is the new pictures, and..

Mrs. Moore - So it all got dissolved into three lots, basically. Is that the ending result?

Mrs. Ferullo - Ya know, they, they said they're going to consider as two lot but it's really a three lot. I don't really argue with..

Mrs. Moore - Okay.

Mrs. Ferullo - ...them. I just say, okay, whatever you want to do, I'm for it.

Mrs. Moore - Okay.

Mrs. Ferullo - And just to give you a bigger picture, I do have a couple of big ones here, so I (inaudible). Now the only difference is that's going to be on the one set you had to review and the one set I just gave you is that the driveway, the APA wants it on the angle that it is, which is right here. On the one that you were reviewing for the last few days, it went straight in. Here it's on an angle, as the driveway is on the property.

Mrs. Moore - Okay.

Mrs. Ferullo - And the other thing, change that you're going to see is the (inaudible), the test pits, the, where they are located. Everything else is... And a map was sent to the Park Agency. They're okay with the map, and all this is, is approximately nine acres, a tad over nine acres. There is no access to Kelm Pond, and that's it. There isn't... The, the building, it is not a particular building spot. I always do a building envelope so the people can choose where they want to build within the building envelope similar to, just like the one I did last year (inaudible). They can build within this building envelope, although they own all the way back to here.

Mr. Spatz - Okay.

Mrs. Ferullo - Okay? It's just, my thought is who wants to plow all the back here.

Mr. Spatz - (Inaudible).

Mrs. Ferullo - So if everything is (inaudible) they can build (inaudible). There's the test hole pit. (Inaudible). The APA came up on the 25<sup>th</sup> of April and (inaudible) around (inaudible). I got... Oh...

Mrs. Moore - I see this 100 foot, a hundred forty... Sorry. One hundred and forty feet setback due to steep slope down to Kelm Pond Road. So the reason why they wanted that on an angle is to make sure that it didn't, there's no further erosion or storm water issues, or was there a reason why...?

Mrs. Ferullo - I don't know why they... It's just what I did, as far as how I...

Mrs. Moore - Okay.

Mrs. Ferullo - Ya know, we have the driveways in there and with all the rain that we have, there hasn't been a single lock or washout.

Mrs. Moore - Displacement?

Mrs. Ferullo - Unbelievable how well it's packed down.

Mrs. Moore - Very lucky.

Mrs. Ferullo - I did receive a letter from the APA stating that the permit, or the information or the application that I sent them has been considered complete. They sent out the letters to the surrounding people. They have 'til June 2<sup>nd</sup> to send in any questions that they have. After that, the engineer was there at the site, his name's Greg. Tracy Darrah was there. Mary O'Dell who's the wetlands girl. I don't know if she likes to be called the wetlands girl, but that's what I call her. She's a nice girl. She's not wet, but... (Laughter).

Mrs. Ferullo - ...and my surveyor and everybody went over everything and there's. It's basically just like the one that was previous and I don't if there's any questions.

Mr. Spatz - I just have one that we probably touched on before, but are these people aware that if you sell it, that, it's going to be tough to get a fire truck in there?

Mrs. Ferullo - I don't... It won't be tough to get a fire truck in there. I don't, because the, the driveway is, is wide.

Mr. Spatz - Right.

Mrs. Ferullo - And the, when she goes up, the angle is going to go up. Plus she'll have probably somebody look at that. Now this site here, this (inaudible) here just go right up.

Mr. Spatz - Right.

Mrs. Ferullo - This wouldn't (inaudible) go up and then like that. It's not...

Mr. Spatz - But, ya know, the trucks, they weigh a lot and they're long. I just, just asking (inaudible).

Mrs. Ferullo - Well, she has, she has visited the site.

Mr. Spatz - Okay.

Mrs. Ferullo - I have sent her, after the driveway and the APA was there, not after the APA was there, I forget what day, but I showed her pictures of the driveway. She's coming up again to visit it.

Mr. Spatz - Okay.

Mrs. Ferullo - So I always tell 'em, if you have any questions, ya know, well I can direct you to whoever you have questions, ya know, for. So I will bring that to her attention.

Mr. Spatz - Okay. That's...

Mrs. Ferullo - What I could say is when you, when you extend the, the driveway, do not make up... I don't know if this is really that accurate (inaudible) more like that.

Mr. Spatz - Right.

Mrs. Ferullo - Okay? So, I mean, I'll tell her to put like a bigger loop or whatever, but she has visited the site.

Mr. Spatz - Okay.

Mr. Healy - Who's she?

