

Town of Hill
Hill Planning Board
Minutes
22 March 2018

In attendance: Bob Helmers (Chair), Tom Whitman, Mike Brady, Marshall Bennett
Public: Jason Haberstroh, John and Jen Nazarian, Sandy Boyce and Dave Thompson

With the absence of Tom Whitman, the meeting was opened by Bob Helmers at 7:03 p.m.

Proceedings started with preliminary consultation of subdivision for Mr. Haberstroh. In apparent misunderstanding, he had not brought any boundary or topographic maps. Mr. Brady retrieved the town tax maps and the board looked at the property. He proposes subdividing a small lot from Lot 36 in Tax District R1. Mr. and Mrs. Nazarian, property owners of Lot 39, also approached the table. R1 Lot 36 is about 31 acres with 750 feet of frontage on Borough Road. A driveway extends along the western boundary of the property from Borough Road to a residence set back from road atop steep hill. Mr. Haberstroh would like to create a small lot with frontage along Borough Road, adding that he would likely share the driveway with the Nazarians. Board noted that the frontage had to be off Borough Road and that the driveway could not be used as frontage for zoning purposes. There is a flat area near the road, but the land then rises steeply. Without topographic maps, board could not confirm that sufficient area exists to site a dwelling and septic system. The exception for the steep slopes provision of the zoning ordinance was read to the applicant. In addition to the setbacks, a 30 foot buffer is required. The applicants thought it would be close. Board noted that if flat area is insufficient, lot size will need to increase 6 acres with 400 feet of frontage and that construction drawings would be required if any steep slopes were to be impacted. Board suggested they go out and measure and that measurements must be from the stone wall (edge of right-of-way) and not the street. Mr. Helmers said he would also look at topographic maps, when he had an opportunity and would respond to Mr. Haberstroh. Mrs. Nazarian asked if they could make the driveway a private road (apparently someone else in area had put up sign on driveway suggesting it as a road). Board responded that the driveway would need to be brought up to town road standards and the road designated as such on the subdivision plans, but that would be rather costly. That would make it an official private road. Board noted that its authority is limited to the right of way and that the owner can pretty much do anything to their driveway beyond that point, which could reasonably include placement of a sign. The road would have no legal standing however. Mr. Haberstroh and the Nazarians departed.

Mr. Whitman had arrived near the end of the discussion with Mr. Haberstroh. A motion was made and seconded to appoint Mr. Helmers chairman and Mr. Whitman vice-chairman. Motion seconded and passed unanimously.

Mrs. Boyce approached the board to discuss requirements necessary to proceed with the subdivision of town land, sale to the church and subsequent merger with the church owned property which had been approved at the March 2018 town meeting. She presented the plans that had been shown at preliminary discussion in spring and early summer of 2018 which depict the merger of a parcel A with the church owned property. The parcel A portion is currently town owned and part of a larger town tract 6. Board examined plans and went down list of final plat requirements. Mr. Helmers stated that the plan title would need to be changed to include subdivision, agreeing that simply adding "Subdivision of town land and..." would probably be sufficient. Mr. Helmers also noted that the entirety of the town tract would need to be presented on

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the plat. The current plat only has the portion Parcel A which is to be subdivided from the larger town tract 6. Note on plat states town tract 6 and parts of 7&8. Those boundaries are not shown on the map. The plat will need to be revised to include the entirety of town tract 6, assuming that is the only town tract being subdivided. The town as owner of tract 6 will have to designate the Hill Village Bible Church as the agent for the subdivision. Board would likely waive topography requirements as the land is essentially flat. Mrs. Boyce departed.

Mr. Thompson came forward to discuss ideas for commercial activities on his properties located on Route 3A in the newly expanded commercial district. This was a preliminary look to assure that there were no major limitations. He would like to add a building for rental of a few commercial spaces, such as an automotive shop or other retail business. The board did not have any objections or see any zoning limitations. A vaguely worded clause from the zoning ordinance was examined but determined not to apply. The clause is the last sentence under Commercial District (Zone C) B. Land Requirements (1) and was determined to not apply because it cites "designated commercial street" and is rather non-sensical in its meaning and purpose. Presumably, only Commerce street would qualify as such, but even for that there may be no documentation. Mr. Thompson departed.

The board generated a list of home occupations or suspected business operations in the rural residential zone for the purpose of documentation for the grandfather clause of the newly approved home occupations provision.

Meeting adjourned 8:40 p.m.

Robert Helmers
Planning Board Chair
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