

Town of Cazenovia Planning Board

Meeting Minutes

November 1, 2012

Members Present: Michael Palmer, Chairman; Jennifer Basic; Dale Bowers; Anne Ferguson; Tom Pratt; Hugh Roszel; Anastasia Urtz

Members Absent:

Others Present: John Langey, Esq.; Roger Cook; Donald Ferlow; Graham Egerton; Anne Redfern; Elliot Rodriguez; Richard Stanford; Dale Stanton; Paula Stanton; Jeffrey DeVeau; Bryan Wendel; Richard Radelich; David Hannig; David Falso; David Senehi; Walter Joncas; William Ryan

Mike Palmer called the meeting to order at 7:30 pm.

The deadline to be on the next meeting agenda is November 21, 2012.

The next regularly scheduled meeting is December 6, 2012.

The next work session is November 29, 2012.

Mike Palmer asked if there were any corrections or comments for the October meeting minutes.

Motion by Hugh Roszel, seconded by Tom Pratt to approve the October meeting minutes was carried unanimously.

HEARINGS

*Dale Bowers - Subdivision (1) - 2475 Fenner Road
File # 12-858 (Jennifer Basic)*

Dale Bowers was present to represent his application and asked that the file be continued.

Motion by Tom Pratt, seconded by Jennifer Basic to continue the file was carried as follows:

Mike Palmer - Yes
Jennifer Basic - Yes
Anne Ferguson - Yes
Tom Pratt - Yes
Hugh Roszel - Yes
Anastasia Urtz - Yes

LAND DISTURBANCE/SITE PLAN REVIEW/SUBDIVISION

*Brian Gardner - Site Plan Review - East Lake Road (vacant parcel)
File # 12-845 (Mike Palmer)*

No one was present to represent the application.

R. Cook stated that Mr. Gardner would return after the first of the year.

Motion by Hugh Roszel, seconded by Tom Pratt to continue the file was carried unanimously.

*Robert & Sue Romagnoli - Site Plan Review - 4580 Fox Lane
File # 12-860 (Jennifer Basic)*

No one was present to represent the application.

Motion by Jennifer Basic, seconded by Hugh Roszel to continue the file was carried unanimously.

*Lauren Pipas & Elliot Rodriguez - Site Plan Review - 5258 Oweru Point Drive
File # 12-862 (Hugh Roszel)*

Elliot Rodriguez was present to represent the application.

H. Roszel displayed the planting plan that was submitted to the Board. He stated D. Ferlow went to the site.

D. Ferlow said the plan was acceptable with plant materials, and in the field, he and L. Pipas discussed the way it was drawn. He stated there were some existing trees which he pointed out and she was going to do more of a lower ground cover because some of the plants would not do well in the sun. He said the plan notes 2" washed stone mulch and he said it is a very, very steep slope in some spots and he suggested not mulch but jute mesh amongst the roots. He stated they are going to leave all the roots of the existing plants that were cut and that will hold the soil.

Motion by Hugh Roszel, seconded by Tom Pratt to reaffirm the SEQRA determination and approve the planting plan date-stamped October 31, 2012 was carried unanimously.

*Estate of Marian Stanford - Minor Subdivision (1) - 1848 Kiley Road
File # 12-867 (Dale Bowers)*

Rick Stanford was present to represent the application.

R. Stanford said the one parcel is 196 acres and as a result of settling the estate; the family has agreed to sell him the house and $8 \frac{1}{2}$ acres. He stated the $8 \frac{1}{2}$ acres was just a number and there was a similar piece of property they used to compare.

D. Bowers thought the State recognized a farm as 9 acres.

M. Palmer said it would be better to be 9 acres.

R. Stanford said he could talk to the family. He said originally they had talked about 10 acres.

D. Bowers said it would give the applicant more flexibility.

M. Palmer said the map will need to show the subdivided lot, the whole piece of property, the well and the septic. He said the barn across the street should be located on the map, also. He stated this would be the one-time exemption from the conservation subdivision.

