Town of Marcellus Planning Board 24 East Main Street Marcellus, New York 13108

April 3, 2017

Present:Chairperson Jerry Wickett, Michelle Bingham, Mark Taylor,
Chris Christensen, Kathy Carroll, Ron Schneider, Scott SteamsAbsent:James Gascon of Costello, Cooney,Town Engineer:Jason Kantak of TDK EngineeringCodes Officer:John Houser

The Planning Board of the Town of Marcellus met in regular session in the Town Hall for the Town of Marcellus, located at 24 E. Main Street, Marcellus, New York, on April 3, 2017.

Tuscarora Golf Club – Howlett Hill Road, subdivision/site plan/special permit

The resolutions prepared by Town Attorney, James Gascon, for a two (2) lot subdivision, site plan review and a special permit were submitted to the Planning and Zoning Board of Appeal for approval. Nick Masterpole from Tuscarora Golf Club was present to represent the project. A letter from Tuscarora Golf Club, Inc/Nick Masterpole, President, dated March 31, 2017, was entered into the minutes. A copy of the letter from Attorney Edward A. O'Hara III, dated March 29, 2017 was also read into the minutes.

Subdivision -

The Chairperson, Jerry Wickett, read the subdivision resolution, dated April 3, 2017, as presented by the Town Attorney, James Gascon, into the minutes. Jerry Wickett made a motion to approve the subdivision resolution and Chris Christensen seconded the resolution with the following change – Whereas; it was presented by the applicant that the storm water facilities would be inspected on an approximate bi-yearly basis and maintained to meet the original intent as presented. The Chair, Jerry Wickett, then took a roll call vote and the resolution

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was approved as presented with the requested verbiage modification:

Jerry Wickett – aye Michelle Bingham – aye Chris Christensen – aye Kathy Carroll – aye Ron Schneider – aye Mark Taylor – aye Scott Stearns – aye

TOWN OF MARCELLUS PLANNING BOARD RESOLUTION REGARDING TUSCARORA GOLF CLUB, INC. APPLICATION FOR SUBDIVISION APPROVAL

Dated: April 3, 2017

The Planning Board of the Town of Marcellus having met in regular session in the Town Hall for the Town of Marcellus and Board Chair Gerard Wickett having moved the following resolution and said motion having been seconded by Member Chris Christensen, be it resolved as follows:

WHEREAS, the Tuscarora Golf Club, Inc. (hereinafter "Tuscarora") having applied for approval of a proposed preliminary Subdivision by application dated on or about August 25, 2016 seeking the combination of three parcels of land, two parcels contained within the Town of Marcellus and identified as tax account numbers 11-03-03 and 11-03-55 as well as the combination of said parcels with tax map number 25-03-24.1 contained within the Town of Camillus all as is more fully described in the said application and accompanying subdivision plat and survey, and

WHEREAS, Tuscarora also applied for a site plan approval for a special use permit in association with the subdivision application and that the proposed project is to develop a 1.236 acre lot located on Howlett Hill Road in the Town of Marcellus, the purpose of which is to expand the existing parking lot for the development of 24,720+/- square feet of gravel parking (79 spaces), along with associated storm water facilities, and general site landscaping and further the

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proposed development will include approximately 0.57 +/- acres of impervious gravel parking area, and

WHEREAS, it was presented by the applicant that the storm water facilities will be inspected on an approximate bi-yearly basis and maintained to meet the original intent as presented, and

WHEREAS, the subdivision application, site plan application and special use permit application came before the Planning Board and Zoning Board of Appeals at numerous regularly scheduled meetings, and

WHEREAS, the subdivision application was reviewed for SEQR, the Planning Board has determined it will be the lead agency, the project was determined to be an unlisted action and a determination was made by board resolution dated September 8, 2016, that the proposed action will not result in any significant adverse environmental impacts, and

WHEREAS, the matter was submitted for referral to the Onondaga County Planning Board for review pursuant to General Municipal Law Section 239.1, m and n, and

WHEREAS, the Onondaga County Planning Board issued a Resolution dated January 4, 2017, a copy of said Resolution is attached hereto and incorporated herein, and

