

MINUTES OF MEETING ~ OCTOBER 19, 2009

ATTENDANCE: Rick Bump, Eugene Dutcher, George Hilton, Paul Little, Bob Thurling, Suzanne Robbins, and Secretary Pat Smith. Zoning Administrator Walt Tennyson was also in attendance. Absent were Ken Raisner and Harold Ellsworth.

CORRESPONDENCE: Zoning Office Activity Report for September 2009.

MINUTES: On a motion by Mr. Dutcher, seconded by Mr. Bump, the Minutes of the September 21st meeting were accepted, as presented. Motion carried 6/0.

OLD BUSINESS: #SD2007-05 ~ Steven Howell proposed 14-lot subdivision. Attorney Dan Smith of Smith & Simon, LLC, was in attendance on this project, along with Larry Warner. This project had received preliminary approval back on December 17th of 2007. At the time of the preliminary approval, final approval was to be contingent on the granting of permits, as required, from DEC, DOH and APA. At this time, notification has been received by the applicant from the Park Agency of incomplete application.

Attorney Smith stated that Attorney Rob Simon had sent a letter to the Park Agency with copies of the Planning Board Minutes of August 20th, October 15th, and December 17th of 2007, and informed them that the firm would be presenting the updated maps to the Board for review on this date. He then presented plans for the file to the board Secretary for the Stream Crossing, and another set of plans from Engineer Jim Hutchins showing site plan, typical lot layouts, wastewater details, Stormwater and miscellaneous details, common drive profile, and bridge details.

Mr. Warner then pointed out the three minor changes that had been made since the preliminary approval had been given, and he referred to the December 17th meeting to outline them.

1. The bottomless culvert that had been proposed to traverse the stream, is now going to be changed to a wooden bridge, preferred by DEC, as there is less impact on the bed of the stream. A bridge can be erected at any time, but it is preferred by DEC that no work on a bottomless culvert be done from October 1st to May 15th because of eggs.
2. The second item regards the proposed 30 ft. to 50 ft. common area along the brook, which has now been taken out of the plans. The only common area now will be the road. Mr. Warner met with the APA engineer, Sean LaLonde (sp?) at the site. There are some existing log roads and some existing clearing that has already been done there, so they have now entered into contract with a couple of the adjoining landowners, Frazier & Campbell, contingent on both Park Agency, and Town of Chester approval, with these landowners actually retaining ownership, but the applicant would be picking up about an acre and 1/4 on both of the adjoining existing roads, and areas of clearing that also exist on those lots, and which would minimize impact of the project as far as clearing and building roads.
3. There were some changes in the lot sizes which originally were all proposed as over 2 acres each in size. There are now 3 lots that will be under 2 acres, but each is at least 1.3. Now the boundary lines will be moved around a bit, and adjustments will be made for the roads, etc.

These plans have been reviewed by the Park Agency, and modifications have been made based on the Agency engineers' preferences, with suggested Stormwater and erosion control measures being put into place. Applicant would like final approval contingent on required permits being issued. Applicant also indicated that in the preliminary approval, lots # 9 and #11 had been given an additional principal building right each, but due to reconfiguration, although they are the same lots, they are now numbered lots #6 and #10. (In the total subdivision, this is still 50 lots less than density would allow, and 40 acres less than the Town of Chester would allow.)

Discussion ensued with regard to obtaining copies of the contracts that were signed on the proposed acquisitions, and waiver of the timeline for final approval, based on when the preliminary approval had been given. Some of the delay has been due to a lot of behind the scene activity that had been dedicated to meeting with the different agencies involved, meeting with and getting acquainted with the neighbors, getting the contracts in place for the acquisitions, and getting the surveyors back to redo the lines, getting the engineers back in to redo the roads and the topography, and the topographies of some of the lots due to the change outs. Following this discussion, with clarification being made on all points by Chairman Little, motion was made by Mr. Dutcher, seconded by Mr. Bump, to waive the timeline between preliminary and final approval; to waive the public hearing for final approval; to grant final approval with the same conditions as outlined in the preliminary approval that there be no further subdivision of these lots, with the exception of lots # 6 and # 10 which will receive one additional principal building right each; upon receipt of contracts for both acquisitions; receipt of both DEC permits, one for the bridge, and the other for Stormwater management and erosion control, DOH sign off as there will be more than 5 lots of less than 5 acres; and receipt of APA approval. Motion carried 6/0. No further discussion. Surveyed maps will need to be submitted showing lot lines and numbers after APA has agreed to the proposed lot lines. Copies of the Minutes will be forwarded to the office of Smith & Simon, LLC.

NEW BUSINESS: None.

BOARD PRIVILEGE: No discussion.

ADJOURNMENT: On a motion by Mr. Little, seconded by Mr. Hilton, meeting adjourned at 7:30 p.m.

Respectfully submitted,

Patricia M. Smith ~ Secretary