Mrs. Ferullo - This is the lady who's a potential buyer.

Mr. Healy - (Inaudible).

Mrs. Ferullo - I'm... I call... There's this lady who wanted one of the other lots, the first lot and I didn't have that... I had already sold that. So she had shown interest and then I kept on showing her pictures and stuff. I call it the lady's lot, but it's a nice, very nice lady who's looking at the lot, so. Even the APA calls it's the lady's lot.

(Laughter).

Mrs. Ferullo - We have a wet, wetlands girl and we have the lady's lot.

(Laughter).

(Tape inaudible).

Mrs. Farrell - Are, are these, the driveways, Kathleen, are these up, how, what's the angle on the driveways? The, the slope?

Mrs. Ferullo - As far as I know, it's like less than 15% or something. I think (inaudible) supposed to be a certain... Honestly I don't know. I'm going to tell ya, I don't know. But they didn't

have any, they didn't have an issue with it, 'cause the engineer looked at it all because it is kind of slopey there.

Mrs. Farrell - Yeah.

Mrs. Ferullo - But we picked... They was an area there and actually I think it was like an old logging road, so we just sort of went that route and when the engineer looked at it and Tracy had said to him anything about the slopes and this and that, and he said he didn't see an issue.

Mrs. Moore - Did he prepare any written statement to go along with your APA information?

Mrs. Ferullo - I don't know if he's going to have anything in my permit at all.

Mrs. Moore - 'Cause I'm just curious...

Mrs. Ferullo - Because Tracy is, Tracy said that...

Mrs. Moore - 'Cause she didn't have it... There was no questions about it. It probably is... That's what...

Mrs. Ferullo - Right. Yeah. Now they didn't have any... There was initial... I (inaudible)... Let me see if I have that list. There were like seven questions that she had sent me to make the permit complete. But she said those seven questions would be, have been answered when they came to visit the site. Okay? So they came to visit the site on April 25<sup>th</sup>. It was that Monday after Easter and she said everything that they were happy with all the responses, so there was nothing more that I had to do. Anything had to be, was shown on the map. They were concerned about the deep hole, the test pits and driveway. There was no worry about the erosion or anything like that. So they're satisfied with...

Mrs. Moore - Chris or Patti, is it, have we had a, applications that were submitted to the APA also in our files so that if someone went to look for the information, they could take a look at it through our file information or do they go directly to the APA?

Mr. Belden - I...

Mrs. Moore - Do we typically have a completed application from an applicant that they...

Mr. Belden - As far as the APA's permit?

Mrs. Moore - Right.

Mr. Belden - That would have to be a... We have, ya know, the correspondence. We're cc'd on those...

Mrs. Moore - But not the actual application?

Mr. Belden - The actual application, no.

Mrs. Moore - And I don't, I mean, I don't think we've ever done that before. I'm just...

Mr. Belden - No.

Mrs. Moore - I was just asking. Okay.

Mrs. Ferullo - No, there's just, I think, a piece of, that form on the back that if the Town has any...

Mrs. Moore - Right.



Mrs. Ferullo - ...you have to sign it. That's basically...

Mrs. Moore - Okay. Basically, we're, we're moving to have a public hearing at our next meeting, or if there's some urgency, ya know, for you to, to get this done sooner. But our next meeting isn't scheduled until June 21<sup>st</sup>. If that's (inaudible) aware of that? Is that June 21<sup>st</sup> for the, we have to have a public hearing at that...

Mrs. Ferullo - Well...

Mrs. Moore - ...time or..?

Mrs. Ferullo - I, I'm just going to tell the, she really wants it to close the end of May, which that is not going to happen. I explained to her because of the APA and everything. So I told her it would be more into June. So it's basically, I'm waiting to get my permit and then probably at the next meeting.

Mrs. Moore - How soon do you think you'd get your APA permit?

Mrs. Ferullo - Well, according... I, see... Tracy said in this letter that the, the responses of the complaints or written comments...

Mrs. Moore - Hm hm.

Mrs. Ferullo - ...they have until June 2<sup>nd</sup>.

Mrs. Moore - Okay.

Mrs. Ferullo - And then, if you want to see a, I didn't get copies 'cause I just, ya know.

Mr. Healy - Yeah, we got it. We got it right here.

Mrs. Smith - We got it.

Mr. Healy - Right here.

Mr. Belden - The one on May 11<sup>th</sup> is the one she...

Mrs. Ferullo - Oh, okay. Well, and that's all that she's waiting for.

Mrs. Moore - Okay.