WHEREAS, the Onondaga County Planning Board recommended among other things that no new access from Howlett Hill Road to the parking facility be permitted by the Department of Transportation and further that the applicant install landscaping or other screening barrier along the frontage of the proposed parking area, all as is more fully described in the OCPB Resolution, and

WHEREAS, the applicants site plan has been modified to accommodate said screening and the applicant has agreed to install the screening and further not to apply for any additional road access, and

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WHEREAS, an existing wetland has been identified on the south side of the project property line and as a result the applicant through its engineers, RZ Engineering, prepared and revised a wetland plan and drainage study, and

WHEREAS, the applicants site plan, storm water management plan, wetland preservation and drainage study have been reviewed by the Town's engineers, TDK Engineering, and a determination has been made by the engineers that there will be no significant surface water discharge into the wetland and no significant impact upon the wetland, and

WHEREAS, the matters were referred to the Town of Camillus Planning Board for further consideration and comment, and

WHEREAS, the Marcellus Planning and Zoning Board of Appeals have received and reviewed correspondence from the Curtin Law Firm, legal counsel to the Town of Camillus Planning Board, wherein it is advised that no application or referral is needed to the Town of Camillus Planning Board as the Town of Camillus does not require approval of the combining of the lots, and

WHEREAS, the Curtin Law Firm as legal counsel for the Town of Camillus Planning Board further advises that the Town of Camillus recognizes that an expansion of the parking for the golf club would significantly improve the parking limitations that currently exist and favors the proposed use and as is more fully stated in said correspondence which is incorporated herein, and

WHEREAS, this Board has received testimony from several members of Tuscarora Golf Course advising that there has been a growth in membership and the current parking facilities are inadequate and further that often times during tournaments and other events participants, members and patrons are forced to park along the shoulder of Howlett Hill Road, and

WHEREAS, Howlett Hill Road is a well-traveled thoroughfare and serves as one of the major points of ingress and egress to the Town and Village of Marcellus and further the residents of the Town of Marcellus utilize Howlett Hill Road and this Board is aware of the danger posed to pedestrians and vehicles traveling on Howlett Hill Road in the area of the golf course club house and parking facility, and further that the parking of vehicles along the edge of the

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roadway and the pedestrian traffic associated therewith is a danger to the residents of Marcellus, many of whom are members of the Club, and

WHEREAS, the Board has received and considered during the public hearing portion of the application process testimony from several residents who reside in the vicinity of the proposed project and who own contiguous properties and further have expressed concern and objections to the proposed project and further the Board has received several correspondence from attorney Edward O'Hara on behalf of his clients who are nearby residents and further the Board has received and made a part of the records of these proceedings Mr. O'Hara's correspondence of February 5, 2017 and March 29, 2017, and

WHEREAS, the Board has also received, considered and made a part of the record of these proceedings the correspondence of Mackenzie Hughes, LLP, legal counsel to the Tuscarora Golf Club dated March 6, 2017 as well as the correspondence of Nick Masterpole, President of the Tuscarora Gold Club, Inc. dated March 31, 2017 in support of the application, and

WHEREAS, it is this Board's finding that the construction and expansion of the Tuscarora parking facility is in the best interest of the health, safety and welfare of the residents of the Town of Marcellus as it would reduce vehicular and pedestrian traffic from the vicinity of the golf course clubhouse and shoulder of Howlett Hill Road.

NOW, THEREFORE, BE IT RESOLVED, the application for subdivision approval is hereby granted and approved subject to the following conditions:

- 1. That the parking lot facility is constructed in strict compliance with the final site plan plat submitted to the Planning Board by the applicant, and further
- 2. That no new access to the parking facility is applied for or constructed, and that the Applicant reduce the width of the western driveway to 24 feet to meet Onondaga County Department of Transportation standards and further that the applicant obtain the proper highway permits for any

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- 3. work performed in the County right of way, all pursuant to the OCPB Resolution of January 4, 2017, and further
- 4. That the applicant install landscape or other screening barrier along the road frontage of the proposed parking area, in order to direct pedestrians to a more limited crossing point to access the golf course and further that the landscaping does not obstruct vehicular sight distance, all pursuant to the OCPB Resolution dated January 4, 2017, and further
- 5. That the applicant obtain all appropriate permits from the New York State Department of Environmental Conservation and/or U.S. Army Corps Engineers for any proposed development or drainage into the wetlands or wetland buffer site prior to the engagement of any work.

