



Planning Board Minutes 2.13.2023 Draft

Members Present:: Barbara Olsen Pascale, Chairperson, John Avenia, Richard Freiman, Bud Gardner, Brandon Lentine, Kyle McGraw. Absent Mark Barbato

Elizabeth Sheer, Planning Board Secretary, recorded the minutes

Others attending: Pat Prendergast, Nigel Shamash, Tucker McNamee, Joanna Virello, Gretchen Stevens, Amy Davidsen, and other members of the public

The meeting of the Planning Board was opened at 7:03

Richard made a motion to accept the minutes of both 12/12/22. This was seconded by Bud

Aye: 6 No: 0

Decision: The minutes of 1.13.2023 are accepted

Site Plan Review. continuation of application of Tucker McNamee, 663 Lockwood Rd. Ridgeline Overlay District. *Note: the property has not closed, and Ellen Zaroff is still the owner of record as of the meeting date.*

Pat Prendergast on behalf of Tucker McNamee, Applicant

Prendergast began by confirming his understanding that the Board had all had a chance to walk the site since the last meeting. Board replied in the affirmative. Prendergast presented a schematic sketch front elevation (*to face northwest") of a proposed house, 1.5 stories, or 25' maximum height, showing some sketch trees behind, to represent the required 40' "uninterrupted crestline." He reported that Applicant had measured the height of the trees "closest behind the house" with a drone, and after accounting for 10' of grade change, there is one pine tree that is 50' taller than the top of the house and another at 38', and there are some smaller trees in between. Pat stated that on the "hillside behind the house" there are more trees that are not on Applicant's lot.

2.13.2023

Freiman asked for clarification of which direction the view faced relative to the taller grove of existing pine trees that had been noted by the Board when they visited the site; Applicant agreed that the view was more or less 180 degrees, primarily to the west, and that the pines in question were to the left of the view.

Septic location was discussed. Pascale reported a conversation with Mike DeRuzzio confirming that the location on the map was where he had seen the test holes. The absorption field according to Prendergast will be approximately 2000 SF, in the direction of the view, and downhill, and is exempted from cutting prohibitions. Lentine confirmed with Applicant that 3-4 of the taller pine trees will have to be removed for the septic mound. Applicant stated that DeRuzzio "chose that location because the soils are good."

Lentine confirmed with Prendergast that the house site is at the peak of the property. Applicant stated he would be willing to re-route the driveway down the hill slightly in order to maintain the taller trees behind the house. McGraw stated that he should be careful to avoid the steep slopes when re-routing the driveway.

A discussion of the exact tree cut zone ensued. The proposed site plan only shows 11000 SF of tree removal; applicant stated that he was planning on cutting up to 20000 SF, essentially everything in front of the house, and stated that he is entitled to by code. Avenia stated that the Board will need to see a map with the no-cut zones on it.

Pascale stated that she does not believe that, in the absence of final architectural plans with exact siting, it has or can be demonstrated that the required 40' crestline will be maintained. McGraw emphasized that it is not a requirement of the law that the house not be visible, but that you can clearly see down to Rte. 23 by the diner, and therefore the house will be able to be seen. Pascale emphasized that, as such, the law requires, without exception, that the uninterrupted crestline be maintained.

A lengthy discussion ensued of how the Board could grant a conditional approval in the absence of a final site plan. Pascale stated that it is not something the Board has ever done. McGraw cautioned Applicant that he might want to be selective about the viewsheds he does cut rather than clearing the entire 20000 SF without a plan. Lentine proposed that the Applicant come back with the actual plans prior to the granting of a final approval. McGraw emphasized, and Pascale reiterated, that without specific trees or no cut zones committed to paper, there is no way to close the loop on the enforcement of what the Board is approving.

Neighbor Amy Davidson was questioning what was approved. The Board confirmed that it had already approved the driveway at the last meeting.

2.13.2023

Pascale then read into the record some written comments submitted by Davidson on Feb. 13, 2023, a copy of which has been placed into the file.

A discussion ensued about forest fragmentation, and CAC member Gretchen Stephens expanded on this issue. Lentine stated his opinion that it seems the damage has already been done on this parcel, as it is located on the edge of the greater forest zone, and it is surrounded by roads. Stephens asked about the steep slope issue that was raised at the last meeting (whether the Town-produced maps used by the engineers should be accepted on their face) Pascale stated that the Board had decided after walking the driveway, to accept the data as submitted and stamped by Prendergast on this application, that no steep slope areas in excess of 5000SF contiguous would be disturbed, but allowing that the Board might need to have a further discussion on this issue.

Lentine made a motion to approve the plan conditionally. Pascale cautioned that a conditional approval expires in 180 days, Discussion ensued regarding how the approval should be worded. The Board wants to see the larger trees tagged specifically that are going to stay, even if located within the cut zone.

Lentine again made a motion to conditionally approve the site plan, Pascale and McGraw clarified the wording of the approval, that the Board is voting on whether to approve that a house of 60 x 30, 25' maximum height, could be built conforming to the siting and height as presented by the applicant, drawings dated 11.8.2022. Driveway has already been approved and can be cleared. There will be no cutting in the ridgeline (above 1100') until the Applicant brings back to the Board architectural drawings and the specific "cut zone" with trees tagged be delineated. Pascale asked for a vote: 5 votes in favor. 0 opposed. Pascale abstained.

Brandon made a motion to adjourn, Bud seconded. Meeting adjourned.

Conditional approval granted for stage one permitting of driveway and general building envelope, subject to Planning Board review of finalized architectural plans and a specific cutting plan, including the tagging of significant trees.

Meeting was re-opened at 8:15, all members still in attendance. Purpose to re-approve the Zaroff subdivision 133-00-02 Lockwood Rd. approved at the December meeting, as the 60 day window for filing had expired. Richard made the motion, Brandon seconded, Voted 6-0 in favor. Richard made a motion to adjourn, Bud seconded. Meeting adjourned.

2.13.2023

2.13.2023