

Town of New Scotland Planning Board

Minutes

September 4, 2018

Charles Voss, *Chairman*

Planning Board Members:

Robert Davies (Alt), Thomas Hart, Amy Schallop, Peter Richards, Christine Galvin
Lori Saba, *Planning Board Secretary*, Jeremy Cramer, *Building Inspector*,
Crystal Peck, *Planning Board Attorney*, Mark Dempf, *Town Engineer (Stantec Engineering)*

Absent: Christine Galvin

Public Hearings: 7 P.M.

- 1) **Special Use Permit Application #602:** application request submitted by Adam Sherman to be allowed to convert an existing single family into a two family dwelling. The parcel is owned by the applicant, consisting of 0.55 acres, is situated within the RH District at 13 Grayceland Ave, and is identified as New Scotland tax parcel #106.3-2-18 This application is a Special Use of Article II, Section 190-15 (D)(1) of the Town of New Scotland Zoning Law.

Mr. Sherman explained to the Board that this was originally a two family home. He plans on renovating the house and living in one side of the house and renting out the other side of the house. Received all approval from the Health Department.

Mr. Cramer had one letter from a neighbor that was submitted to the Board. Was notified that on Thursday night during court night most people park on that street in that area and the neighbor is concerned with having a tenant would just add to the parking issue.

Mr. Voss read the letter into record.

Ms. Schallop: What is your plan with the unit? Do you have a long term tenant?

Mr. Sherman: Yes longer the better. I would like rent out to offset my mortgage.

Mr. Voss read the letter into record.

Mr. Sherman plans on adding additional parking area for his tenant. I plan to live in the house, it will be owner occupied. I am currently renovating the house and the value of the house will increase. There is a gully that surrounds the whole property. The property adjacent to me has a low spot which water flows to and the person that wrote that letter lives next to him.

Mr. Hart: Can you describe the water again, I know you have a ditch system around the property so where is the low point?

Mr. Sherman: The property is a rectangle the lower left hand side the property behind me there is already a natural low point right there which is not very low just when it rains a lot there is some water build up, but that is not on my property.

Mr. Cramer: That is closer to Delaware Avenue right?

Mr. Sherman: Yes correct. It is not on my property.

Mr. Voss opened up the meeting to the public.

Mr. Greg Turner, adjacent owner, submitted a letter to the Board for their review. He is not in favor of a two family structure at this site, concerns with parking and water issues. There is standing water on the property. I am also concerned with the septic system. I feel a perk test is necessary. I am also concerned with the parking when court is in session. Those are my concerns, thank you.

Mr. Voss moved to close the public hearing and Mr. Hart seconded the motion; all in favor; motion so carried.

Mr. Hart moved to approve special use permit application #602 with the following conditions:

- Limited to no more than a total of four bedrooms;
- Mr. Cramer to inspect site for water issues and if there is a flowing water issue that warrants a remedy there will be an engineering solution to that to bring that so that it flows more directly to the to the town drainage system that is acceptable to the Town Inspector.

Mr. Richards seconded the motion; all in favor; motion so carried.

Vote: 5-0

- 2) **Adjourned: Special Use Permit Application #600:** application request submitted by Stephanie Magee Muha to be allowed to construct and operate a public boarding and riding stable. The application consists of a 70 x 136 building that includes 11 horse stalls and a 70 x 100 foot indoor riding arena which would allow limited training and lessons. This project recently received an area variance with conditions to allow for up to 15 horses. The parcel is owned by the applicant, consisting of 11.03 acres, is situated within the RA District at 82 Clipp Rd, and is identified as New Scotland tax parcel #94.-1-47.14 This application is a Special Use of Article II, Section 190-12 (D)(6) of the Town of New Scotland Zoning Law.

Old Business:

- 1) **Special Use Permit Application # 601:** Application submitted by U.S. Solar to allow for a 1.875-megawatt Ground mounted large scale solar system. The total acreage of the site will contain approximately 18.5 acres between the two lots, and

is located within the R2 Zone. The site is owned by Donald Baker and Martha Oden, to be leased to U.S. Solar Corp, located at 331 New Scotland South Road, and is identified as New Scotland tax parcel id #84.-1-40.11 and 84.-1-38. This application is made pursuant to Large Scale Solar listed as a Special Use in the R2 Zoning District as per Local Law V of 2017 and Article V, Section 57A of the Town Of New Scotland Code.

Jane Qualey and John Romeo presented special use permit application #601.

Mr. Voss moved to schedule the public hearing for October 2, 2018 Planning Board meeting and Ms. Schallop seconded the motion; all in favor; motion so carried.

Vote: 5-0

New Business:

- 1) **Variance Application # 526:** Application Submitted by Mary Hormovitis requesting relief from Article II, Section 190-11 (B) of the Town of New Scotland's Zoning Law to allow for a two lot subdivision to create one new vacant lot that meets the required lot area and one lot with improvements to be created with approximately 1.5 acres which would be half the required lot area. The parcel is located within the "RF" district at 13 Thatcher Park Road. The parcel is owned by the applicant, is identified as New Scotland Tax parcel id # 82.-1-50. The "RF" district has a minimum lot area of 3 acres. This request is for 1.5 acres of relief to allow for a 1.5 acre parcel with improvements to be considered for a legal minor subdivision.

Mr. Voss moved to send a negative recommendation to the ZBA and Mr. Hart seconded the motion; all in favor; motion so carried. The Board had the following concerns:

- Lot line adjustment would make only one lot conforming.
- Where the house is now would create two smaller lots and not sure about if there is sufficient water to supply both houses.
- There could be septic issues.
- Zoned for three acre lots.
- Don't want to get into precedents setting with allowing smaller lots in that area.

Vote: 5-0

- 2) **Special Use Permit Application # 581:** Application submitted by Jessica and Ryan Wiley for a Special Use Permit to allow for a parcel owned by the applicant to be used for "Agricultural uses, less than 7 acres". The parcel is located within the RH district at 304 New Salem South Road, contains approx. 1 acre, and is identified as New Scotland tax parcel 83.-1-54. This application is a Special Use of Article II, Section 190-15 (D)(14) of the Town of New Scotland Zoning Law and local law #2 of 2016, Section 3e(3).

Mr. Voss moved to schedule a public hearing for October 2, 2018 Planning Board meeting with notice of 500 feet and Mr. Hart seconded the motion; all in favor;

motion so carried.

Vote: 5-0

Discussion items:

- 1) **Minutes** for July 3rd and August 7, 2018: Mr. Voss moved to approve the July 3, 2018 minutes with corrections and Mr. Hart seconded the motion; Ms. Schallop and Mr. Davies abstained; all in favor; motion so carried.

Vote: 5-2-0

Mr. Voss moved to approve the August 7, 2018 minutes with corrections and Mr. Richards seconded the motion; Mr. Hart abstained, all in favor; motion so carried.

Vote: 5-1-0

- 2) **Minor Subdivisions** for the month of August 2018

Anything else that may come before the board -Open Discussion (2-minute limit per person)

Adjournment: At 9:03 p.m. Ms. Schallop moved to adjourn and Mr. Voss seconded the motion; all in favor; motion so carried.

Respectfully submitted,

Lori Saba