BE IT FURTHER RESOLVED, that this Resolution shall be effective as of the date of its filing with the Town Clerk, and

Upon a canvass of the Board, the votes of its members upon the Resolution were as follows:

| Gerard E. Wickett | Chairperson | Voted | Yes/No |
|-------------------------|-------------|-------|--------|
| Michele A. Bingham | Member | Voted | Yes/No |
| Kathy Carroll | Member | Voted | Yes/No |
| Chris Christensen | Member | Voted | Yes/No |
| Ronald Schneider | Member | Voted | Yes/No |
| Scott S. Stearns | Member | Voted | Yes/No |
| Mark W. Taylor | Member | Voted | Yes/No |

The Chairperson Gerard Wickett, then declared the Resolution to be duly adopted.

Site Plan

Jerry Wickett advised that a change needed to be made to the submitted map, dated August 15, 2016, and revised 9/06/16, 1/30/17, 1/31/17 and 3/8/17. Per the OCPB

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resolution (#Z-17-10) the applicant needed to reduce the width of the western driveway from 30' to 24' - 30' is still indicated on map C3. The site plan also needs to indicate that the lighting on the new lot will only be on when there is an activity at the golf club and will be manually turned on and off. The lights will go off after the event and all lighting must stay on site and not spill off of the property site. The Chairperson, Jerry Wickett, read the Site Plan resolution, dated April 3, 2017, as presented by the Town Attorney, James Gascon, into the minutes. Jerry Wickett made a motion to approve the site plan with the map changes and the same verbiage change as was made to the subdivision resolution. Michelle Bingham seconded the motion The Chair, Jerry Wickett, then took a roll call vote and the resolution was approved as presented, with the requested modification, as follows:

Jerry Wickett – aye Michelle Bingham – aye Chris Christensen – aye Kathy Carroll – aye Ron Schneider – aye Mark Taylor – aye Scott Stearns – aye

TOWN OF MARCELLUS PLANNING BOARD RESOLUTION REGARDING TUSCARORA GOLF CLUB, INC. APPLICATION FOR SITE PLAN APPROVAL

Dated: April 3, 2017

The Planning Board of the Town of Marcellus having met in regular session in the Town Hall for the Town of Marcellus and Board Chair Gerard Wickett having moved the following resolution and said motion having been seconded by Member Chris Christensen, be it resolved as follows:

WHEREAS, the Tuscarora Golf Club, Inc. (hereinafter "Tuscarora") having applied for approval of a site plan by application dated on or about August 25, 2016 seeking the combination of three parcels of land, two parcels contained within the Town of Marcellus and identified as tax account numbers 11-03-03 and

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11-03-55 as well as the combination of said parcels with tax map number 25-03-24.1 contained within the Town of Camillus all as is more fully described in the said application and accompanying site plan drawings, and

WHEREAS, Tuscarora also applied for a subdivision approval and for a special use permit in association with the site plan application and that the proposed project is to develop a 1.236 acre lot located on Howlett Hill Road in the Town of Marcellus, the purpose of which is to expand the existing parking lot for the development of 24,720+/- square feet of gravel parking (79 spaces), along with associated storm water facilities, and general site landscaping and further the proposed development will include approximately 0.57 +/- acres of impervious gravel parking area, and

WHEREAS, it was presented by the applicant that the storm water facilities will be inspected on an approximate bi-yearly basis and maintained to meet the original intent as presented, and

WHEREAS, the subdivision application, site plan application and special use permit application came before the Planning Board and Zoning Board of Appeals at numerous regularly scheduled meetings, and

WHEREAS, the site plan application was reviewed for SEQR, the Planning Board has determined it will be the lead agency, the project was determined to be an unlisted action and a determination was made by board resolution dated September 8, 2016, that the proposed action will not result in any significant adverse environmental impacts, and

WHEREAS, the matter was submitted for referral to the Onondaga County Planning Board for review pursuant to General Municipal Law Section 239.1, m and n, and

WHEREAS, the Onondaga County Planning Board issued a Resolution dated January 4, 2017, a copy of said Resolution is attached hereto and incorporated herein, and

