

Town of Perry  
Minutes of Land Use Committee Meeting  
Tuesday, May 4, 2010  
Perry Town Hall

1. Call to Order. Chairman Dean Vogel called the meeting to order at 8:13 PM. Committee members Ken Hefty, Gary Baumgartner, and Ann Windsor were present. Ann Windsor is taking minutes in the absence of Clerk Mary Price. Also in attendance: David Wall, Steve Ligler, Robin Balch, Andy Balch, Mike Samuel, David DiMaggio, and Brent Radke.
2. Minutes of Previous Meeting – April 8, 2010. Ken Hefty moved and Gary Baumgartner seconded a motion to approve the minutes of the Land Use Committee meeting held on April 8, 2010 as published. Motion carried.
3. Steve Ligler, 75 STH 78 – site plan for home and accessory building construction with driveway extensions to both new buildings. Current residence will be vacated and density unit transferred to new home. Gary Baumgartner moved and Ken Hefty seconded a motion to discuss the application submitted by Steve and Gamze Ligler. Motion carried. The committee discussed the application and noted that the soil is fair or poor at the proposed building sites and that the density unit would be transferred to the new home upon occupancy. The established driveway was discussed and determined to meet current code except for one section (C to D on design map) that has a slope of 15 % (code being 13%). The committee discussed the applicant's request for a variance for this section of the established driveway and reviewed the driveway ordinance. The applicant also requested a variance for the driveway extension to the new accessory building that would waive the 4 inches of two inch and use only the 3 inches of 3/4 " gravel. The committee discussed the risk of potential erosion and inadequate support of the roadbed in wet weather. Gary Baumgartner moved and Ken Hefty seconded a motion to recommend approval of the home and accessory building sites and driveway extensions to each new building with the following conditions:
  1. Allow variance for current established driveway slope
  2. Deny variance request for driveway extension to accessory building
  3. Transfer the density unit upon occupancy of new residenceMotion passed unanimously.
4. David DiMaggio – informal discussion regarding potential development at 599 STH 78. Chairman Dean Vogel explained the process to discuss site plans informally and reminded those present that no approval is inferred or implied based on informal discussions of site plans. David DiMaggio presented a soils map showing this five acres plot to include choice and fair soil and requested information about potential building on the site. The committee and David discussed the rules about rezoning and/or building on choice soil and the allowance of 0.1 acre allowed on the property edge for driveway construction. The option and process of having a soil scientist test the soil to determine soil type was also discussed. Mike Samuel, a neighbor, was present and requested information about density units for his property – he was referred to Clerk Mary Price for density information.
5. Schedule meetings, other announcements. The next site views will be conducted on Saturday, May 29 and the next Land Use Committee meeting will be held on Tuesday, June 1, 2010.
6. Adjourn. Ken Hefty moved and Gary Baumgartner seconded a motion to adjourn. Motion carried.

Respectfully submitted,  
Ann Windsor, Committee member

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