

PLANNING BOARD MINUTES
MARCH 26, 2008
PUBLIC HEARING

Chairman Johnston called the Regular Meeting to order at 7:05 P. M. Before, we have the Public Hearing, the first order of business is to satisfy the SEQRA requirements for the Windward Subdivision, and Kevin Hall is representing the Cerf's, has provided us with a Short Environmental Assessment form, which we have. (Copy attached to minutes, page 1A & B). I think everyone is familiar with the Subdivision. What I'd like to do now is just turn it over to the back page and go through the impact assessment: Mr. Hainer had not seen the SEQRA form until this time.

Chairman Johnston - This does not exceed any Type 1 threshold?

Mr. Hainer - Right.

Chairman Johnston - So, A. is a no. It's not going to receive Coordinated Review, "no". Item C, 1 - 7, all "no", D., non/applicable (there is no critical environmental area), and E., "no".

Determination of Significance - There are no substantial, large, important or otherwise significant adverse effects.

The Conclusion:

The Planning Board determined, based on the information and analysis above and any supporting documentation, that the proposed action "WILL NOT", result in any significant adverse environmental impacts."

May I have a motion to that affect, so moved Mr. White, second, Mr. Hipps, any discussion on that motion? There being none, all in favor, carried, -- Negative Declaration.

At this point the Regular Meeting is going to recess and we're going to call the Public Hearing to Order and I'm going to begin by reading the Notice of Public Hearing (attached, Page 1C). Bennett/Smith, it's a subdivision of an existing lot that will result in the merging of three lots into two and it's also a Class B project and the second matter to be heard is the Windward Lot Subdivision, two-lot minor subdivision.

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We will start with the **Bennett/Smith Subdivision**. In order to expedite this process, we've seen a presentation for the last two meetings on this by Kevin, does anyone have any questions, of Kevin?

Mr. Hipps - I just want to make sure, this is the property down in the Presbury Point area, right?

Chairman Johnston - Right.

Mr. Hipps - Is the property Jane I have, is it within 500 feet of this, if it is, I have to recuse myself. Why don't I just do it anyway and then we don't worry about it.

Mr. Hall - I have to look at my listing.

Mr. Hainer - Did you receive a letter?

Mr. Hipps - No.

(Secretary's comment - Mr. Hipps name was not included on the 500 foot mailing list submitted).

Mr. Hall - I didn't think it was within 500 feet, so if you didn't get a letter -

Mr. Hipps - Ok.

Mr. Hall - I don't think you are.

Mr. Hipps - Ok.

Chairman Johnston - Does anyone have anything to say about this or any questions?

The Planning Board agreed that the project was pretty straightforward, makes sense.

Chairman Johnston - Ok. We'll do the Class B checklist during the Regular Meeting. Let's move on now to the **Windward Subdivision** - We've also seen that presented I believe, at the last two meetings, does anyone have any questions or comments on that particular subdivision?

Mr. Anson - How come we're doing a SEQRA, without building a house?

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Chairman Johnston - We have to do SEQRA, unless it's a Class A project.

Mr. Anson - Ok.

Mr. Hipps - If it's an action of the Board, then we're required -

Chairman Johnston -- Yes, and approving a subdivision -

Mr. Hainer - Is there a ROW or maintenance agreement?

Mr. Hall - I haven't been provided a maintenance agreement, the two owners -

Mr. Hainer - But the road is going to be moved down -

Mr. Hall - Relocated.

Chairman Johnston - Is that something you'd like to see, George?

Mr. Hainer - No, I just want to be certain.

Mr. Hall - I think it states it right on the map, and I know I presented it that way, the last two meetings.

Chairman Johnston - Any other questions or comments? At this point I will declare the Public Hearing closed and now resume the

REGULAR MEETING

Called to Order a few minutes ago. Let's start with the minutes which were e-mailed or mailed, as the case may be.

Minutes:

Chairman Johnston - May I have a motion please, to approve the minutes,

So moved, _____, second, Mrs. Brant,

Mr. Maron - Not a question on the minutes but I have a question ----

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Chairman Johnston - Ok, there were no further comments or questions, there being none, all in favor, carried.

You want to ask your question now, Chris, or shall we move on -

Mr. Maron - Just a comment to George, or Barbara. Whoever sends out the e-mails and attachments -

Mr. Hainer - We have figured out that we can rename it, that was an issue, we can scan them and they will have a different title in the future, it's a brand new copier, we're working -

Chairman Johnston - I think you're to be congratulated for this ratcheting up of the technology -

Mr. White - I'd like my name off the e-mail list, it ties up my computer for thirty minutes to download -

Mr. Hainer - You're on dial-up?

Mr. White - I guess so, I have a very slow, old computer.

Mr. Hainer - Ok.

Chairman Johnston - My comment about the paper, is serious, all organizations now are sending items by e-mail and the paper cost is getting to be quite frankly -

Mr. Hainer - We were hoping that most people would scan it on the screen and not have to print - the whole idea behind this was to go more green -

Chairman Johnston - Less paper.