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WHEREAS, the Onondaga County Planning Board recommended among other things that no new access from Howlett Hill Road to the parking facility be permitted by the Department of Transportation and further that the applicant install landscaping or other screening barrier along the frontage of the proposed parking area, all as is more fully described in the OCPB Resolution, and

WHEREAS, the applicants site plan has been modified to accommodate said screening and the applicant has agreed to install the screening and further not to apply for any additional road access, and

WHEREAS, an existing wetland has been identified on the south side of the project property line and as a result the applicant through its engineers, RZ Engineering, prepared and revised a wetland plan and drainage study, and

WHEREAS, the applicants site plan, storm water management plan, wetland preservation and drainage study have been reviewed by the Town's engineers, TDK Engineering, and a determination has been made by the engineers that there will be no significant surface water discharge into the wetland and no significant impact upon the wetland, and

WHEREAS, the matters were referred to the Town of Camillus Planning Board for further consideration and comment, and

WHEREAS, the Marcellus Planning and Zoning Board of Appeals have received and reviewed correspondence from the Curtin Law Firm, legal counsel to the Town of Camillus Planning Board, wherein it is advised that no application or referral is needed to the Town of Camillus Planning Board as the Town of Camillus does not require approval of the combining of the lots and further that no additional action of the Camillus Planning Board is required, and

WHEREAS, the Curtin Law Firm as legal counsel for the Town of Camillus Planning Board further advises that the Town of Camillus recognizes that an expansion of the parking for the golf club would significantly improve the parking limitations that currently exist and favors the proposed use and as is more fully stated in said correspondence which is incorporated herein, and

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WHEREAS, this Board has received testimony from several members of Tuscarora Golf Course advising that there has been a growth in membership and the current parking facilities are inadequate and further that often times during tournaments and other events participants, members and patrons are forced to park along the shoulder of Howlett Hill Road, and

WHEREAS, Howlett Hill Road is a well-traveled thoroughfare and serves as one of the major points of ingress and egress to the Town and Village of Marcellus and further the residents of the Town of Marcellus utilize Howlett Hill Road and this Board is aware of the danger posed to pedestrians and vehicles traveling on Howlett Hill Road in the area of the golf course club house and parking facility, and further that the parking of vehicles along the edge of the roadway and the pedestrian traffic associated therewith is a danger to the residents of Marcellus, many of whom are members of the Club, and

WHEREAS, the Board has received and considered during the public hearing portion of the application process testimony from several residents who reside in the vicinity of the proposed project and who own contiguous properties and further have expressed concern and objections to the proposed project and further the Board has received several correspondence from attorney Edward O'Hara on behalf of his clients who are nearby residents and further the Board has received and made a part of the records of these proceedings Mr. O'Hara's correspondence of February 5, 2017 and March 29, 2017, and

WHEREAS, the Board has also received, considered and made a part of the record of these proceedings the correspondence of Mackenzie Hughes, LLP, legal counsel to the Tuscarora Golf Club dated March 6, 2017 as well as the correspondence of Nick Masterpole, President of the Tuscarora Golf Club, Inc. dated March 31, 2017 in support of the application, and

WHEREAS, it is this Board's finding that the construction and expansion of the Tuscarora parking facility is in the best interest of the health, safety and welfare of the residents of the Town of Marcellus as it would reduce vehicular and pedestrian traffic from the vicinity of the golf course clubhouse and shoulder of Howlett Hill Road.

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NOW, THEREFORE, BE IT RESOLVED, the application for site plan approval is hereby granted and approved subject to the following conditions:

- 1. That the parking lot facility is constructed in strict compliance with the final site plan plat submitted to the Planning Board by the applicant, and further
- 2. That no new access to the parking facility is applied for or constructed, and that the Applicant reduce the width of the western driveway to 24 feet to meet Onondaga County Department of Transportation standards and further that the applicant obtain the proper highway permits for any work performed in the County right of way, all pursuant to the OCPB Resolution of January 4, 2017, and further
- 3. That the applicant install landscape or other screening barrier along the road frontage of the proposed parking area, in order to direct pedestrians to a more limited crossing point to access the golf course and further that the landscaping does not obstruct vehicular sight distance, all pursuant to the OCPB Resolution dated January 4, 2017, and further
- 4. That the applicant obtain all appropriate permits from the New York State Department of Environmental Conservation and/or U.S. Army Corps Engineers for any proposed development or drainage into the wetlands or wetland buffer site prior to the engagement of any work.
- 5. The lights for the parking facility will be activated only when required for events.

