

Approved May 18, 2016

**CORNWALL PLANNING COMMISSION (CPC)**

Special Meeting

May 4, 2016

**MEMBERS PRESENT:** Holly Noordsy, Jamie McKenna, David Anderson, Jim Duclos

**ALSO PRESENT:** Patricia Ross, Rachel Dorsey, Travis Dorsey, Annie Wilson, Barbara Greenwood, Matt Bonner, Gary Barnett, Bruce Byers

The meeting was called to order at 7:08 pm.

Quorum - established

**AGENDA** - David A. MOVED / Jamie M. SECONDED a motion to approve the agenda as distributed. Motion passed – 4 in favor, 0 opposed.

Holly Noordsy stated that an audio recording of this hearing is being made for future reference. The recording is a public record and will be made available to any person who requests it.

David Anderson, Justice of the Peace, administered the oath to those wishing to speak. All affirmed. Later in the meeting, David Anderson administered the oath to Travis Dorsey when he arrived and wished to speak. Travis D. affirmed.

**PUBLIC HEARING**

**Patricia Ross, 1155 Cider Mill Road, MDR**

Application was classified by the CPC on January 20, 2016 as a two (2)- lot minor subdivision in the MDR, with one lot of approximately 3.5 acres and the second lot of approximately 4 acres.

Exhibit A – Application received Jan 5, 2016

Exhibit B – Contour map by Jeff Kelley dated Jan 20, 2016

Exhibit C – Jan 20, 2016 letter from Jeff Kelley.

Exhibit D – Survey, march 23, 2016

Exhibit E – Notice to neighbors for hearing scheduled on April 20

Exhibit E 2- Notice for hearing scheduled on May 4

Exhibit F – Deed language regarding right of way for the driveway

Exhibit G – Septic and water layout map dated march 24, 2016

Exhibit H – Letter of from Department of Environmental Conservation Drinking Water and Groundwater Protection Division acknowledging the receipt of Patricia Ross's application to amend existing permit. Dated April. 27, 2016

Patty Ross discussed her application with the board. It was determined that Patty has not subdivided property in Cornwall within the past 5 years. The proposed subdivision meets requirements for lot sizes, setbacks, road frontage length and depth. Application fee has been received. No feedback has been received from the Conservation Commission.

The board noted that the survey is lacking dimensions and setback information on the building envelopes, the location of buried utilities, well and septic. Patty R. said that the

power is buried from a pole on Cider Mill across to a green box and then (she believes) buried diagonally across the field to the house. She added that the driveway easement includes utilities. Holly N. replied that if the power does follow the existing easement then no new easement is needed. If not, there will need to be a new utility easement created.

Travis Dorsey said he and his wife have concerns about the proposed septic plan. They are concerned that the shadow of the septic overlaps their property. They came tonight to object and to see if there are other sites that can be explored.

Patty R. said that she already has a State permit for that system. She has applied only for her permit to be amended. Jim D. said that the location of a septic shield is the State's responsibility.

Matt Bonner, Co – Chair of the newly formed Development Review Board, added that wastewater does not flow into a septic shield. Matt B. said there are limits to development within a septic shield and it is common for a septic shield on one property to overlap an adjacent property.

Holly N. asked if anyone had anything else to say and if the board has enough evidence to close the hearing. No further evidence was presented. Because specific information about the location of the buried utilities has not been presented, and because depending on that location, new deed language will need to be entered as evidence, the board determined that the hearing must be continued.

Patty R. was concerned about how she would find out exactly where the utilities are buried. She was advised to call DIG SAFE.

The board advised Patty Ross to bring to the continued hearing the following evidence.

1. Indicate location of buried utilities on survey.
2. Indicate the well and septic on the survey.
3. Mark dimensions of set backs of building envelopes on the survey.
4. New deed language if it is found that buried utilities are not located in the easement.

David A. MOVED / Jamie M. SECONDED a motion to continue the hearing to May 18, 2016 at 7 pm at the Town Hall. Motion passed – 4 in favor, 0 opposed.

Holly N. MOVED / Jim D. SECONDED a motion to adjourn the meeting. Motion passed – 4 in favor, 0 opposed.

The meeting was adjourned at 8:20 pm.  
Respectfully submitted, Sharon Tierra, Clerk of the CPC