Mr. Hainer - to try to conserve, many things are thrown away. The minutes are on line all the time so you can always reference the minutes.

Chairman Johnston - We need to be retrained -

Mr. Hainer - I guess. What we need is the new tablet PC's, there just like a piece of paper -

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Chairman Johnston - Let's move on now to the **Bennett Subdivision - Tax Map No. 87.7-1-15.000 - Class B - Lakeshore Residential - Merging three lots into two lots** - Before we can have a motion to approve this subdivision, we need to go through the Class B findings checklist. I guess George, I'm going to have to write a Class B permit.

Mr. Hainer - That's right, Class B Permit and to decide on the other letter.

Chairman Johnston - Maybe before we do the checklist, we ought to just cover that point that you raised and that is the fate of the existing building. The existing building, as I understand it, Kevin, is either going to be removed or it's going to be downgraded from a residence to a studio, through the removal of a kitchen.

Mr. Hall - That's correct.

Chairman Johnston - They said, they're not going to definitely do anything, there not promising to do this for something like a two-year period -

Mr. Hall - They asked for a two-year period,

Chairman Johnston - Do we care, this isn't necessarily anything that we would want to make a condition? You care, George?

Mr. Hainer - No, not at all, it's so close to his other structure, it's almost like an extension.

Ms. Fitzgerald - And, if they don't change it for two years.

Chairman Johnston - Does he have a principal building issue if he doesn't -

Mr. Hainer - Technically, he probably does, there may be a septic system issue in the future.

Chairman Johnston - Does he create an issue for himself by merging this principal building on to his existing lot, now he has two principal buildings, does he create a problem there?

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Mr. Hainer - I think that's why you reduce it to an "accessory building" that's why this is in here, either take it down or convert it to an "accessory building".

Chairman Johnston - Ok.

Mr. Hainer - and I think that should probably be a condition of his permit.

Chairman Johnston - Ok. You think two years is reasonable?

Mr. Hainer - I think two years is reasonable.

Chairman Johnston - Is there anything else before we go through the checklist? (pages 6 A-P, attached. (All the members had a copy of the checklist). For the benefit of people who haven't done this before, we may go fast, just because we're going fast doesn't mean we're being careless or sloppy. Now remember, what we're talking about is converting three lots into two, we're larging (?) the two lots through this conversion and we're eliminating a principal building, so, basically, what we're doing is we're reducing the intensity of use.

Mr. Hall - Actually, making the lots comply to Zoning by doing so.

Checklist:

Chairman Johnston - I don't really see any issues with this, but we do need to go through this checklist. Let's start with soils; I'll say what I think it is and if you don't agree say something, ok, I'd say "soils" is not applicable (n/a, from this point on), agricultural soils, n/a, topography, there are no alterations, n/a, water quality and Eutrophication, n/a, surface waters, n/a, I think it's all n/a, flood plains, n/a, groundwater, n/a, shorelines, maintain or enhance the existing physical, biological and aesthetic characteristics of the shoreline of all lakes, ponds, rivers and streams, yes we're having an impact, I would say we're having a benefit, positive impact, so why don't we just say small to moderate **positive** impact. Mineral resources, n/a, air quality, n/a, noise levels, n/a, wetlands, n/a, aquatic communities, n/a, terrestrial vegetation, n/a, rare and endangered terrestrial wildlife species, n/a, fragile ecosystems at higher elevations, n/a, now this is where it starts to

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repeat (#13), yes. Terrestrial Wildlife, General, n/a, Rare and endangered terrestrial wildlife species, n/a aesthetics, general, n/a, scenic vistas, Maintain the scenic qualities of views from vistas designated in the AP State Land Master Plan, n/a, travel corridors, n/a, travel corridors, n/a, open space, general, n/a, outdoor recreation, n/a, adjoining and nearby land uses, I think that's applicable, but I think the impact is zero, no impact, none. Adjacent State land, n/a, wild, scenic and recreational rivers, n/a, historic sites, n/a, special interest areas, n/a, government considerations, n/a or zero, regulation, zero impact, public utilities and community resources, there are not public utilities, except power, so it's n/a, streets and roads, n/a, siting and construction of buildings, n/a, sewage disposal, zero, storm drainage, n/a, water supply, n/a, solid waste disposal, n/a, pesticides and herbicides, n/a. Shoreline development, Design and construct development along shorelines so as to maintain existing aesthetic and ecological characteristics thereof and to avoid all significant impairment of these qualities, it will have either a "zero" or slightly positive impact because we're reducing intensity, noise, zero impact, signs, n/a, utilities, we're not adding utilities, n/a.

We're now going to **Resolve** that the Town of Westport Planning Board determines that the proposed Class B project will not have an undue adverse impact upon the natural, scenic, aesthetic, ecological, wildlife, historic, recreational or open space resources of the Town or the Adirondack Park nor upon the ability of the public to provide supporting facilities and services made necessary by the project taking into account the commercial, industrial, residential, recreational or other benefits that might be derived from the project. May I please have a motion to make that Resolution, Mr. White, second, Mrs. Brant, no discussion, all in favor, carried, dated, March 26, 2008. (So noted on the form included in the Bennett/Smith file).