BE IT FURTHER RESOLVED, that this Resolution shall be effective as of the date of its filing with the Town Clerk, and

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Upon a canvass of the Board, the votes of its members upon the Resolution were as follows:

| Gerard E. Wickett | Chairperson | Voted | Yes/No |
|-------------------------|-------------|-------|---------|
| Michele A. Bingham | Member | Voted | (Yes/No |
| Kathy Carroll | Member | Voted | Yes/No |
| Chris Christensen | Member | Voted | Yes/No |
| Ronald Schneider | Member | Voted | Yes/No |
| Scott S. Stearns | Member | Voted | Yes/No |
| Mark W. Taylor | Member | Voted | (Yes/No |

The Chairperson Gerard Wickett, then declared the Resolution to be duly adopted.

<u>Vito and Marita Petera, 4439 Lathrop Drive – 1 lot subdivision</u> <u>Philip and Christine Hofmann, 4445 Lathrop Drive – 1 lot subdivision</u>

A public hearing was held for both subdivisions. The secretary Karen Cotter, read the legal notice into the minutes and advised mailing receipts were on file. Mrs. Petera advised that they would like to create a two (2) acre lot, from the rear of their property. This newly proposed lot would then be attached to the rear of the Hofmann property. The Chair, Jerry Wickett, asked if anyone would like to speak in favor or in opposition to either of the projects and there were none. He then read the OCPB resolution, #S-17-23, dated March 29, 2017 into the minutes. The applicant advised that any items in the drainage easement will be removed. Chris Christensen made a motion to close both public hearings and Ron Schneider seconded. The motion carried with the following vote:

Jerry Wickett – aye Michelle Bingham – aye Chris Christensen – aye Kathy Carroll – aye Ron Schneider – aye Mark Taylor – aye Scott Stearns – aye

Vito and Marita Petera, 4439 Lathrop Drive

Chris Christensen made a motion to approve the subdivision as presented with the movement of a property line between two (2) neighboring properties. This project will have no adverse effect to the neighborhood. Kathy Carroll seconded and the motion carried with the following vote:

Jerry Wickett – aye Michelle Bingham – aye Chris Christensen – aye Kathy Carroll – aye Ron Schneider – aye Mark Taylor – aye Scott Stearns – aye

WHEREAS, an application for PRELIMINARY/FINAL PLAT APPROVAL has been duly filed by Vito and Marita Petera on a one (1) lot subdivision located at 4439 Lathrop Drive in an R1 Zone and;

WHEREAS, the Planning Board duly called and held a public hearing thereon April 3, 2017, commencing at 7:00PM, local time, to consider said application at which time and place all persons desiring to be heard were duly heard; and

WHEREAS, the Planning Board, as lead agency, determined an unlisted negative SEQR declaration; and

WHEREAS, the Planning Board duly considered the application, maps, data and supporting documents submitted by the applicant as well as all comments and suggestions received at the public hearing; and

NOW THEREFORE BE IT RESOLVED that the Planning Board of the Town of Marcellus hereby grants preliminary/final plat approval on the subdivision know as "Petrera/Hofmann Subdivision", such approval being based on a map made by Douglas Reith, CNY Land Surveying, dated February 20, 2017.

BE IT FURTHER RESOLVED that such approval is contingent upon compliance with all regulations set forth in the Marcellus Subdivision Regulations adopted

March 14, 1988 including, but not limited to:

1. Applicant complies with the Planning Board resolution of February 2, 1987 regarding runoff:

That in all developments in the Town of Marcellus, the peak runoff flow rate of the discharge from a proposed site after development shall not exceed the peak runoff flow rate that prevailed prior to development. In general, this requirement will necessitate the design and construction of detention/retention facilities of various types. The design frequency should be that of a twenty-five year storm with an overflow facility to handle a one hundred year storm with no erosion.

