

Planning and Zoning Board  
July 5, 2018

The meeting was called to order by Chairman Rogers Clements at 6:00 PM. Present were Rogers Clements, Patricia Clements, Tom Durange, Ken Confalone.

The June 7, 2018 draft minutes were presented for approval. A correction was made to fully state that Mr. Metz (Wellwood) would pay the property tax increase if any should occur due to the addition of the ice cream stand. Mr. Confalone moved to approve with correction, seconded by Ms. Clements. Approved 3-0 with one abstention.

OLD BUSINESS

18-44 300 Market Street R & P Property Management Mr. Mahan, the owner was in attendance. The designation was changed to a major permit. A new tax assessment has been recorded at \$187,500.00. Mr. Mahan has adjusted his plan to accommodate adding a sprinkler system by reusing some of the kitchen cabinets. He is anxious to get started and improve the property. He was informed that he had already improved the corner. He asked if he could pick up the permit if it was approved tomorrow and the answer was yes that in the absence of Mr. Pumpaly from the office, Mr. Clements was authorized to sign the permits. His subcontractors are going to pull the permits. Mr. Clements moved to approve, seconded by Mr. Confalone. Approved 4-0.

18-43 523 Water Street Wellwood Club A new plot plan was submitted. The numbers seem to still be off. The patio has also been dropped. The structure appears to be 12 x 6. It shows a 35' setback from the road. There is no mention of outside seating on the revised plan. Mr. Confalone stated it says 33' not 35'. The plan was difficult to read. Ms. Clements expressed her concern over a number of issues that she explained were Commissioner decisions. Mr. Clements expressed his concern over whether they could approve a permit that would change the property tax assessment designation. Mr. Durange asked if placing a commercial income producing proposition on the property would require a change in zoning? This body cannot change the zoning, that would be a board of appeals concern. The structure meets the planning and zoning setbacks. Mr. Confalone suggests that we move it forward to the Commissioners with our stipulations. Ms. Clements has a problem with the consistency of the former permit submission and the current new plot plan submission as they are not in agreement asking for the same things. The numbers are off a little bit. The Wellwood did state in their second submission did state that they are no longer wanting to supply the patio seating. Mr. Durange suggests that we approve the shed and the commissioners will have to deal with the other issues such as rezoning and rewording the lease. Ms. Clements suggests that we approve the structure as it meets the standards. Mr. Confalone stated that he was unaware that Ms. Mann was also in the employ of Mr. Metz at the same time as she was employed as our Code Enforcement Officer. Ms. Clements stated that at the last meeting Ms. Mann was present and asked for a recording of the meeting. She went on to then state can we approve the permit as it is currently presented? Mr. Confalone thinks we need to specify 12'7" x 10'9" shed and leave the rest to the Commissioners. Ms. Clements stated that we need Commissioner approval in writing before we can proceed. Without that can we proceed? Mr. Durange asks if we can approve the permit pending approval of the Commissioners dealing with the other issues. Mr. Confalone suggested a motion might be to approve a shed not to exceed 12' x 10', but not its use. Ms. Clements stated that she was not in agreement as the different documents do not agree. Mr. Durange moved to conditionally approve the shed that is 6'9" deep and 12'3" wide pending Commissioner approval for usage, seconded by Mr. Confalone. Approved 4-0.

NEW BUSINESS

18-31 630 Baltimore Street D Pennington Fence The fence is meant to protect different areas of the yard and to control her pets. Mr. Clements moved to approve with the permission from neighbors it can

be placed on the line, without permission it must be 6" off the property line and it must not exceed 6' in height, seconded by Ms. Clements. Approved 4-0.

18-32 630 Baltimore Street D Pennington Lawn Shed 24' x 16' Mr. Confalone moved to approve, seconded by Mr. Durange. Approved 4-0.

18-52 99 Revelation Road G Payne Roof Solar Panels – Approved by Administrator Mr. Clements moved to approve, seconded by Mr. Confalone. Approved 4-0.

18-53 202 Louisa Lane J Taylor Remove 3 trees, replace gravel walkway with pavers – Approved by Administrator The pavers need to be approved by this board. Mr. Confalone moved to approve, seconded by Mr. Durange. Approved 4-0.

18-54 382 Chesapeake Road D. Crockett Replace roof with tin, repair landscaped/refill driveway with permeable pavers Mr. Clements moved to approve, seconded by Mr. Confalone. Approved 4-0.

18-55 407 Water Street M Hudson Brick Hardscaping This has HDC approval. Mr. Clements moved to approve, seconded by Mr. Confalone. Approved 4-0.

18-56 406 Frederick Street J. Hoofnagle Reed Fencing This has HDC approval. This fence will hide her neighbor's fence. The height is 6'. Mr. Clements moved to approve, Mr. Confalone seconded. Approved 4-0.

18-57 31 Theresa Lane W. Casteel 10 x 12 Storage Shed He will move the shed from the original choice because of forest retention issues. The shed will actually be 12 x 8 with all the materials remaining the same. He submitted a new plan. Mr. Confalone moved to approve, seconded by Mr. Clements. Approved 4-0.

18-58 333 Frederick Street A. Thompson privacy fencing The has HDC approval. The fence will be located 6" off the property line. He will replace the existing 4' chain link with 6' privacy fence. Mr. Confalone moved to approve, seconded by Mr. Durange. Approved 4-0. Mr. Thompson asked if a variance could be given to increase the height to 8'. The answer is no, that would require the appeals board. The Planning and Zoning Board has no vehicle to grant variances.

18-59 125 Cool Springs Road B. Spies above ground pool Mr. Confalone moved to approve conditional upon verification of a fence around the pool, seconded by Mr. Clements. Approved 4-0.

18-60 235 Frederick Street V. McHenry demolition of cottage This has HDC approval Mr. Confalone moved to approve, seconded by Mr. Clements. Approved 4-0.

18-61 40 Theresa Lane J Gerkin 12 x 18 shed The owner has a letter from the county granting him permission to place the shed in the forest retention area. Mr. Confalone moved to approve, seconded by Ms. Clements. Approved 4-0.

18-62 611 Louisa Lane J & R Scott solar panels Approved by Administrator. Mr. Clements moved to approve, seconded by Mr. Confalone. Approved 4-0/

Mr. Gavatos was in attendance and expressed his concern of 619 and 629 Bladen Street. What is being done? He was advised to go to the Commissioners to express his concerns. Ms. Clements mentioned that in previous meetings a code had been introduced that might address such issues, but that a couple of

previous commissioners objected to some of the points and so it never went any further. The issue is on the agenda for the next Commissioners meeting.

There being no further business, Mr. Clements moved to close the meeting, seconded by Mrs. Clements. Approved 4-0.

Respectfully submitted,

Debbie Myers, Town Clerk

Approved 8-9-2018