So now we're going to, I think we should have a motion to issue a Class B Permit for this project, with a **Condition**, that the principal building either be removed or downsized to become not a principal building within two (2) years. So moved, Ms. Fitzgerald, second, Dr. Russell, no discussion, all in favor, carried.

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The next motion we need is a motion to approve the subdivision, Mr. Anson moves to approve, second, Mr. White, no discussion, all in favor, carried.

I think this one is complete, Kevin, we're all set.

Mr. Hall - Yes.

Chairman Johnston - So I'll sign the plat when you're ready -

Mr. Hall - I have to set a couple of corners, in the snow I didn't do that -

Chairman Johnston - Give me a call, and I'll work on a Class B permit, it may take me a little while to get to it but there's really not going to be anything in it other than that Condition, about the down grading of the building.

Mr. Hall - Ok, no that sounds good, I'll let Smith and Bennett know.

Chairman Johnston - **Windward Lot Subdivision - Tax Map No. 66.75-1-9,10 and 11. Two-lot Minor Subdivision** - We've Negative Declaration that at the Hearing, I think we're at the point of a motion to approve that, so moved, Ms. Fitzgerald, second, Mrs. Brant, no discussion, all in favor, carried.

Before we get to the next item on the Agenda, I would just like to say something about the forms. The Tracking forms - I realize that in devising these forms, I've created a Frankenstein's monster, now we have to fill out all these forms and because of these two particular projects, are so small, minor and insignificant, I don't think it's really worth taking the Planning Board's time to do these forms now, but what I would propose to do is get together with George, fill out the forms so we put them in the files so the file is complete, is that ok, with everyone? But I would like to get us, maybe we need to have fewer forms, but we do need to have this paper trail, I would like to get us back on track of doing these forms in the future. I think it's a good thing, a good practice.

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I guess we're ready to move on to Mr. Starbuck, we have been sent a lot of material, do you have anything to put up, Jim?

James H. Starbuck - Tax Map No. 66.2-2-22.111 - Preliminary presentation re: Further Development of Starbuck Property on Furnace Point Road -- Mr. Starbuck - I do, I have large versions of a few things.

Chairman Johnston - Why don't you put up what you have and give us an explanation of what you're planning. Let me just tell you something about most of us, we've been at two full-day sessions and we're tired and hungry, ok, so,

Mr. Starbuck - I was actually going to ask, and just say if that material covers the over view, this is a first shot of finding out if, what the Town's mood or disposition about this kind of project and I tried to write up what I sent you not to overwhelm you with information to go through, I was trying to make it concise so that if you saw it and stated, "we get the point", then I wouldn't actually go through it until such a point as it needs to be reviewed.

Chairman Johnston - I think that it wouldn't be a bad idea to put a map up so at least we have something to look at, as we talk. Just an observation, what you're proposing is what is an allowed use in that area, so, I don't see any problem there.

Mr. Starbuck - Yes, ok, well you know it's not the worlds greatest period of time for residential development sales, I'm sort of thinking ahead,

Chairman Johnston - You want to position yourself when the market rebounds.

Mr. Starbuck - Right, so I thought I'd come in and just what the Town felt like, "we really don't want this, I'd rather - it's ok to know that I could just wait for a while.

Chairman Johnston - This is a growth area, what you're proposing is what's allowed there.

Mr. Starbuck - In talking with George, he mentioned, "perhaps there could have been more down on the Lakeshore". I had sort of my own way of looking at the Lakeshore,

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trying to keep it uncluttered and I like what happened there in presenting this, there are a couple of differences -

Chairman Johnston - Ok, go ahead.

Mr. Starbuck - It just seems denser, it's more of it, "too much for us", but, I think it would take a long time to implement.

Chairman Johnston - Ok.

Mr. Starbuck - I also, just for the sake of orientation brought a shot that you could pass around. This is from down toward the SPCA, looking up, toward the Walker's house and this is from the Walker's house looking down, one is in the winter time and one is in summer. I'll put a map up that Kevin drew that was, one of the requests of the Planning Board made in an earlier subdivision of 2003, was a master plan, what do you see happening over here? Kevin created this, I marked this map up, so this is a map that even shows things beyond what I'm talking about tonight, because talking to George, "it may come up again, what's the whole plan"? It's hard to know what the whole plan is about something off in the future.

The Planning Board looked at Mr. Starbuck's maps.