Mrs. Ferullo - 'Cause she said everything else is complete. The map is done. They have... What I had the surveyor do is rather than print out a copy and have it be wrong, they sent a, what is it, PDF?

Mrs. Farrell - Yeah, PDF file.

Mrs. Ferullo - To Tracy. 'Cause I said don't go through all that and then have to make changes.

Mrs. Moore - Yes.

Mrs. Ferullo - Ya know.

Mrs. Moore - (Inaudible).

Mrs. Ferullo - And Tracy called me. She says, Kathy, everything's fine with the map. So then I called the surveyor. He dropped me off a map. I mailed it up to Tracy and I got my response today that she received the map. So...

Mrs. Moore - So June, it's looks like June 21<sup>st</sup> is our next meeting that would hold the public hearing then. If you find some urgency, ya know, give Chris and Patti...

Mrs. Ferullo - Okay.

Mrs. Moore - ...a call.

Mrs. Ferullo - Okay, that'd be great. Thanks.

Mrs. Farrell - I have a (inaudible) question.

Mrs. Ferullo - Sure.

Mrs. Farrell - Is there any relationship between Tracy Darrah of the APA and...

Mrs. Ferullo - No, isn't that funny?

Mrs. Farrell - ...and (inaudible) Darrah Associates?

Mrs. Ferullo - No, because...

Mrs. Farrell - Okay.

Mrs. Ferullo - ...Don said to me, he says, you know (inaudible) and she spells her name the same way I do. Yeah.

Mrs. Farrell - I just wanted to make, for the record, make sure that that's clear. That...

Mrs. Ferullo - He doesn't seem to think so. I never asked Tracy.

Mrs. Farrell - Yeah.

Mrs. Ferullo - But... Isn't that..?

Mrs. Farrell - Yeah.

Mrs. Ferullo - Isn't that strange? I know.

Mrs. Farrell - So we just...

(Tape inaudible).

Mrs. Farrell - ...in case somebody else asks.

Mrs. Moore - Does anybody else have any other questions of Kathy? No? Okay.

Mrs. Farrell - Kelm... That section of Kelm Pond Road is a private road?

Mrs. Ferullo - Yes, it is.

Mrs. Farrell - Okay.

Mrs. Ferullo - And that's maintained by whoever's on the road. Ya know, if you, if you want to like contribute to that section. Yeah, these were the list of questions and one of them was the footprint of the home and I, I had stated in my explanation previous, I went by the other permits that I had gotten from when Skip was working at the APA and then... I forget who did the other (inaudible). But anyway, they said 5,000 square feet of everything. So I just, ya know, and they just wanted to make sure everything would fit. It was in the building envelope. They wanted to know if any wetlands was... These are the questions that they had, she had, it was, made my application incomplete. It was not within 200 feet of wetlands. The driveway was on an angle. Erosion and sediment - no problem, he wrote. These were the... And then one was, they needed a copy of the last deed of the last subdivision that I did.

Mrs. Moore - Hm hm.

Mrs. Ferullo - And no structure within 100 feet of the shoreline, which we're not going to get to the shoreline. So that's it.

Mrs. Moore - 'Kay.

Mr. Healy - I'll make a motion we set a public hearing on SUB 2011-2, tax map 168-2-6.4 & 6.5 on the date of June...

Mrs. Corlew - 21<sup>st</sup>.

Mr. Healy - ...21<sup>st</sup>.  
 Mr. Spatz - I'll second that.  
 Mrs. Moore - All those in favor.

**RESOLUTION #2011-28**

Motion by: Art Healy  
 Second by: David Spatz

**RESOLVED**, to set a public hearing for June 21, 2011 at 7:00 p.m. for subdivision application #SUB 2011-2 by Kathleen and Carl Ferullo, tax map #168.-2-6.4 & 6.5, located at Kelm Pond Road, to allow a three lot subdivision.

**DULY ADOPTED ON THIS 17<sup>TH</sup> DAY OF MAY, 2011 BY THE FOLLOWING VOTE:**

Ayes: David Spatz, Alice Farrell, Lynn Smith, Laura Moore, Art Healy  
 Nays: None

