

## MINUTES

Tuesday, August 9, 2005  
8:00 p.m. – Old Town House

Present: Diane Taylor, Chairman; Robert Dean; Nancy King; Greg Meyer; Michael Bakanas, Alt.; Toby Welles, Alt., seated for D. Stroetzel

Absent: Donald Stroetzel; Thomas Flagg, Alt.

Also present: Jo-an Brooks, Land Use Coordinator

The Chairman called the meeting to order at 8:00 p.m.

### I. APPROVAL OF MINUTES -Meeting of 7/26/05

On the motion of R. Dean and the second of N. King, the Commission voted unanimously to approve the 7/26/05 Meeting Minutes.

### II. PUBLIC MEETING

Modification to Subdivision Application #501, 52 Marchant Road, Adam Lubarsky (agent), 132 Redding Road, LLC (owner). Alteration to lot lines and driveway locations. Request for waiver of Section 3.3. Received 6/28/05. New maps and archaeological easement received 7/7/05, 7/12/05, 7/26/05. Discussion.

A. Lubarsky was present. D. Taylor noted receipt of additional archaeological information. A report dated 8/9/05 from J. Hayes and a report dated 8/8/05 from N. Burnham were read into the record. Mr. Lubarsky briefly addressed items noted in the N. Burnham report.

Discussion will continue at the next meeting.

### III. PRESENTATION. SCHEDULE SITE WALK AND PUBLIC HEARING

Subdivision Application #505, “Costa Lane”, Todd H. and Alexis N. Bennett. Proposed subdivision of 29.395 acres into 3 lots. Received 7/26/05.

Costa Stergue was present along with Todd Bennett, Atty. Neil Marcus, James Palmer, P.E. and Dale Rothbell. D. Taylor read a report dated 8/5/05 from J. Hayes and a report dated 8/1/05 from N. Burnham.

Mr. Palmer displayed and reviewed the proposed lot development plan.

A site walk was scheduled for Sat., 8/20/05 at 9:30 a.m. The applicant requested and received permission for an extension to open the Public Hearing on 9/13/05. A letter to this effect will be submitted by the applicant.

D. Taylor noted that Costa Lane was never accepted as a town road.

IV. ADMINISTRATIVE/POLICY

1. Reference Application #298, Lot #3, 40 Meeker Hill Road. Gregory Maroun owner. Driveway location and additional driveway and parking area not shown on approved site development plan. Decision needed prior to C.O. Site Walk 4/2/05. Corrections to Driveway Easement and Maintenance Agreement needed. TO VOTE.

No new information or discussion.

2. Pending: Reference Application #324, Lot #S-1, 35 Whortleberry Road. Jennifer & Eric Seal. To discuss alteration to stone wall and relocate driveway entrance on a designated Scenic Road. Site Walk 6/4/05. Engineered plan to be submitted re grades and sight lines.

No new information or discussion.

V. TO VOTE: COMMISSIONERS DISCUSS MODIFICATIONS AND CONDITIONS OF APPROVAL OR REASONS FOR DENIAL. INPUT FROM PUBLIC AT PUBLIC HEARING ONLY.

Subdivision Application #504, "Mountainside Estates", Rose M. Natale (owner), 34 Mountain Road. Proposed subdivision of 19.4541 acres into 4 lots. Received 2/8/05. Presentation 2/22/05. Site Walk 3/12/05 and 4/2/05. Public Hearing opened 4/12/05, continued 4/26/05; 5/10/05, 5/24/05. Public Hearing closed 6/14/05. Deliberation 7/12/05, 7/26/05. Deadline to vote 8/9/05.

Jay Keillor was present along with M. Natale, Atty. Neil Marcus and other representatives.

D. Taylor verified that anyone who missed a meeting has listened to the tapes.

D. Taylor read a statement which should have been read at the opening of the Public Hearing: It should always be remembered that it is the Planning Commission which makes the decisions on all applications. During the presentation, Public Hearing and deliberation sessions, the Commissioners shall review material submitted by the applicant and his consultants and engineers as well as the Planning consultant and engineering consultant. The

Commissioners must then decide whether the application meets all the requirements of the Subdivision Regulations. After the deliberation period, the Commission established its findings and bases its motion to approve or deny the application. When the Commission feels that the applicant can meet the Subdivision Regulations by a redesign of the project, they can deny without prejudice and accept a new application immediately for review.

On the motion of D. Taylor and the second of N. King, the Commission voted unanimously to deny Subdivision Application #504 without prejudice (reasons on file at the Land Use Office).

R. Dean and T. Welles presented proposed amendments which were accepted by D. Taylor and N. King. D. Taylor withdrew her original motion and N. King withdrew her second.

On the motion of D. Taylor and the second of N. King, the Commission voted unanimously to approve the original motion as corrected and amended. The corrected, amended motion is attached.

#### VI. CHAIRMAN'S REPORT

D. Taylor reported that a Scenic Road sign list has been forwarded to the Highway Department.

Upcoming training sessions sponsored by the APA were announced, however are cost prohibitive. The purchase of tapes of the training will be investigated.

On the motion of G. Meyer and the second of T. Welles, the Commission voted unanimously to adjourn the meeting at 9:55 p.m.

Submitted by:  
Kristi C. Reilly