Mr. Starbuck - The material that you have, this pink area is the land that I sent over four copies and I hope you saw them. This area is the entire land I own, left. The yellow items, over the last six years, have been subdivided off the land that came to my family and this was our homestead, this became the McGee place, the first subdivision. I removed any further development, even though it was in the Village Growth area, I asked, because I didn't want this homestead, this was sort of the big home. I thought 14 acres was kind of nice, I moved any further sub-development rights to this land, in fact, ultimately I started thinking, "maybe we could create a denser, closer to Town, closer to the potential septic, closer to the village, take these six building rights that came here, from here, that came onto here" and I can show you other papers that showed how that happened, by deed. This can't be further subdivided, this can't be further subdivided, (Mr. Starbuck proceeded to point out the lands that cannot be subdivided), these are all by deed, and

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enforceable deed restrictions, no longer able to be subdivided. If there was any additional density, it was put here, so now I thought, "well, this is another thing kind of going on in the nineties, people we're building big things, I'm in Vermont, and they build, you look at a pasture there's a big thing out there", and I think there's sort of a tendency to build something that's big in order to get the most you can out of that. I didn't really want that, for this land, or any land, I didn't want to build for myself, so part of my proposal is that anything that gets built here, is actually the style that comes with the deed. Those styles I outlined as being Cottage style, Craftsman, bungalow, and in fact I had been carrying around for ten years, a book of 117 styles of bungalows from the 20's. It was out of a catalogue, and I included some of those.

Dr. Daniels - You're not going to build any of those, you're going to sell the land, so the people can build on it?

Mr. Starbuck - I think this time, I didn't want to build any of these, I didn't want to dictate to people what they build, I didn't want the similarity that comes when you have the same designer designing everything and I didn't want to legislate it. However, with the closeness of these, I wanted to actually go the other way, which is build smaller and I think I might become the general contractor and build one at a time and have someone else build it so they get done but actually dictate, this is what you get, you get a small lot, you get access to the other things that come, the common areas and this is the house you get and in fact by deed you can't add a second story and you can't put an addition on that's off design. It's kind of dictatorial which I'm not thrilled with that, but I think it's almost necessary, because we'll be all looking at that. When I started laying this out, I thought, "well I guess I'm in the build one and sell one because I don't think putting all this on the market at the same time, is advantageous, I don't think it is. What's more important is that I actually dictate the style.

Chairman Johnston - Jim, let me just make an observation about this. It has nothing to do with your concept, I think your concept is great, but it has to do with the sewage issue and I think that you need to find out very,

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very soon, whether or not a common sewage system for eight units or something that DEC or DOH will approve.

Mr. Starbuck - Right.

Chairman Johnston - And, also, kind of a corollary of that point, if you're building one at a time, are you going to be able to phase the construction of the sewage system or are you going to have to build the sewage system all at once for all eight units and then build them one at a time? Now that leads me to a third point. There's been a huge amount of money spent down in that area, by people who built houses on the lots you've sold as well as Normandie, to upgrade septic systems, maybe, you and some of the other owners down there want to put your heads together and think about maybe, if it wouldn't make more sense to put your money into connecting to the existing treatment plant, centralized treatment plant.

Mr. Starbuck - I would certainly, I've been talking to George, I think that the septic - I'll just mention that I got to the septic being here circuitously by looking at that land and you know where the SPCA is right here and as you drive here you can look and I was thinking looking out over the Lake, this is sort of flat, it gently slopes up and it dawned on me because I had already talked to George about the septic issue, if you can't figure it out, none of it works unless you can figure out the septic. I was thinking the septic is down here, maybe I could get it up here and then I thought, "at least if I can talk to you about, we want to bring it this way - gravity - you could see that hill is just coming down there". Instead of coming and saying, "we'll just dig around and try to find suitable soils, we know it's heavy, maybe, I could at least in a cursory way cover a very in-depth topic", "at least if the design includes all of the outlets coming this way, if we opt out of the septic plan, at least we're going the right way". Instead of having people looking around all over the place, uphill or sidehill, it would be coming downhill. I think it's a huge issue, but George mentioned, I think it was three-quarters of a million dollars to start down here at the boat launch and come around the bend and head on up and people that are existing users may have different ideas about whether they want to jump in, I haven't built anything so I had said to George, "what if I just dictate to people, in fact looking back I'm working to bury these telephone lines, the high power poles, and I

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sort of thought my new buyers would go together, instead of hanging more things up in here, let's all work together and I found that I was willing to pay like two-thirds of the whole mess, and then it would be six other people, it was kind of hard to get people who hadn't even built anything yet to be interested in something they didn't quite need yet and I said, "gosh, I was kind of surprised, I thought they'd all be willing to pitch in five grand, it's not high on their list. The Giles are there, and they're already hooked up and I didn't want to hit them again. It was kind of interesting, you think that you're going to get some kind of collaboration and I had one person say, "maybe, you should have charged them for doing that to begin with". It was something to learn. I agree with you, I don't know how to go about pursuing a subdivision if I don't know how to get that pipe put in. If there's a way to pursue that, I'd certainly rather do that and I'll try -

Chairman Johnston - But you may hit a dead end with on-site disposal, you need to, if the lots are so small and the soils are such, that you can't have individual systems, then maybe your idea of a cluster system is a good idea but you're going to need to have an engineer who has knowledge of New York State laws and is experienced in working with DEC to tell you what you'll have to do and you may look at the price tag of that and say, "that's not feasible either". I think it's really coming down to engineering and economics.