Motion by Dale Bowers, seconded by Tom Pratt to appoint the Planning Board as Lead Agency for purposes of the State Environmental Quality Review Act (SEQRA), to affirm the matter an Unlisted Action and to make a Negative Declaration, all based upon the Board's review of the Short EAF, to move to a public hearing was carried unanimously.

The Board Secretary gave the applicant the list of people within 500' and the notification instructions.

*Dale & Paula Stanton - Site Plan Review - 2020 Chard Road
File # 12-868 (Anne Ferguson)*

Dale and Paula Stanton were present to represent their application. Jeff DeVeau joined the table during the discussion.

D. Stanton said they bought the home in July and it was marketed as a 2-bedroom but it is more of a 1-bedroom. He displayed the site plan and pointed out the carport. He said there is basically no storage. He said they want to add a storage/workshop area and remove the carport. He said they would add a master suite/master closet on the south side by bumping out the side of the home. He said where the den/library and bedroom were will be the master bath. He stated they want to add a breezeway from the house to the garage and with the roof line, it would be hard to tie the house to the garage.

D. Stanton said in regards to the driveway they have not quite figured it out yet, but the intention is to back up and go around.

J. DeVeau said the driveway was included in the impervious surface.

M. Palmer said it was approximately 600'.

D. Stanton said the lot is pretty wooded.

J. DeVeau showed the floor plan. He stated R. Cook said it was ok to have a breezeway from the house to the garage.

J. DeVeau said no trees are being removed to do the addition.

R. Cook said there are about a half dozen trees and some are right on the driveway.

Motion by Anne Ferguson seconded by Hugh Roszel to appoint the Planning Board as Lead Agency for purposes of the State Environmental Quality Review Act (SEQRA), to affirm the matter an Unlisted Action and to make a Negative Declaration, all based upon the Board's review of the Short EAF, to approve the site plan was carried unanimously.

*Bryan Wendel - Line Elimination (1) - 5271 East Lake Road
File # 09-647 (Anastasia Urtz)*

Bryan Wendel was present to represent his application.

B. Wendel said he never took the maps to Wampsville. He said he wants to combine the lots so if he ever sells it will be easier because it will be a bigger yard.

M. Palmer said it was approved in 2009.

B. Wendel confirmed it was the same map.

Motion by Jennifer Basic, seconded by Hugh Roszel to reaffirm the SEQRA determination and reapprove the line change was carried unanimously.

RECOMMENDATIONS TO THE ZONING BOARD OF APPEALS

*Michael & Renee Laux - Area Variance - 5742 Cheese Factory Road
File # 12-863 (Tom Pratt)*

No one was present to represent the application.

Motion by Jennifer Basic, seconded by Hugh Roszel to continue the file was carried unanimously.

*Richard Radelich - Area Variance - 3300 East Road
File # 12-864 (Anne Ferguson)*

Richard Radelich was present to represent his application. Jennifer Basic recused herself from the file because she represented Mr. Radelich.

J. Basic said it is for an area variance, but a GML recommendation report was received stating a use variance might be needed.

J. Langey said he disagreed with a use variance being needed. He said the number of accessory structures is being discussed and accessory structures are an allowed use in the Town of Cazenovia and a second one would be an area variance.

R. Cook agreed with J. Langey's interpretation.

J. Basic said a building permit was applied for and on the permit were two accessory buildings, a shed and a small barn. She said the small shed was put on the property line. She stated a building permit was issued and both of the structures were placed on the property and then information was received that there was an illegal secondary structure. She said there are letters in the file stating that the immediate neighbors do not object. She showed photographs and said the secondary structure is virtually invisible and it is the best place for the small building. She said they are requesting a positive recommendation.

R. Radelich said he needs both of the buildings for storage.

M. Palmer inquired if they could be pushed together or nailed together and be called one building.

R. Radelich said it would not look right.

J. Basic said it is a hardship and not a self-imposed one. She said it was an inadvertent hardship which is now imposed on the applicant and it does not impact the character of the neighborhood.

