

**Planning Board Meeting Minutes**  
**August 9, 2017**

Present: Chairman Pete Starkus

Members: Patricia Rydlak, Ross Lemansky, Pete Boria

Staff: Planning Director Alan Gordon

Not Present: Jean Vincent and Alycia Dzik

Chairman Pete Starkus opened the meeting at 7:00 PM.

**Mr. Starkus reviewed bills and payroll.**

Member Pete Boria made a motion to approve payment for bills. Member Ross Lemansky seconded the motion. All members were in favor.

Member Ross Lemansky made a motion to approve payment for payroll. Member Pete Boria seconded the motion. All members were in favor.

Chairman Pete Starkus reviewed mail and correspondences.

**Approval-Not-Required**

**Harrington Road**

Member Pete Boria made a motion to approve the ANR to create 8-lots on Harrington Road. Member Ross Lemansky seconded the motion. All members were in favor.

**Dresser Hill Road**

Member Ross Lemansky made a motion to approve the Dresser Hill ANR to create 1-lot. Member Pete Boria seconded the motion. All members were in favor.

**Lambs Farm Estates Definitive Subdivision Approval annual Extension Request**

Member Pete Boria made a motion to approve the Lambs Farm Estates subdivision annual extension request to 7-29-2018. Member Ross Lemansky seconded the motion. All members were in favor.

**Baker Pond Road Escrow Release**

Member Pete Boria made a motion to release the performance guarantee cash escrow funding held for completion of the Baker Pond Estates subdivision roadway in the amount of \$999.91. Member Ross Lemansky seconded the motion. All members were in favor.

**7:15 pm. Gunter, LLC Reduced Frontage & Common Driveway Special Permit Application (Carroll Hill Road)Public Hearing**

Planning Director Alan Gordon stated the revisions have been submitted. Graves Engineering, Inc. report dated 8-8-17, all comments have been addressed.

Planning Director Alan Gordon stated that Mr. Roy Gunter stated a conservation easement could take years, therefore he has respectfully declined.

Mr. Frank Bicchieri from Bertin Engineering was present to review the revised changes.

Abutter Judy Kelley of 101 Carroll Hill Road asked if the speed limit could be reduced.

Planning Director Alan Gordon stated this is a Police Dept. request. The Board agreed to forward the request to the Police Chief.

Member Pete Boria made a motion to close the public hearing. Member Ross Lemansky seconded the motion. All members were in favor.

Member Pete Boria made a motion to approve the Special Permit to create four (4) reduced frontage lots on property off Carroll Hill Road with the conditions discussed. Member Ross Lemansky seconded the motion. All members were in favor.

Member Pete Boria made a motion to approve the Special Permit to construct two (2) common driveway s for the purpose of accessing four (4) reduced frontage lots for property located off Carroll Hill Road with the conditions discussed at the public hearing. Member Ross Lemansky seconded the motion. All members were in favor.

**7:30 pm. Rockaway Realty Trust Definitive Subdivision Plan Application  
Public Hearing-Continued**

Applicant Mr. Ron Gauthier and his Engineer Mr. Jason Dubois were both present for the discussion.

The Board reviewed the Graves Engineering, Inc. remaining items from the 8-3-17 report.

Member Pete Boria made a motion to continue the public hearing to August 23, 2017. Member Ross Lemansky seconded the motion. All members were in favor.

**7:45 pm. Hammond Woods Subdivision-Performance Guarantee Draw-Down  
Consideration**

Present for discussion was Developer Tim Reardon and Cornerstone Bank Vice-President Ronald Cooper to discuss the incomplete roadway and incomplete infrastructure work at the Hammond Woods subdivision.

Planning Director Alan Gordon stated the Board directed him for a schedule of remaining field items. Mr. Gordon stated to Mr. Reardon he needs to schedule a final time period to get everything complete within a 90 day period.

Member Ross Lemansky stated procedure needs to be followed.

The Board all agreed to have Mr. Reardon attend the November 15 Planning Board meeting. If work is not complete, the Board will start a draw down procedure.