Mr. Starbuck - Right.

Mr. Maron - Working with the Blue Ribbon Committee, we're looking at trying to reclassify your area as Hamlet and I'm not sure if you're aware of this or not, but the only way that it can be, having the zoning changed to Hamlet, if there's existing sewer. My understanding is that there's plans to have a sewer go up Lakeshore Road. If it does go up Lakeshore Road, the people on Lakeshore Road, will be required to hook into it and so if they've already spent money to build a septic system below then they will have to spend money twice, to change the septic system over to the sewer. I think you should really be aware of what's going on with the plans to change zoning in the Town and what's going to happen with the sewer going up there. I think that's going to be your best and only choice to make. I'm not sure if the Town is paying for it to go all the way up there or the people up there will pay for it.

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Dr. Daniels - Would the sewer also go down Furnace Point Road?

Mr. Maron - My understanding is there aren't any plans for that -

Chairman Johnston - Chris, the Town would not pay for it, the people that are in the area served, would pay for it.

Mr. Maron - Ok.

Mr. Hainer - Hopefully, they could get a Small Cities Grant or something to help, defray the cost, it would be a separate district or extension district.

Mr. Starbuck - I got to know Peter Gibbs of Engineering Ventures, whose family is from the Town, and he did septic design for, I figured if it was in concept, a good idea. Some of these other things I would like to see happen, if the concept was good, then I figured my next "thing" is there an engineered potentially permittable design capable of being here? If gravity brought these things, if the luck of the terrain, topography, brought the waste here, could, I don't want to see cement bunkers, I don't want a community septic design but this a big chunk of territory down here, if it's available as suitable and an engineer took on that task, that probably I would, just the paying to just figure it out would be, I think would be warranted. If the Town knows that this would be in favor of the concept, and now I just have to solve this big problem, I guess I don't see this being enough land to do it individually, maybe, an engineer would walk around the same land I walked around, and say, " why not on each lot?" I was just looking down hill and I think they're trying to bring down a pipe up and maybe this potential community would be enough momentum to try to get some kind of unified, something that would say, "we can do this", and it's going to end up costing you "x" thousands of dollars per lot and these two will probably be in, but if it seems too mountainous kind of diplomatic issue to do, then I'd say, "I'll talk to an engineer" just to get one meeting to walk the land, to have him say, "you'll never get through it" and then I'll just back off.

Chairman Johnston - I really think that is the most important next step, to get a handle on this sewage

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disposal issue, because if that particular density is not supportable, with some sort of individual on-site system -

Mr. Starbuck - Right.

Chairman Johnston - cluster system, then you're going to have to rethink the density, ok. On the other hand, is this idea of the sewer coming up the road, but I think you have to, you don't know yet what your choices are.

Mr. Starbuck - Right.

Chairman Johnston - Ok, and that's where, I think, where the engineering comes in, you need to know what your choices are.

Mr. Starbuck - I think maybe one thing I could do, if I wanted to start with something, I could come back, you having seen this thing, and then I could come back and say, "here's what I'm now more able to understand that I can do" and at least you've seen sort of a master plan now and know what I would like to see for what remains of my land is ultimately some natural and aesthetic features built into the land, probably a big chunk that's way back here, just left recreational and these stay undeveloped with the setbacks that have been incorporated in. If I came back later and said, "I would like two" and you asked, "what happened to the other thing", it's because of most likely "septic design". But if he comes back and says, "we have some way that we can do it", I'd have them proceed and then if I brought it back and it cost me some significant money for him to that I would at least know that you had, that the Town felt like - even though it is zoned, I don't really want to run against the grain of what is needed and I think what I'd like to see is small, cottagey homes up there and I'd like to live in one of them.

Chairman Johnston - That's a nice idea.

Dr. Daniels - I think your plan is really good, really appealing. Bill, are you saying that you don't know if at all there is a septic design where eight houses could go into one or -

Chairman Johnston - That is theoretically possible, in fact when Essex was going through the process of trying to figure out how to deal with sewage up there, one of the

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solutions, they looked at was what you would call a cluster septic system, where they would have I think individual septic tanks for each house and then those septic tanks would maybe, four to six septic tanks would drain to some area where there would be leech field. That was an option to a conventional centralized collection treatment system. That is theoretically an option, but you have to determine whether the soils there are appropriate for this kind of thing and what it's going to cost. If you can get that information then -- tape change -

What is the approximate size of those individual lots?

Mr. Starbuck - About a half acre.

Chairman Johnston -- Half acre. Ok, and what is the approximate size of this area where a common leech field might go?

Mr. Starbuck - That's a couple of acres.

Chairman Johnston - Couple of acres.