R. Radelich thought there was about 160' between the two structures. He said the house is new and the one accessory structure was put on within a year of the house and the second was about six months later.

R. Radelich said the second structure is on gravel. He said it has a 4x4 bottom laid on gravel and is prefabricated.

M. Palmer said there are two issues. He said it is outside of the sideline setback and it is a second accessory building.

J. Basic said the applicant has gone through the time and expense to purchase it under a valid permit. She said he is facing financial hardship with this and he is not doing anything he was not told he was allowed to do.

R. Cook said he cited Mr. Radelich for having two buildings. He said it was his understanding when the permit came in it was a request for two buildings and he issued a permit for one building. He said there must have been some miscommunication with R. Radelich traveling back and forth to Texas, between the submittal of the permit and the actual issuance. He said he did not think it was an intentional ploy on Mr. Radelich's part.

R. Radelich said the first building was placed on site and Roger told him he needed a permit. He said he put in a permit showing both buildings and he waited until it was approved.

J. Basic said the initial application showed both structures. She said, "I realize it's a difficult precedent to set." She said the positive side is all the neighbors have written letters and do not object to it and the character of the community is not negatively impacted by it. She further stated there was no malice on either side in this situation.

D. Bowers felt the sideline setback was the biggest issue.

J. Basic felt it was the best place for it.

M. Palmer said the recommendation could be split. He said if the applicant came to the Board before anything was placed on the property and a variance was requested to put the building that close to the sideline they probably would not have given a positive recommendation.

Motion by Hugh Roszel, seconded by Tom Pratt to make a positive recommendation to the Zoning Board of Appeals for the second accessory structure and a negative recommendation for the setback was carried as follows:

Mike Palmer - Yes

Jennifer Basic - Abstain

Dale Bowers - Yes

Anne Ferguson - Yes

Tom Pratt - Yes

Hugh Roszel - Yes

Anastasia Urtz - Yes

INFORMAL

Owahgena, LLC - Subdivision - 1330 Owahgena Road/Owahgena Road Lot

David Hannig was present to represent the informal.

D. Hannig, land surveyor, gave a little background on the property. He said he is requesting 3 things from the Planning Board: 1) to set the public hearing for the 6th of December. He requested that it be passed from the informal to a formal public hearing; 2) he requested that everything North of Owahgena Road be eliminated from any subdivision at this time. He said the owner does not want to have it subdivided and he is not a developer; 3) he requested the parcels South of Owahgena Road not be considered a conservation subdivision, but a normal traditional subdivision. He said the overall property is 286 acres. He displayed maps for the Board. He pointed out the Town/County line and said it goes straight through the property leaving 110 acres in the Town of Pompey. He further stated there is 100 acres north of Owahgena Road. He pointed out the initial property that was sold as the first lot. He said he talked with Dennis Hile, who is the immediate and most extensive landowner, about the subdivision. D. Hannig pointed out all the land that D. Hile owns that borders the subject property which almost runs to Route 92. D. Hannig said he showed D. Hile the plan to see his thoughts and he had no problem.

D. Hannig displayed another map and said in preparation of a conservation analysis, he did a semi-conservation analysis on part of the map and a full conservation analysis on the South side of Owahgena Road for the Board. He said they used Google maps and under laid the actual survey map. He said it is very close in showing the wooded areas, steep areas, buildings and intersections. He stated they used the USGS elevations at 10' intervals. He said they looked very close at the 15% graded areas and the soil conditions on both sides of the road. He stated the immediate issue they have is there is a buyer for the mansion and it is in very poor condition. He said all the lots on the South side of Owahgena Road go from 6 acres to 22 acres. He stated there are potential buyers for lots 1 & 4 as he pointed to them on the map. He said lots 5 & 6 were added. He said as a second part of the analysis they looked at the sight distances for two driveways and said there was adequate sight distance for three of the lots up to a 50-mile per hour road. He said he thought it might be better in this case for the conservation districts and analysis would work better on the North side of Owahgena Road. He said he thought the most conservation-oriented purpose would be to have the 6 lots on the South side. He said he walked the land with Don Ferlow. He further stated some of the Board members went to the property. He said he took the 62 acres and eliminated about 21 $\frac{1}{2}$ acres which left approximately 41 acres which he divided by 3 acres. He stated they're allowed in a

