

Town of Manchester Planning Board Meeting Minutes

December 15th, 2020 – 7:00pm

Present: John Boeckmann, Steve Buerman, Jeff Flower & Lee Sanders - members, Stuart Gwilt, Chairman, Jill Havens, Recording Secretary and Steve DeHond, Code Enforcement Officer

Absent: Scott VanAken & Julie Vanderwall

Also, present: Applicant(s) – Julie Metzger, Chavay Passamonte, Applicant, Dave Clements, Michael DeMarco and Larry Schroo

Sketch Plan Approval #4612-20: Chavay Passamonte who has built a pond with no permit on property located at 1792 Pearl Street, tax map no. 46.00-2-8.000 in an A-1 district pursuant to Chapter 325 Section 42-C-1-2-3 and Chapter 325 section 75 – site plan review.

The chairman read the public meeting notice. None of the surrounding property owners were notified by mail of this meeting due to the nature of a meeting, not a hearing.

Stuart Gwilt, Chairman: First thing, you should have had a permit. I went out and looked at it and the required setbacks are not followed. Steve said, you were going to bring in a different map.

Chavay Passamonte, Applicant: Yep, I have some stuff to hand out and then we can continue talking about this, if that is ok. What I have done, and first and foremost, I understand the whole permit process and I apologize, its not an excuse but I spoke to three contractors prior to doing this and each one told me that I did not need a permit, I was not changing any streams or rivers and I was not going to be holding a million gallons of water. That being said, hindsight is 20/20 and I realize not that was incorrect. I have been working with Steve to correct this and since finding out the requirements, I have stopped all work on this project. Obviously, I was not trying to sneak it through, it is a big pond. I just was not aware I needed a permit; but again, it's not an excuse and I would like to rectify the situation.

Steve Buerman, PB Member: None of these maps show the setback dimensions, what I need you to do, right now is to mark down on a map and tell us what your setback dimensions are.

Chavay Passamonte: Ok, no worries I can do that for you.

Lee Sanders, PB Member: Is the house and the pond on the same lot or on they on two different lots?

Chavay Passamonte: Two different lots and I will talk about that as well.

Steve Buerman: Ok, so I am not sure what I am looking at here.

Chavay Passamonte: The dimensions are 90' from the road to the edge of the pond, 28' from the house property line, 30' from the rear property line and 71' from the closest neighbor, Michael & Shawn DeMarco. The lot that the pond was put on half of it fills up with water, it is a very wet lot. I cannot mow it most of the year, it is a mess. My thought was to control the water. I bought the lot from my brother because I did not want anyone else to buy it, fill it and then build on it, which is in my backyard. My neighbor, Mike DeMarco, is in favor of the pond.

John Boeckmann, PB Member: The house lot is flat and when you get to the pond, it berms down, not up, correct? When you are talking the different grade elevations, you go from flat to down.

Chavay Passamonte: Yes. It does berm up from the road though. From the Pearl Street side, it does berm up.

Steve Buerman: So, the big issues are from the road you are supposed to be 150' from the right of way and you are 57'. You are supposed to be 50' from the lot lines and you are 28' and 30'. In the back, you are ok at 70'. Those are some pretty big issues and discrepancies.

Stuart Gwilt: This board cannot issue variances, so you are going to have to go to the Zoning Board for variances on these setback numbers. If they approve them, then you will have to come back to use to ok it. Right now, we cannot do anything for you here.

Stuart Gwilt, Chairman: Any other questions?

At this time, no action was taken, referral to the Zoning Board of Appeals for a variance approval.

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Previous Minutes:

A motion was made by Steve Buerman to approve the minutes from the meetings which took place on October 20, 2020 and November 17, 2020. The motion was seconded by John Boeckmann. All voted “Aye.” Motion carried.

Meeting adjourned @ 7:47pm.

Respectfully submitted,

Stuart Gwilt
Planning Board Chairman

Jill Havens
Recording Secretary