Discussion ensued, Member Pete Boria made a motion to establish a 90-day time period from 8/10/17 to 11/10/17 for proper field completion of the following subdivision elements for roadway curbing, sidewalks, loaming and seeding within the roadway right-of-way in front of those houses either occupied or under construction, and completion of the subdivision detention basins. Member Ross Lemansky seconded the motion. All members were in favor.

**7:55 pm. Otis Land Management, LLC Site Plan Application –  
Public Hearing (Continued)**

Member Ross Lemansky made a motion to continue the Otis Land Management, LLC site plan application to September 6, 2017. Member Pete Boria seconded the motion. All members were in favor.

**Planning Board Administration:**  
**Sunset City Site Field Completion**

Member Pete Boria recused himself.

Project Director Amber Howard asked the Board if she could video-tape this portion of the meeting. The Board stated they have no problem with that. Attorney Donald O'Neill and applicant Mr. Russ Jennings were present for discussion on the Sunset City Site Plan Field completion items.

Planning Director Alan Gordon explained the performance guarantee process. He stated the site plan has 4% left for field completion.

The Board reviewed the 8-2-17 Graves Engineering Inc. Review detailing the remaining site plan field construction work required within the Sunset City motocross facility site and proposed by the applicant for inclusion in a project instrument of performance guarantee. Graves Engineering, Inc. recommends a performance guarantee funding total of \$189,931 to assure work completion. Mr. Gordon stated if the performance guarantee is not submitted, then the applicant will finish all completion work, then come back to the Planning Board for the occupancy permit.

Attorney O'Neill stated the Town will not be responsible for the road. The Town does not have a vested interest.

Attorney O'Neill stated the project will be complete, and feels this is an unnecessary expense.

Planning Director Alan Gordon stated if a project is not complete, you always put up a performance guarantee. He added that the Board does have a invested interest. The responsibility to assure that all site plan permit field items are properly constructed and inspected, and whether or not those items are privately or publicly-owned is irrelevant.

Attorney O'Neill stated a performance guarantee is usually required for a subdivision.

Planning Director Alan Gordon stated the reason a performance guarantee is required is to assure 100% completion on all site plans. The Board needs legal surety.

Chairman Pete Starkus agrees with Mr. Gordon 100%.

Discussion ensued, and Mr. Russ Jennings stated he will proceed with a cash posted performance in the amount of \$189,931.

Member Ross Lemansky made a motion to forward to the Building Commissioner a letter with Graves Engineering, Inc. review with 60 days to complete, and Dec. 1, 2017 for the 20,000 gallon fire cistern.

Member Patricia Rydlak seconded the motion. All members were in favor. (Vote 3-0) Member Pete Boria recused himself.

Planning Director Alan Gordon stated for the record that Ladd Road is for Emergency Access Only. Mr. Gordon stated from the beginning of the site plan review, Ladd Road has been discussed as emergency only access.

Discussion ensued, and Planning Director Alan Gordon stated he will not debate this, Ladd Road was proposed on the site plan as emergency access only, not for other use.

Member Ross Lemansky made a motion to send the Selectmen a letter confirming Ladd Road is for Emergency Access only.

Attorney Don O'Neill passed out a map of Sunset City with different uses marked on it.

Planning Director Alan Gordon stated the Board needs to receive something like this on a future agenda item, through the Zoning Enforcement Officer Curt Meskus.

#### Planning Board Discussion

Elaine and Larry Boucher were present to discuss a zone change on Route 20. To rezone some of their land from BEP to R-40.

Planning Director Alan Gordon stated the special fall town meeting will be scheduled in October.

#### **9:00 pm. Approval-Not-required**

##### **Carroll Hill Road-**

Member Ross Lemansky made a motion to approve the ANR for 5-lots on Carroll Hill Road. Member Pete Boria seconded the motion. All members were in favor.

#### **September Planning Board upcoming meeting schedule:**

The Board discussed and all agreed with September 1 and September 27 for the September Planning Board meetings.

Member Ross Lemansky made a motion to adjourn. Member Pete Boria seconded the motion. All members were in favor.

**Motion to adjourn at 9:10 PM.**