conservation subdivision, 12-13 lots. He said they do not want to have that many and feel all the views are significant just as they are. He said as part of a conventional subdivision, they would offer the Town a "forever wild" or conservation easement over much of the land including much of the lots which he pointed out on the map. He said, not have a conservation subdivision, but a conservation easement which he thinks would be a great idea. He said on the north side of the road was looked at from a density point-of-view.

D. Hannig stated they took percolation tests for the lots and approximately where the sewage disposal systems would be. He said all the tests were between 10 & 15 minutes. He said they took one per lot just to test the percolation. He said the soils are Honeoye and Lima soil.

D. Hannig said the "forever wild" can go wherever the Planning Board would like. He recommended the area near the stream which he pointed out on the map and it would run south and then over to the east. He stated none of it is part of the wetlands. He said the owners would agree as part of their deed restrictions that it be a conservation easement as a "forever wild" area, but not to be used by others in the town. He stated they are very aware of the conservation easement issues and therefore want to leave it as a "forever wild" area.

D. Hannig said the building envelopes may move.

J. Basic asked if the buyer knew they were proposing homes in the viewshed?

D. Hannig stated no and pointed out what he considered the viewshed. He then stated the firm buyer was aware that there will be houses on the lots.

M. Palmer stated the Planning Board will decide on the building envelopes.

D. Hannig said there is a 50/50% buyer for Lot #4. He said there are 4 lots that would be available.

J. Basic asked D. Hannig if they would be willing to put a covenant in the easement for the deeds that there is no further subdivision.

D. Hannig said absolutely.

J. Basic said the lots are sizable; and "forever wild" does not mean there would not be further subdivision.

D. Hannig said the owner is Kevin Hanlon and he is not a developer. He stated the owner has no interest in doing the north side of Owahgena Road. D. Hannig did the calculations and 30-32 lots could be done.

M. Palmer inquired if the prime agricultural soils were on the map?

D. Hannig stated yes and said anything with an "H" is a prime agricultural soil. He said the Honeoye and Lima soils were depicted by the orange line. He said they are based on the 1980 soils as recommended.

D. Ferlow said they are the NRCS maps.

M. Palmer said his thought is the property not in their jurisdiction has to be ignored. He said regarding the remaining property in the Town of Cazenovia; there are no regulations saying they cannot segment the subdivision, but common sense might say; you may not want to segment. He said it would have to be particular circumstances. He stated from a Town standpoint, it is nice to know "the worst case scenario" and what the maximum impact could be because it is a country road and there are no utilities or facilities and it will be individual septic and wells. He said density is not an issue on the south side and the lots are plenty large enough. He thought the Planning Board should look at the building envelopes because the view is the biggest asset except for the agricultural soils. He thinks the Board should play a role in protecting the view for as many homeowners as possible. He stated a couple of the Board members went to the site Saturday and it is an amazing view. He said personally he does not have trouble with segmenting with the density they are proposing for the South side of the road. He said he does want to see the analysis developed for the whole property so they know what the maximum might be someday.

M. Palmer asked the Board how they felt?

A. Urtz said if the view is the only real value, she has a deep concern about denying it to the people. She said the conservation easement needs to be on the view not the woods. She said the applicant will have to come up with some way for it to go together as an entity so it does not end up with a densely clustered subdivision on the north side and more elaborate on the south.

A. Ferguson said she was inclined to want to treat as two separate segments but she would like to ultimately understand the whole picture. She said she would like to have an idea how the two segments would work together. She thinks the view should be protected through the placement of the houses.

