



Candlewood Pines subdivision. Mr. Keller asked if there are provisions regarding ridgeline protection. Mrs. Emminger said that issue has been addressed by the conservation easement and the combining of three lots into the one large lot. Mrs. Emminger also explained how the revised drainage design will work.

Lorraine Seder, 224 Great Plain Rd., read a letter into the record in favor of this new proposal. She said all drainage and wetlands issues have been addressed and noted that the addition of the new culvert on Great Plain Rd had been a major improvement.

Chairman Finaldi asked if there was anyone to speak in opposition to this.

Noel MacCarry, 4 Jackson Dr., read a letter into the record regarding the changed plans. It said that after reviewing the original denials from the EIC and this Commission, it does not seem that these revisions really address the reasons given. He suggested that if this is to be developed the Commission should try to preserve the natural habitat by making the additional nine acres as open space. He also requested a traffic study be done in this area as it is already dangerous for both vehicles and pedestrians. Suggested that since the City is a member of the Northwest Conservation District, their technical expertise is readily available to assist the City experts.

Mrs. Emminger said we had received three letters in opposition, one from the Candlewood Lake Authority dated August 2008. She said since we had just received this letter today, it was not possible to address it and also some of what they talk about is not within their purview. Mr. Keller read the letter from Gary Sivacek, 114 Stadley Rough Rd. This letter commends the efforts at conservation and requested that new nine acre lot be protected by a conservation easement. He also suggested that the agreement is probably the best that could be offered in this situation. Chairman Finaldi then read the letter from Margaret Golden, 227 Great Plain Rd. She is an adjoining neighbor and she does support this but asked that the Commission look at the specifics regarding the blasting, the runoff and the drainage. Chairman Finaldi pointed out that all of these are addressed by the stipulation.

Mr. Urice made a motion to close the public hearing. Mr. Manuel seconded the motion and it was passed unanimously.

Mrs. Emminger said they had been given a draft of the stipulated agreement so they would have time to review it. She proceeded to review some of the more important points: There is a road bond of close to a million dollars to cover the construction of road and retaining walls. An independent site monitor is to be hired by developer to be on the site and monitor the development during construction. This person will act as an agent for the Planning Commission and provide a weekly report to both the Planning and Health Depts. Each lot must be developed in compliance with the approved utility plan. A homeowner's association must be formed for the ownership and maintenance of the open space. The retaining wall must also be maintained by the them although it will be attached to a City road. Each deed shall contain a "hold harmless" agreement regarding the drainage. The limits of disturbance, the open space and the conservation easement areas are to be staked so the Zoning Enforcement Officer can be sure all measures are in place and properly flagged. Prior to blasting permits being issued by the Fire Marshal, the developer shall hire a Geotech engineer who specializes in this and will file weekly reports with the City. And before the Certificate of Zoning Compliance is issued, there are some