- 2. Monuments are in place, indicated on the map and inspected and approved by CEO.
- 3. Successful drainage plan approved by the Onondaga County Health Department.
- 4. Conditions set forth in the OCPB resolution #S-17-23 dated March 29, 2017.
- 5. Further subdivisions are prohibited and should be noted on the linen map.
- 6. Submission of the final linen (2 copies) maps (final map-see subdivision regulations for specifications) which shows monuments, submitted within six (6) months after approval of the preliminary plat as outlined in Sec 303A.
- 7. Timely filing of the approved map as outlined in Section 304, and submission of the receipt, or copy thereof, to the Town Clerk's office within sixty days of the Planning Board final approval.
- 8. No building permits are to be issued until all contingencies are met.

Philip and Christine Hofmann, 4445 Lathrop Drive

Chris Christensen made a motion to approve the subdivision as presented with the movement of a property line between two (2) neighboring properties. This project will have no adverse effect to the neighborhood. Ron Schneider seconded and the motion carried with the following vote:

Jerry Wickett – aye Michelle Bingham – aye Chris Christensen – aye Kathy Carroll – aye Ron Schneider – aye

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Mark Taylor – aye Scott Stearns – aye

WHEREAS, an application for PRELIMINARY/FINAL PLAT APPROVAL has been duly filed by Phillip and Christine Hofmann on a one (1) lot subdivision located at 4445 Lathrop Drive in an R1 Zone and;

WHEREAS, the Planning Board duly called and held a public hearing thereon April 3, 2017, commencing at 7:00PM, local time, to consider said application at which time and place all persons desiring to be heard were duly heard; and

WHEREAS, the Planning Board, as lead agency, determined an unlisted negative SEQR declaration; and

WHEREAS, the Planning Board duly considered the application, maps, data and supporting documents submitted by the applicant as well as all comments and suggestions received at the public hearing; and

NOW THEREFORE BE IT RESOLVED that the Planning Board of the Town of Marcellus hereby grants preliminary/final plat approval on the subdivision know as "Petrera/Hofmann Subdivision", such approval being based on a map made by Douglas Reith, CNY Land Surveying, dated February 20, 2017.

BE IT FURTHER RESOLVED that such approval is contingent upon compliance with all regulations set forth in the Marcellus Subdivision Regulations adopted March 14, 1988 including, but not limited to:

1. Applicant complies with the Planning Board resolution of February 2, 1987 regarding runoff:

That in all developments in the Town of Marcellus, the peak runoff flow rate of the discharge from a proposed site after development shall not exceed the peak runoff flow rate that prevailed prior to development. In general, this requirement will necessitate the design and construction of detention/retention facilities of various types. The design frequency should be that of a twenty-five year storm with an overflow facility to handle a one hundred year storm with no erosion.

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- 2. Monuments are in place, indicated on the map and inspected and approved by CEO.
- 3. Successful drainage plan approved by the Onondaga County Health Department.
- 4. Conditions set forth in the OCPB resolution #S-17-23 dated March 29,2017.
- 5. Further subdivisions are prohibited and should be noted on the linen map.
- 6. Submission of the final linen (2 copies) maps (final map-see subdivision regulations for specifications) which shows monuments, submitted within six (6) months after approval of the preliminary plat as outlined in Sec 303A.
- 7. Timely filing of the approved map as outlined in Section 304, and submission of the receipt, or copy thereof, to the Town Clerk's office within sixty days of the Planning Board final approval.
- 8. No building permits are to be issued until all contingencies are met.

Dave Killian, 4471 Frank Gay Rd – 5 lot subdivision

Mr. Killian explained he has a purchase offer on this property with a contingency of being allowed to subdivide the property into five (5) lots. The following was discussed:

- Proposed lots meet setback requirements
- The property has gas/power/water
- Speed limit is 45mph and there should be no issue with site distance. He has already spoken to the County regarding driveway locations
- They will not be disturbing more than an acre
- Percs are ok
- Mr. Killian may make minor changes to lot sizes but wanted to get the Boards input.

Chris Christensen advised that in 1998 the owner of the property came in with a proposed subdivision and road cuts were discussed. He is concerned with how to access rear properties. There is a proposed access point at the end of the road and

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Mr. Christensen wants to make sure we don't need more than that for the future. Jerry Wickett stated that he sees no issues with what has been presented and that he doesn't think it's necessary to have additional reserve for a future road.

The minutes of the March meeting will stand as distributed.

The meeting was adjourned at10:00 PM

Respectfully submitted,

Karen Cotter Secretary