J. Basic said, if it is segmented, how the south side is developed would dictate how the north side is developed. She said there would be a community with a certain character and she does not think the Board would allow a densely clustered community on one side when the other side is rural. She said she is concerned with the placement of the houses and she would like to see some other options in respect to the tree groves, etc. She stated she is concerned about the Lot# 1 homeowner because they will be looking over two roof tops and it is the viewshed. She said she thinks the developer should agree to put a covenant in the deed that there is no further subdivision of the lots.

T. Pratt said he is not terribly against the segmenting, but he does want to see the overall picture.

D. Bowers said he has no problem with it at all. He said he would like to locate the envelope on the houses that would preserve the sight line. He stated the North side can take care of itself when they come back before the Board.

H. Roszel said he has no problem with segmenting. He said the view is spectacular. He thought the building envelopes could be determined by the Planning Board. He said he does not want to see someone else's roof top and he wants to pay attention to the building envelopes.

D. Hannig said the north side of the road could be called lot 7, if they did not want to segment. He said the restrictions for no further development would not apply to lot 7.

M. Palmer said if the plan goes forward similar to how it looks, the north side of the road would be Lot 7. He said the Board would ask that no further subdivision would apply to lots 1-6.

D. Hannig said the present owner has no intention of developing lot 7 and would sell it to someone who does.

A. Ferguson asked D. Ferlow if it was under a conservation subdivision, would that dictate a better location of the homes.

D. Ferlow said D. Hannig has put a conservation plan in the application. He said the three sites on Temperance Road the first two going down from the corner are in scrub and a house site would disappear essentially if some of the scrub was left. He said the other house would look over the top of it. He said the house on the corner the element might need to be switched because it goes out into the edge of the field area. He said the other two houses are in a bigger growth area way down the hill and in scrub, also. He said the ideal setting point would be

the same point of the existing house coming toward the road and that is not the viewshed in that direction. He said the view is to the south and the west. He said the better woods on the site are on the steep slope going down to the far corner. He said D. Hannig is putting that in conservation. He said every lot can be serviced from the road which cannot be done on the north parcel. D. Ferlow said he would have to build roadways into the north side so there is a segmentation of the concept of the design. He said from the CACC standpoint, he thinks they are getting conservation. He stated the ideal house locations have been selected and the viewshed is being preserved and preserving the best land on the element. He said there is a little watercourse which is not on any maps. He said 11 lots could be built on the south parcel.

M. Palmer stated he does not think the yield is the number of houses that there will be in the end and he said that is the starting point.

D. Ferlow agreed with M. Palmer and said that is what could be drawn and then there would be discussion.

A. Ferguson mentioned the view and how it would be from the top. She gave the comparison from the Stone Quarry Hill Art Park and the subdivision that can be seen from the top.

M. Palmer said the building envelopes can be placed so they will not really be seen from the road.

D. Hannig thought the south side of the road would look similar to Grassy Lane in Cazenovia, including the steepness of the slope.

M. Palmer asked D. Hannig how close he was to having the conservation analysis complete?

D. Hannig said he is done on both sides of the road and asked what was needed for the public hearing?

M. Palmer said the whole piece of property would be looked at for the public hearing.

Some Board members informed D. Hannig that he was at the informal stage of the application.

D. Hannig said he turned in all the paperwork on the application.

The Board Secretary advised the Chairman the fees were not paid.

D. Hannig inquired if a public hearing could take place on December 6, 2012. He said the house lot is deteriorating rapidly.

M. Palmer said the present owner could preserve the property.

D. Hannig said the owner is not interested.

R. Cook stated in the conservation subdivision regulations, there is an informal chat, then there is a preliminary and then a public hearing.

M. Palmer thought the Board wanted a little more time to talk about the placement of the houses, sight distances, driveway locations, well & septic for lot #1.

R. Cook said if the lots are created as they are shown on the map, the first buyer of a lot who wants to build a house, will come in and do an individual site plan for the lot.