Mr. Starbuck - I had two septic experiences over in Vermont, one with a commercial septic design for a building that I have that is by the State and it's a commercial building so it had to be permitted by the State. It's sized for two thousand gallons a day and it's an injected system where the first tank is three thousand gallons and the second tank is three thousand gallons and then it injects off to a field that's not too far. The field is not gargantuan, it has to have a replacement area, it was conventional in some ways and sort of beefed up in other ways, because of the nature of the building. I also had one other septic field where the best soils were 600 feet that a way over in Williston, I used a pumping station, but the size of the leech field for this residence, once you got it there, wasn't huge, 30 feet by 40 feet and you have to have another area, without being an engineer and if it doesn't work - if the use of the land was supported by, in theory, then I figured I could go straight to an engineer. I figured if it takes this much per house, and you multiply that out, which might be the naive part, there's a ton of land, but whether they say "no" it's not about the amount of land that you have, it's about ganging together, multiple houses, and if that's the case -

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Chairman Johnston - I think that you ought to look first of all at the feasibility of the individual on-site systems. Individual on-site systems would be simpler from the standpoint that you could build them one at a time as you build your houses. You might not have to build this whole common leech field all at one time, up front. It might be simpler that way. And then this common leech field, it's an interesting idea, but it brings with it some additional complexities, the question of who's going to own this, who's going to be responsible for maintaining it, questions like this. As dull and boring as they may be, individual septic systems could be a really simple thing, I think you have to find out if those half acre lots, if the soils are such, they can support conventional individual on-site septic systems.

Mr. Maron - Size is one thing, soils are another. Sometimes you not only require one septic field but a replacement. So talk to the engineers, I think your first question is how much would this cost and I'm not sure how much it would cost to extend the sewer up there, what are the variable costs.

Mr. Starbuck - Is there anything I can do to cheerlead something or act like here's something and here's what exists. If I had it to do again, I didn't realize that I would like to bury these overhead power lines, not just dictate the new ones to go in. Retrospectively, I thought, if I could do that, this would be like all countryside a throwback to a bygone era, if I could do that. It's been two years, it's nothing, it's like \$70,000 to do this chunk. I'm going to do it anyway, but I wish I had sort of dictated, this is part of the package, we're just going to do it, we're going to separate it and all you have to do is sign to an unknown number, well, these people aren't going to sign to an unknown too huge a number, but if there was somehow I could kind of work it --

Mr. Maron - The people that are already there, their interest isn't really power lines, when they're looking out the window at the Lake, they don't see the power lines, people with the new houses going when they're looking at the Lake, they don't see the power lines, so I think those are the people may help put the money in to get rid of the power lines.

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Mr. Starbuck - right, I agree with you, I was thinking more kind of locally when people drive down, they see it, we all -

Mr. Hainer - You could generally put in the sewer line through a private contract, cheaper than you can through one of these massive projects. Dudley put in their entire water line through a local private contractor and you get out a lot of the mess that you get into when the government does it, prevailing wage, etc.

Mr. Hipps - I'm told that you can use private contractors for power lines, also, I don't know if anyone has done it. I had a similar issue in Keene and they said there are approved sub-contractors for each of the utilities that will allow these particular sub-contractors to do the work, they get better prices.

Mr. Starbuck - I think I'll just ask -

Ms. Fitzgerald - Jim, you're asking us for something that we can't answer until we find out the sewage situation. The concept is good.

Mr. Starbuck - I was really, just wanted your disposition, what would you think if there were eight smallish homes over here in Westport over some foreseeable future. That's worth me going to an engineer, if you say, "that's a pretty cool concept". I agree, you can't help me on how that's actually going to play out.

Mr. Anson - Even with an engineer, sometimes, if you go ahead and the engineer says "ok" have a private contractor, run those lines and he states the sewer system will stand it, and you spend all that money, and the ground comes up that it can't take it, especially in the spring, you're going to have problems.

Mr. Starbuck - So, maybe on each site, try to figure out how to do it on each individual site. I think I was kind of going with, "how could this help getting this other thing going?" I figured in my mind's eye, I saw eight lines coming down the hill, ending over here and guess what, when the line came through, but in actuality, to be pragmatic about it, it might be -

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Chairman Johnston - I think your statement of your intentions, if you can firm up your plan here and create a time frame and put some numbers in it, that what I want to do is create a small neighborhood with eight to 16 units, half-acre lots, etc., selling at "x" number of dollars, this will take place over the next eight to ten years, that might be enough to get the Town or maybe some of the other people interested, with this coming along, maybe this is the time to put in the sewer system.

Mr. Starbuck - Would that be like a letter to the Town Board or tighten this up, maybe get some more feedback on engineering, although I agree with Dwight, if it doesn't work, that's a big problem

Mr. Anson - You invested the money for nothing.

Dr. Daniels - Also, are you committing yourself to the eight houses or are you ultimately going to consider putting in more which would mean maybe you would like want to consider something else.