(Tape inaudible).  
 Mrs. Ferullo - Now what should I, what do I bring again?  
 Mrs. Corlew - Well we need 22 stamps.  
 Mrs. Ferullo - Oh, can I just give you the money for 22 stamps? And, I mean, but when I come to the meeting, you want how maps, these big ones?  
 Mr. Healy - Well, there's five of us, so you need five.  
 Mrs. Ferullo - (Inaudible).  
 (Laughter).  
 Mr. Healy - Well you asked, didn't you?  
 Mrs. Ferullo - One for?  
 Mrs. Farrell - You should have one for a table that people can look at it, public to come in and then...  
 Mrs. Ferullo - (inaudible) I mean, you need one to sign or do whatever?  
 Mr. Belden - Yeah. For the County you mean?  
 Mrs. Corlew - The Mylar and three paper copies.  
 Mrs. Ferullo - Thank you.  
 Mr. Belden - Yes.  
 Mrs. Ferullo - Alright, and how much is 22 stamps (inaudible).  
 (Tape inaudible).  
 Mrs. Ferullo - Thank you very much.  
 Mrs. Moore - Thank you.  
 Mr. Spatz - Thank you for coming in.  
 Mrs. Moore - I don't... If there's any communications...? There is, again, announcement of a training session in Washington County. Apparently, there's a \$20 fee for that. If you're interested, make sure you sign up soon. Comments. I can tell you that the meeting last evening in reference to the Comprehensive Plan, the draft went

very well, and if you haven't taken a look at it, you should look at the draft on-line, and if you need a copy, then give myself a call or give the Town a call and we will provide you with a hard copy.

Mr. Belden - We've also got it in the office here and at the library if you just want to read a paper copy.

Mr. Healy - You got take home copies?

Mr. Belden - Hm?

Mr. Healy - Do you have take home copies?

Mr. Belden - Do I have take home copies?

Mr. Healy - Yeah.

Mr. Belden - I, I can make you (inaudible).

Mr. Healy - Hah?

Mr. Belden - I, I can make you a copy.

Mr. Healy - Yeah, okay.

Mr. Belden - I don't have... It's quite a few pages. I mean, yeah, I can get you a copy.

Mr. Healy - Yeah. Thank you.

Mr. Belden - Hm hm.

Mrs. Moore - Alright. That's all I have for this evening. We need a motion for adjournment.

Mr. Spatz - Make a motion we adjourn.

Mr. Healy - I second it.

Mrs. Moore - All those in favor.

Motion by David Spatz, second by Art Healy and carried to adjourn  
Planning Board meeting of May 17, 2011 at 7:40 p.m.

Respectfully submitted,

Patti Corlew  
Recording Secretary

Pb05172011

**RESOLUTION #2011-25**

Motion by: Art Healy  
Second by: David Spatz

**RESOLVED**, to approve Planning Board minutes of April 19, 2011  
(without correction).

**DULY ADOPTED ON THIS 17<sup>TH</sup> DAY OF MAY, 2011 BY THE FOLLOWING VOTE:**

Ayes: David Spatz, Alice Farrell, Lynn Smith, Laura Moore, Art Healy  
Nays: None

**RESOLUTION #2011-26**

Motion by: Alice Farrell  
Second by: David Spatz

**RESOLVED**, to table review on site plan application #2011-2 by Thomas Decelle, for tax map #211.18-1-6, located at 3675-71 Main Street, to all new use of popcorn and ice cream sales in the rear building.

**DULY ADOPTED ON THIS 17<sup>TH</sup> DAY OF MAY, 2011 BY THE FOLLOWING VOTE:**

Ayes: David Spatz, Alice Farrell, Lynn Smith, Laura Moore, Art Healy  
Nays: None

**RESOLUTION #2011-27**

Motion by: Lynn Smith  
Second by: Art Healy

**RESOLVED**, to amend subdivision #2008-2 by Lynn & Pamela Swanson, tax map #224.-1-16, located at 1996 Harrington Hill Road; the amendment being that lot #1 contains an existing house and lot #2 contains an approved site by APA.

**DULY ADOPTED ON THIS 17<sup>TH</sup> DAY OF MAY, 2011 BY THE FOLLOWING VOTE:**

Ayes: David Spatz, Alice Farrell, Lynn Smith, Laura Moore, Art Healy  
Nays: None

**RESOLUTION #2011-28**

Motion by: Art Healy  
Second by: David Spatz

**RESOLVED**, to set a public hearing for June 21, 2011 at 7:00 p.m. for subdivision application #SUB 2011-2 by Kathleen and Carl Ferullo, tax map #168.-2-6.4 & 6.5, located at Kelm Pond Road, to allow a three lot subdivision.

**DULY ADOPTED ON THIS 17<sup>TH</sup> DAY OF MAY, 2011 BY THE FOLLOWING VOTE:**

Ayes: David Spatz, Alice Farrell, Lynn Smith, Laura Moore, Art Healy  
Nays: None