D. Hannig said he could draw a larger rectangle. He stated the rectangles represent the buildings. He said the sizes are 110'x30' but he does not know if that will be the actual size.

R. Cook said at the Hubbard subdivision, there were setback lines to protect the views.

Some members of the Board liked that idea.

M. Palmer said a line would have to be placed that the house could not encroach upon or no building within that area.

D. Bowers said if it came in as a preliminary what would stop it from moving to a hearing? He did not think there was anything.

M. Palmer said there needs to be driveways and building envelopes, perc tests, and deep-hole tests.

M. Palmer said if the fees had been paid it would not be under the informal, it would be under the subdivision stage.

D. Hannig said the final plan that the Board will see will be identical to this plan, subject to where the houses will be placed. He stated there is no reason for a preliminary plan because

this plan is the preliminary. He said having the public hearing on the preliminary plan and making any changes for the final plan approval does not require another hearing.

J. Langey said the final plat plan gets waived.

M. Palmer asked what the down side could be and said they could always continue the public hearing.

D. Bowers asked what will substantially change with the plan. He said the only thing that will be discussed is where the driveways will go and setback lines.

M. Palmer said the verbiage for the "forever wild," or no build zone should be included.

D. Bowers suggested that the fees get paid and move forward.

D. Hannig confirmed there will be a "forever wild" section and no further subdivision.

M. Palmer said there will be a visual easement that will protect the viewshed which means that will, so-to-speak, create a building envelope.

M. Palmer said the engineer for the Town will need to look at the plan and verify some of the numbers that were developed. He said he does not think J. Dunkle has seen the map yet and he should be able to comment by next month.

The Board discussed what they want for next month. It was determined the driveways with sight distance, perc and deep-hole for each lot, look at the viewshed from the house and consider if lots 3 & 4 should be pushed back to protect the vista from lot #1. The verbiage that defines the "forever wild" and sketch in the building lot setbacks. The well and septic on the map. The "forever wild" should be in a certain shade. The lot on the north side should be labeled lot #7.

D. Bowers said the building analysis should be finalized for lot #7.

The Board decided not to do the SEQRA at the meeting.

J. Langey said the SEQRA needs to be done before the public hearing, under the law. He said it needs to be done as a preliminary matter before the public hearing is opened.

Motion by Dale Bowers, seconded by Tom Pratt to move to a public hearing was carried unanimously.

M. Palmer asked D. Hannig about the fees and informed him the onus was on him to notify the neighbors of the public hearing.

David Falso/Davis Senehi - Subdivision - Summerfield

David Falso and David Senehi were present to represent their informal.

D. Senehi said they originally set up the meeting to ask for a line change because they had a buyer who wanted to buy a certain portion of the property. He said the buyer is not able to buy the land. He said they want to do 5 lots and they will sell them off. He stated they are requesting approval for a subdivision. He pointed out on the maps where he would like the 5 lots to be.

A. Ferguson suggested the applicant number the lots to make it easier.

D. Senehi labeled the various lots 1-5. He said he understood they have to do an analysis of the property. He stated he did a preliminary and there are no watersheds. He said when he made application he did not think he was in any agricultural zones but one of the parcels is in agricultural. He said the County has updated their agricultural zones and they did not have it added. He stated they are not growing anything currently on the property, but he pointed out an area in the back where there is a little garden for pumpkins. He said there is a lot of short growth and birch on the property. He said they are not in any of the 100-year flood plains. He showed the gradient of the property and did not think it qualified as a steep zone. He stated there are no historical buildings or buildings at all. He said they are not changing the lay of the land. He stated the parcels are large so that will not effect drainage issues.

M. Palmer asked about the driveway locations.

D. Senehi pointed out the driveways on the map, lot 4 & 5 off Lincklaen Road, lot 2 & 3 off Summerfield Road and lot 1 off Ridge Road. He said he would rather let the buyer of the land figure out where the driveway will go. He said on Lincklaen Road it is a 580' stretch. He stated he knew there were sight issues in the past but he did not think one driveway was the same as a road situation. He said a culvert would have to be added for drainage issues which raising up would change the line of sight.