Mr. Starbuck - Yes, the dark red roofs are maybe 12 to 1,500 square foot bungalows that I sent copies of, these light blue x's are my addressing in anticipation of the Village Growth area. I remember from before, when I got that, now I see why it's important to at least try, so this pink area is what Kevin drew in and I had four, but now I'm thinking, I never what "Mcmansions" over there, so why not just do something that's clustered and think of the Village Growth area as "growth". I actually did walk the land, and found eight spots that I'd be happy with, it's a specific thing, but then here are other spots that all are beautiful spots in their own right, these are what I see in the future and you'll notice that, I suppose technically, you could maybe have three that fit the density here, but I wanted to keep this chunk open, in fact I sort of liked to put in a vineyard on this south-facing land and a big pond here and not have the heart of that photo that went around, the part of this pasture, not all of it, blocked out, I wanted to keep these snugged up against Lakeshore Road because there's a hedgerow there, there's an old orchard, it's really beat up but rejuvenate that, put those in there, put in a vineyard and leave this area, there's the red line, by the way, which is sort of the heart of the land, I sort of wanted to leave that a stony pasture, but, so the future, to answer your question, I kind of see that

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maybe down the road there could be as many as another eight, I don't know how long it would take to do that and then I think by that time this land I would just dedicate somehow, it's way back there, it's beautiful to walk, it's ravines and wooded, it's all hemlock and that would probably be done recreationally and this would sort of be the heart of the land, that's sort of the ultimate -

Dr. Daniels - The reason why I ask is because if you're actually thinking about more houses, are they too far away from Lakeshore Road to hook to a septic system?

Chairman Johnston - From the sewage system.

Dr. Daniels - the sewage system.

Chairman Johnston - Probably not, they would probably have it run downhill to the

Mr. Hainer - to a manhole.

Chairman Johnston - And then there might be a line that goes down the road.

Dr. Daniels - To me that would just mean serious conversations about public -

Chairman Johnston - This project could be kind of a catalyst to get this whole thing moving.

Mr. Maron -- I have a general question. It seems like there's a road between Lakeshore Road and the houses, it seems like broken front yards. Is it better to have the houses front on to Lakeshore Road or do you have driveways and more road cuts so that it becomes part of the community or would you want the backyards facing Lakeshore Road? To me as part of the Town you would want the front yards facing Lakeshore Road. As far as the vineyard, again that's a nice idea, I wondered who'd manage that.

Mr. Starbuck - This wouldn't be part of these, this would be part of this land. I just like the idea of bedding something so you build something into the landscape, not just line them up. As far as curb cuts, I thought it would be nice if these houses didn't produce more traffic on this road so I'd put in a little "u" shape thing that fed from here because it offered long site lines, 600 feet in

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between, so one new curb cut would be here and one up here, eventually the first to serve these two then eventually to serve here. I had been behind because cars all over the place, when you go through little cottagey areas, sometimes cars would be all over and I thought this would be an opportunity to think about it, so I ultimately, even though it might be easier, to have them come off, some off here and here, I thought it would be nice if they all could be served from the paved road. As this goes up the hill, there's an elevation change and as it goes up higher these two might choose to come in this way and then having the curb cut here to serve these. It just seemed better to me and then as they come in you're looking out over the Lake, so as you turn in you -

Ms. Fitzgerald - I was just saying, I see no reason why you want those houses there going to the Lakeshore Road, if nothing else you at least turn them part way because the view is towards the Lake. Why would you build with your back to the beautiful view. The cars or the garage could maybe be uphill.

Chairman Johnston - I had the same question, MaryLou. In the interest of time I'd like to, I think Jim, you're getting a positive reaction, is that fair to say (to the Planning Board, in agreement) we're giving you encouragement Jim,

Mr. Starbuck - Good, thank you.

Chairman Johnston - Ok, I don't know what more we can do tonight, ok, Kevin -

Mr. Hall - I have just one question. A general question. His concept is, he's proposing eight, how many are you willing to approve, are you approving all eight in one subdivision plan or could it be phased four and four?

Chairman Johnston - Well, aren't subdivisions sometimes done in phases.

Mr. Hall - There's phases, he's talking about building one at a time, would you be willing to let him have one lot at a time?

Chairman Johnston - I don't know, Kevin.

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Mr. Hall - That would be a question that I think you'd want to know, Jim, because it will affect taxes.

Mr. Starbuck - It is interesting, I had a couple of questions, could there be some forbearance on property taxes until houses are sold and then I recalled Robert Rowe's comments. I remembered when I would talk, because people would ask me how much are my taxes going to be? In talking to Mr. Rowe about it, I mentioned over in Vermont, sometimes, in order to encourage a development to happen, you would be taxed, it will be different then when it was a farm, but your not going to be getting 22 tax bills all at fair market value, based on selling one of them, because then your in a fire sale. I mentioned that to him and he said, "that's not the way it is over here". The moment you get a subdivision approved, when the stamp goes down, I'm sending you bills, and he actually had some sort of demonic grin. But, I was only doing a little bit at a time.

Mr. Hipps - It's not my item of expertise, but as I understand it, there is a date, maybe it's March 1, when there's a tax status date, and whatever you do after March 1 is on the taxable status until the following March 1. You have a year anyway.

