

Leon Blair, Chair of the Town of Peru Zoning Board of Appeals, called the meeting of January 20, 2010 to order at 7:03pm.

**ROLL CALL:**

LEON BLAIR, CHAIRMAN	: Present
JAMES FALVO, VICE CHAIR	: Present
ROB BASHAW	: Present at 7:18pm
FRANK DENCHICK	: Excused
TOM FUSCO	: Present
ROY ZALIS	: Excused
LAWRENCE BOSLEY (ALT)	: Present
DON MCBRAYER (ALT)	: Present
ATTY. THOMAS MURNANE	: Present
CEO. PAUL BLAINE	: Present

**APPROVAL OF DECEMBER MINUTES:**

**MOTION:** Mr. McBrayer made a motion to approve the December minutes. Second by Mr. Falvo.

**ALL SO MOVED.**

**MOTION APPROVED.**

**PUBLIC HEARING:**

**1. APPLICATION:** CASELLA CONSTRUCTION  
Special Permitted Use for a Recreational Pond on Cook Rd.

Mr. Blaine stated that the applicant is seeking approval for a recreational pond located on Cook Rd. Mr. Blaine reviewed several documents submitted for the Boards review prior to the meeting. Mr. Blaine stated that the parcel is 19.6 acres in size and the requested pond will cover 2 acres. Engineer Scott Allen stated that the applicant would like the pond as a recreational use to increase the value of her property. Patrick Mclean, the landscape architect was present as well as Rhonda Dergham the owner, Charles Wadleigh from Casella Construction, and Attorney John Clute. Mr. Allen stated that they have spoken with Mr. Gibbs the Town Engineer and they believe they have answered all the questions that he had. Mr. McLean provided a detailed review of the project.

**Zoning Board of Appeals  
January 20, 2010**

**MOTION:** Mr. Falvo moved to declare this an unlisted action and name the Town of Peru Zoning Board of Appeals as lead agency. Second by Mr. Bosley.

**ROLL CALL** Mr. Bosley- yes, Mr. Fusco- yes, Mr. Bashaw- yes, Mr. McBrayer- yes, Mr. Falvo- yes, Mr. Blair - yes.

**MOTION CARRIED.**

**MOTION:** Mr. Falvo moved to declare this a negative declaration. Second by Mr. Fusco.

**ROLL CALL** Mr. Bosley- yes, Mr. Fusco- yes, Mr. Bashaw- yes, Mr. McBrayer- yes, Mr. Falvo- yes, Mr. Blair - yes.

**MOTION CARRIED.**

**MOTION:** Mr. McBrayer made a motion to approve the application with the stipulations that the excavation be done by March 1, 2010; the landscaping be done by August 31, 2010; a copy of the agreement between Rhonda Dergham and Casella Construction be submitted to the Town of Peru; a copy of a letter from Mr. Carter allowing the use of his gravel road to be submitted to the Town of Peru; a copy of the NOI submitted to DEC be provided to the Town of Peru; truck traffic can only run between the hours of 7:00am and 4:30pm, Monday through Friday, no weekends; trucks can only access the area from the gravel road with no staging of trucks on Cook Rd. or Lyons Rd.; the applicant must provide a \$75,000 bond with the Town of Peru; a sweeper must be on site and roads must be swept on a daily basis or as needed; the landscaping that is to be done must match the landscaping shown on the provided map; the pond area cannot exceed 10% over the 2 acres requested; no permanent stock piling of soil higher than 3ft above the existing grade, the Town Engineer must review the project to check for compliance with conditions placed on the project; the highway superintendent must review the roadway before construction begins and the water from the swale will not be completely diverted to the pond during its filling. Second by Mr. Bashaw. **ROLL CALL** Mr. Bosley- yes, Mr. Fusco- yes, Mr. Bashaw- yes, Mr. McBrayer- yes, Mr. Falvo- yes, Mr. Blair - yes.

**MOTION CARRIED.**

**ANY FURTHER BUSINESS:**

There was no further business.

**CEO REPORT:**

Mr. Blaine reviewed the Building Permit report as well as a chart regarding the number of Zoning Board and Planning Board applications. There were 5 building permits issued as well as 3 Planning Board and 3 Zoning Board applications submitted.

**ADJOURNMENT:**

Motion Made by Mr. Fusco. Second by Mr. Falvo. All so moved.

*Date filed with Town Clerk \_\_\_\_\_*