M. Palmer said the trees are pretty close to the road in that area.

R. Cook said there is a reverse pitch at the road and they do not want the road higher than Ridge Road.

M. Palmer said a flat spot would be needed before you get to the road which the applicant can investigate as he develops the plan.

M. Palmer said in regards to constrained areas, there are prime agricultural soils which will have to be determined. He said from a conservation standpoint, there is probably nothing significant.

M. Palmer inquired if lots 2 & 3 would need a variance for road frontage.

J. Langey said if the application goes conservation subdivision, no, if it goes traditional subdivision, yes, because it would not have enough road frontage. He stated the idea of conservation subdivision is to relax the road frontage. He stated Tim Hunt, highway superintendent, needs to look at the plan for snow storage and how the plow turns around at the end. He said Tim Hunt will have to make a recommendation about whether they would grant an easement of some sort.

J. Langey said they should look at Lincklaen Road because he thought Tullio Bertoli had looked at coming off Lincklaen Road and they should get a sense of driveway permit for both of the lots with Tim.

He further said they should talk to Tim Hunt about all the driveways and the Ridge Road one has its own issues.

M. Palmer suggested a topography map and he clarified he wanted a map more than the USGS map from the County.

J. Langey said the type of map is in the regulations.

D. Ferlow said as far as the conservation analysis he has not had a chance to look at the site yet.

D. Falso said the stream that D. Ferlow was referring to was a dry stream and there was no water in it right now.

D. Ferlow said from the perspective of the conservation commission it should be looked at to see whether its flow is in Federal wetlands that are not on any maps.

J. Langey said he thinks it picks up between lots 11 & 12 and there is a hand-dug ditch between the two parcels which collects water.

D. Ferlow said he would like to look at the property and he got D. Senehi's contact information.

D. Senehi said lots 5 & 6 are about 6-6 1/2 acres each. He talked about the lot configurations and how they chose the lots.

J. Langey said it would require conservation subdivision or they could go to the Zoning Board of Appeals and get a variance.

J. Basic 250' of road frontage is required.

J. Langey said under the regulations the Planning Board could require the conservation subdivision if they wanted to.

M. Palmer thought there would be an upside for the applicants to go through conservation subdivision and then they would not need a variance. He said the applicant needs to look at both options to see what they think is best, conservation subdivision or traditional.

D. Senehi inquired if he should come back to the next meeting with a full analysis?

M. Palmer said the information should be submitted by November 21, 2012. He said he did not know if they wanted to get deep hole or perc tests done yet.

J. Basic mentioned the ground will freeze soon; so they may want to do the tests.

D. Senehi inquired if perc tests were done with the previous application before the Board.

R. Cook said the Health Department says perc tests are good for a standard of five years.

M. Palmer said there may be perc tests that are less than five years old in the proximity of the lots. He said the perc tests are normally where the best guess is for the house and the septic.

D. Bowers said there may be some engineering on the driveways for Ridge Road and Lincklaen Road.

M. Palmer said if some actual topography work was done it might help the applicant and the Board, see what the challenges may be.

M. Palmer said they are really only adding one more home off of Summerfield Road. He said there is one there anyway and the road ends there. He stated if the lots were approved the Planning Board would want a condition that said no further subdivision on the lots.

The Board Secretary stated she would send an email with fees that the applicant still needs to pay.

J. Langey mentioned a training seminar on the new SEQRA form at Costello, Cooney & Fearon on Wednesday, November 28, 2012 at 8:00 am and 6:30 pm. He said it could be at least 1 ½ hours worth of credit.

At 9:11 p.m., motion by Dale Bowers, seconded by Hugh Roszel to adjourn the meeting was carried unanimously.

Connie Sunderman - Planning Board Secretary - November 8, 2012