Mr. Hall - You have a year reprieve. If he was proposing the eight lots, that's what I guess you need to decide, whether your going to propose the eight or the four, for phase one, which would be the way to do it, because obviously five lots kicks you into the DOH, so you wouldn't want to go there.

Mr. Starbuck - I'm under the impression that I've already gone through the five lot thing.

Mr. Hainer - Class B.

Chairman Johnston - Kevin, I understand your point here, I think you've discovered a little conflict of interest if you will between what is good planning and how assessors operate. It would be nice to lock him in to some sort of a master plan, so that we don't get a piecemeal development where one year it's this and the next year it's that. At the same time, I understand your point that if we approve all eight lots then there's this tax issue that we raise.

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Mr. Hall - And that's where I think if you put a, how I would personally do it, to the Planning Board members, ask for a phase plan, give the developer a break, ok, for each one I'll give you four years to develop phase one and then we're going to put, but have the whole thing approved, but you can break it into phases with your permit process, that's what I think would be a benefit to Jim, because he's not going to get eight bills, then he's only going to get four.

Chairman Johnston - Ok, well this is something we need to explore.

Mr. Hall - Or even break it down to two or three, you could break it down and give him the benefit of the time in the taxes as long as he stays with the concept.

Chairman Johnston - This is not my area of expertise, either and I think, in the interest of trying to encourage this type of development, we need to look into this just as Jim needs to look into this sewage issue.

Mr. Hall - Yes, that is the key.

Mr. Maron - I wonder if it's possible, if he has a master plan, to have conditional subdivision approvals, where he might have eight lots in your master plan and you say ok we'll subdivide this one on the condition that when you come back for any further subdivisions, it follows this plan.

Mr. Starbuck - I have one other question about the turning of the road, which has nothing to do with subdivision, I asked the Town about who may have an opinion about whether I could just move the end of this road. I asked back in 2003, I asked Kevin to put a line right there so that we didn't include that little triangle so that I could theoretically bend the road the last couple hundred feet.

Chairman Johnston - Jim, if you look at any sort of a design handbook, right angle intersections are preferred, ok, and so I would say that's a step in the right direction.

Mr. Starbuck - There is a kind of a safety thing there because you crane your neck, but it's also that I'd like to

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improve the aesthetics, buffer the Mobil property a little, have it come in not right across the street from the SPCA, so it's kind of selfish, it's a little to with this a lot to do with aesthetics but it also, I think it's good planning.

Mr. Hainer - You'll probably have to get County Highway or State involved. The Town could initiate it, I'm sure, once you come up with a plan.

Mr. Starbuck - It's not high on the list but it's part of the plan.

Chairman Johnston - Jim, you've received encouragement here and I think we've tried to point you in the right direction about where you need to go next.

Is there anything else for Jim?

Mr. Maron - I think your house designs are nice, as you look into the future as we're all getting older I think we'll be looking for smaller homes.

Dr. Russell - Is your concept to sell these as second homes or primary residence?

Mr. Starbuck - I didn't want to exclude anybody because it already includes sort of mandating style, as counting bedrooms, I see them as two bedrooms, single maybe half story maybe an unfinished area upstairs that can become a studio or an office or something that somebody wants to look out the window type, but certainly wouldn't say no to a family, I see them as year round, I'm getting older, I don't want a big house, for myself, so I'm sort of imposing things that I'm feeling about myself like most the living would happen on the first floor, I don't know if that's exactly family, I think it's a little small for a big family, I guess there smallish and a lot of people would say that's not enough.

Chairman Johnston - If you want to see a small energy-efficient house, you ought to take a look at the house Peter Vaiciulis is building on Sisco Street. I think Peter really has a great thing going there, it's a traditional style, Cape Cod style house, very flexible, can build it with unfinished attics, which have expansion potential for extra bedrooms and a bathroom, they are certainly a

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vernacular style and highly energy efficient. I think Peter ought to get kind of a Green House building award for what he's doing. You might want to take a look at that, that might be a nice house for your area. Maybe, you could even go into partnership with Peter.

Mr. Starbuck - I did hear about that and thought I would stop by.

Chairman Johnston - It's just a few hundred feet up from the intersection, where Sisco meets the -

Mr. Starbuck - I also hope those designs that I put in there, they are small rooms, the interiors probably have more open floor plans, I put those exterior plans just to show the style of what I would like the outside, the shingle style.

Chairman Johnston - The house that Peter is building, as you probably know, is on the site of a house that burned down, it's an example of in-fill development, it's a walkable house, it's really great, the kind of house we need more of.

Mr. Starbuck - Thank you, again.

Chairman Johnston - Is there anything else that anyone wants to bring up.

Mr. Maron - Months ago I read an article on lighting of houses, areas and the night sky, so I copied it for everyone.

Mr. Hall left at this time.

Chairman Johnston - Thank you, Chris. Motion to adjourn, Mr. White, second, Mrs. Brant, all in favor, carried.

Respectfully submitted,

Barbara A. Breyette
Secretary