

MINUTES
For
Village of Dryden
Planning Board Meeting
Held on Monday, October 23rd, 2017

approved

CHAIRPERSON PRESENT: Ben Curtis
PLANNING BOARD MEMBERS PRESENT: Doug Brown, Les Cleland, Chris Gibbons, Nick Kuzmik
ALTERNATE MEMBER PRESENT: David Bravo-Cullen
SECRETARY PRESENT: Abby Homer
GUESTS PRESENT: Paul Simonet, Maple Ridge
Attorney Mahlon Perkins
Kevin Ezell, Code Enforcement

Chairman Curtis opened the meeting at 7:00 p.m. and introductions were made.

Paul Simonet and Mahlon Perkins requested informal consideration and discussion of the next staging for the Maple Ridge subdivision development. A large collaboration of history documentations was emailed to the Board the day prior to the meeting and paper copies were received at the meeting. Mr. Perkins, Attorney for Mr. Simonet, began with noting that Phase 1 has been completed and listed out the areas that the investment from his client has turned over to the Village. The proposal to vary from the initial 14 unit townhouse/dead end street as approved on the preliminary plat, and modify it to divide the phase 2 area into 4 single family lots was mentioned and the Board was asked for a consensus for Mr. Simonet to proceed with the concept and staging of phase 2.

Chairman Curtis mentioned the Board would need time to review the information submitted. Some initial questions were related to the Preliminary Plat expiration date, the 2nd road access issue and fees.

Planning Board Member Gibbons commented that he felt like the Board is not working with the developer and is causing roadblocks. He mentioned possible alternatives like an emergency access type of road. Also, looking at where the road starts and not counting the first phase to help was mentioned.

Chairman Curtis replied that the Board has not put any road blocks, and in fact has accommodated the applicant on a number of occasions. It is the Board's duty to look at the Village Law and compare it to what is submitted. He stated that he is not personally comfortable with waiving the requirement in the Village Subdivision law (section 80402 B5) that requires the second access for more than 19 lots. In reference to the Waiver section (Section 80620) states that "In granting waivers, the Village shall require such conditions as will, in its judgment, secure substantially the objectives of the standards or requirements so waived." He continued that the Trustees were asked to amend the law and they were not inclined to make any changes, that the section had good standing for Planning purposes. Curtis then noted that section 80304 H of the Village Subdivision regulations indicate that final plat approval must be obtained within 5 years of the preliminary plat approval. Therefore the applicant should submit his revised preliminary plat, sketch plans and appropriate fees in order to move the process forward.

Attorney Perkins stated that the second road access was a "non starter" and that the board was "thwarting attempts to develop". Continued that the other road access was planned for and that this developer does not control the adjacent land where his access would meet. Also was stated that the developer has vested rights in the preliminary plat and there are potential connections shown.

Planning Board Member Les Cleland commented that the Board does want to work together with the developer. He brought up the letter from the current fire chief and the reference to the fire code requirement for 2nd access over 30 lots was discussed.

Alternate Planning Board Member David Bravo Cullen commented that possibly the first phase should not be counted, and the issue wouldn't come up again until/if each phase exceeded the 19 units.

Mr. Simonet stated that he would like to do what is right for the Village and has been informally been discussing phase 2 with the Board for a year and a half. He mentioned making the road wider than the Village spec for better access and stated he fulfilled his end. The internal loop was mentioned as being an additional access to the proposed new lots as well.

Planning Board Kuzmik noted that there was still only one access into the development, so internal roads would not meet the requirement in the subdivision law.

Mr. Simonet, as in the past, invited the Board for a site visit. If this takes place and 3 or more members plan to attend, a public meeting notice must be posted.

A motion to table the discussion was made by Planning Board Member Brown and seconded by Planning Board Member Cleland; motion carried 3 ayes (Cleland, Kuzmik, Brown), Gibbons-ok.

RESOLUTION No. 26- 2017
Table Maple Ridge informal discussion

Resolved, that the Planning Board of the Village of Dryden hereby agrees to table the informal discussion of the proposed phase 2 of the Maple Ridge subdivision development.

Chairman Curtis mentioned possibly needing advice from the Village Attorney to proceed.

Attorney Perkins presented a "Notice of Appearance" for his representation of Mr. Simonet for the Maple Ridge development.

Minutes

On a motion by Planning Board member Kuzmik and seconded by Planning Board Member Gibbons, the following was passed. Vote: Kuzmik-Aye, Curtis-Aye, Gibbons-Aye, Cleland-Aye.

RESOLUTION No. 27- 2017
9-25-2017 Minutes

Resolved, that the Planning Board of the Village of Dryden hereby approves the minutes from the September 25th, 2017 Planning Board meeting, with any corrections noted.

Solar

The Board reviewed the second draft of the proposed solar regulations. Chairman Curtis kept track of the changes and another draft would be ready for further review at the next meeting.

Old Business

None

Watchdog

The ongoing construction of the new Rite Aid pharmacy was noted.

Food scrap waste on the public sidewalk near 64 West Main was noted.

Adjourn

On a motion by Planning Board Member Brown and seconded by Planning Board Member Cleland, the following was passed. All members voted aye.

RESOLUTION No. 28- 2017

Adjourn

Resolved, that the Planning Board of the Village of Dryden hereby adjourns the meeting at 9:05 p.m., not to re-convene.