

MINUTES OF THE PLANNING BOARD OF THE TOWN OF KINGSBURY

Minutes of October 21, 2015

MEMBERS PRESENT:

Robert Dingman, Chairman
Karen LaRose
Tim LaSarso
Justin Fehl
Randy Getty
Dave Gauci
Todd Murphy, Alternate

MEMBERS ABSENT:

Randy Weaver

Code Enforcement Officer
Ross Cortese

Town Attorney
Jeffrey Meyer

The meeting was called to order by Chairman Dingman at 7 p.m.

Robert Springer, owner of R2M Holdings addressed the Board. Mr. Springer recently purchased 36 Dean Road, Kingsbury. The existing structure on the property is in disrepair and cannot be salvaged. He stated it would not be economically affordable for Mr. Springer to build one home on the property. Mr. Springer is seeking a variance to sub-divide the parcel into 3 building lots which would not conform to the required road frontage or setback requirements for a normal building lot. Chairman Dingman explained the Planning Board cannot grant the variance but would like to hear what Mr. Springer has planned. Mr. Springer explained that he would like to build three 1800 square foot, 2- story homes. Mr. Springer has built many custom homes in the area. His plan is to build three very nice houses that would create the potential for homes for three families and would increase the tax base. Krisin Darrah, a surveyor, was hired by Mr. Springer to prepare the plans and map. Darrah explained to the Board that on the plans they would see some proposed conveyances to the neighbors to clean up some title issues with the property. There are some encroachments and the interest of being a good neighbor and not making neighbors move things that had been there for years, Mr. Springer would like to clean up those issues. As a result that would leave approximately 51 feet road frontage per lot. The design that Mr. Springer is looking at would work using the lot widths and setbacks shown on the maps. Mr. Springer explained that each lot would have in excess of 25,000 feet that is necessary for each due to the depth of 600 feet on each lot. Kristin had also researched some neighboring lots which fall into the 50 to 60 foot lot width road frontage. Mr. Springer does not believe an eyesore would be created with the construction of 3 homes with on 50 foot wide lots in this area.

Planning Board member Karen LaRose asked how far into the lots would the houses would be. Mr. Springer responded probably about 60 feet. Springer explained that his plan is to build houses for families with small children and with the traffic on Dean Road, the house should not be too close to the road. Springer stated the house would be a 2 – story home; approximately 20 feet wide and 50 feet deep with a 1 car garage in the front facing the road. Ross Cortese stated the setback is 40 feet.

Randy Getty stated that there are a lot of other narrow lots in the area similar to Mr. Springer's; but they were built before the existing regulations had been set. He also stated to Mr. Springer that he has just 150 feet which would accommodate one house on the lot; but it does qualify him for a multi-family building. Cortese explained it may be an allowed use with site plan review. Mr. Getty stated he is not in favor of 3 building lots on 150 feet; it would set a precedent the Board does not want to keep going. Chairman Dingman asked Mr. Springer if he could re-arrange the plans to make one entrance for the 3 houses and stated he is concerned about the driveway, backing out into Dean Road. Mr. Springer explained he would black-top the driveway with an area to back into and drive forward to the road. Chairman Dingman stated he hears what Mr. Getty is saying; the zoning regulations had been changed requiring 150 foot road frontage, that is what the Town wanted. Cortese explained to Getty that with site plan review multi-family buildings are allowed; they being a single structure. A discussion followed about Mr. Springer's options. Mr. Springer stated he would like to build to suit Kingsbury and create more money for the tax base. He would build 3 homes in the \$200,000.00 to \$250,000.00 price range creating a very nice mini – development. Kristin Darrah reported that in preliminary soil investigations it was determined that soils would support a basic conventional septic system. Mr. Springer stated there is municipal water and gas that he could tie into. A discussion followed about additional options that Mr. Springer has.

Mr. Springer will attend the Zoning Board meeting scheduled the next evening. Kristin Darrah asked the Board if a favorable response was received from the Zoning Board, would the Planning Board re-consider the presented plan. Chairman Dingman said they could bring it back, depending on the Zoning Board response, but he feels a re-configuration will be necessary.

Attorney Meyer suggests the Board summarize before Mr. Springer leaves the meeting. Chairman Dingman explained the Board understands the concept, but would like to see a re-design due to some issues. One being the driveways and secondly it is a big ask as far as the variance is concerned and the Board does not want to set a precedence allowing 50 foot road frontage, when the zoning requires 150 feet.

Ross Cortese introduced Lee McClure, resident of Stone Schoolhouse Road. Lee McClure and Stanley Austin are seeking Site Plan Approval to build a 2400 square foot building in Zoning District, Com-1A/Commercial District.

Don Pidgeon explained to the Board the owners would like to construct a metal pre-fab building for private storage only on Stone Schoolhouse Road. The proposed building will be located in a lot that is zoned mostly commercial, but partially residential. The required setbacks have been met and there is already a driveway. The building will not house a business. The building will be one story and the dimensions will be 40 feet by 60 feet. There will be no power or water at this time.

Chairman Dingman opened the public hearing at 7:45 p.m. There being no public comment Chairman Dingman closed the public hearing at 7:56 p.m.

Attorney Meyer read the Impact Assessment. Chairman Dingman entertained a motion that the proposed action will not result in any significant adverse environmental impacts. A **motion** by Tim LaSarlo seconded by Karen LaRose and carried by a vote of 6 ayes deeming a negative declaration for the proposed action.

SITE PLAN REVIEW – Stanley Austin and Lee McClure, owner of Tax Map # 138.-1-9.21 commonly known as Stone Schoolhouse Road, Town of Kingsbury, is seeking Site Plan

approval to build a 2400 square foot building at this location for private storage. This action is pursuant to Section 280-23 (D) of the Code of the Town of Kingsbury.

ON A MOTION BY DAVID GAUCI, seconded by **TIMOTHY LASARSO** based on all of the evidence and materials submitted by the Applicant and the representations made at the meeting, the Application is hereby approved subject to the following conditions:

- (1) No outside storage shall be permitted
- (2) Any exterior lighting for the premises must be attached to the building and downcast.
- (3) If the property is ever converted to a commercial use site plan review shall be required in accordance with section 280-23 of the Code of the Town of Kingsbury.
- (4) All information and representations contained in the materials submitted by the applicant and discussed at the meeting are incorporated herein as conditions.

AYES: 6
NAYES: 0
ABSENT: 1

There being no further business before the Board a **motion** by David Gauci seconded by Tim LaSarso to adjourn the meeting at 8 p.m.

Respectfully submitted,

Cynthia A. Bardin, Town Clerk