

Board Members Present:

- Bill McGhie, Chairperson
- Dan Freebern
- William Siegle
- Steve Mullins

Others Present: Robert Ward, Cindy Smith, Jason Barden, Michael Black, Bob Olson, Zoning Administrator Jim Steen.

Meeting Called to Order: 7:00 PM

Pledge

Review of Minutes: William Siegle made a motion to accept the June 19, 2019 minutes as written. Second by Dan Freebern. **ALL AYES.**

NEW BUSINESS (Cont'd): **NEW BUSINESS:**
File # 2019-02 SPR
Tax Map # 88.10-1-41
Cheryl Erickson/Jamie Monroe
6578 State Route 8
Brant Lake, New York 12815

Requesting a Site Plan Review for a Retail Business Services Professional (less than 2,500 square feet)

Chairman Bill McGhie stated that the Board members were waiting for the Warren County Impact Statement which was received and the Warren County Planning Department finds that the project will not create any significant municipal or county-wide impacts. The applicant was not present at the meeting and it was not necessary for her to attend. The Planning Board had no further questions or comments on the requested proposal and Dan Freebern made a motion to approve the Site Plan Review as proposed. Second by William Siegle. **ALL AYES.**

NEW BUSINESS: **File # 2019-05 BLA**
Tax Map #: 88.18-2- 9 & 10 Lot 1
Tax Map #: 88.18-2-11 Lot 2
Robert Ward
178 Horicon Avenue, Brant Lake, NY 12815
Richard and Cindy Smith
162 Horicon Ave, Brant Lake, NY 12815

Requesting a Boundary Line Adjustment to create two lots to be merged with adjoining lots

Zoning Administrator Jim Steen spoke for Robert Ward's requested Boundary Line Adjustment. He stated to the Board there are currently three (3) lots. Highlighted in blue on the map is owned by Robert Ward (Tax Map # 88.18-2-9). Highlighted in green on the map is owned by Robert Ward (Tax Map # 88.18-2-10) as well. Highlighted in pink is owned by Richard and Cindy Smith (Tax Map # 88.18-2-11). The green portion is going to disappear (Tax Map 88.18-2-10) and will be split between Robert Ward and Richard and Cindy Smith. Portions of the lot will be merged into Robert Ward's lot Tax Map # 88.18-2-9 and the other portion merged into Richard and Cindy Smith's lot Tax Map

88.18-2-11. The lot Tax Map # 88.18-2-10 is a non-conforming lot and once merged will eliminate and undersized lot by the Boundary Line Adjustment.

Steve Mullins asked if there is a pond on the Richard and Cindy Smith's lot.

Cindy Smith responded there are no wetlands on her lot and the wet area is a small pond.

Zoning Administrator Jim Steen stated that if it's under an acre and does not interchange with a body of water it's not considered a wetland for APA purposes. This pond covers only .03 of an acre so the APA would have no involvement in this proposed Boundary Line Adjustment.

Steve Mullins stated that it makes sense to have the Boundary Line Adjustment and get rid of the undersized lot to create the two conforming lots.

Being no further questions or comments Dan Freebern made a motion to deem the application complete. Second by William Siegle. **ALL AYES.**

Chairman Bill McGhie stated that a Public Hearing is not necessary for this requested Boundary Line Adjustment.

The Board members all agree that this request makes perfect sense and it will create two conforming lots.

Being no further questions or comments Dan Freebern made a motion to approve the Boundary Line Adjustment. Second by William Siegle. **ALL AYES.**

NEW BUSINESS:

File # 2019-01 SD

Tax Map #: 106-1-9

Adirondack Mt. Land, LLC (Michael Black)

Hayesburg Road

Brant Lake, NY 12815

Requesting a Subdivision

Zoning Administrator Jim Steen spoke to the Board regarding this 53 acre lot (Tax Map # 106-1-9) with no structures on the lot just vacant land. They are proposing to divide into two lots. However this lot is in three different zones. Three zones, the rear of the lot is in the LC-42.6 acre, the middle is the LC-10 acre and the rest is in the R2-5 acre zone. This will need a variance for undersized lots and is going before the ZBA on Tuesday, July 23, 2019. All of the engineering is in place. The septic, well and house. Because the house is being situated on the 5 acre lot our Zoning Code states that if the lot is in split zones the most restrictive zone is applied. That is why this will need a variance for the undersized lot because it's required to be 42.6 acres. This will have to be approved by the APA for the undersized lots. There will be no further subdivision of this lot without variances and the APA most likely will state the same. The APA zoning should not have any problem with the variances because they only require 8.5 acres for each lot. The Planning Board is only focused right now on the Subdivision. The reason it is brought before the Planning Board now is because this will need a Public Hearing for the Subdivision and a Public Hearing for the variances which will take three months. This proposed Subdivision could be approved with the condition that the Subdivision be approved contingent upon the variances being granted and the APA review being complete.

Michael Black spoke about the request for the proposed Subdivision and stated that these are both good building sites and all the tests done received good results. He received a Non-Jurisdictional Inquiry determination response from the APA stating that no permit is necessary from the APA for the Subdivision.

Dan Freebern asked Michael Black what that 100' right of way is on the map next to his property.

Michael Black responded that it is a 100' strip of property owned by Aaron Baker the adjoining neighbor.

Steve Mullins asked about any future buildings to be put on the property if they would have to go back for variances again.

Zoning Administrator Jim Steen responded that sheds, garages or auxiliary structures would not need a variance only a Zoning Compliance Certificate. If he wanted to place another home on the property he would have to come back to the Planning Board for review and depending on where the new building would be situated then would go to the Zoning Board for density variances. There is a new code that has never been invoked yet and is also known as a paper subdivision but it remains one lot that would need a Site Plan Review from the Planning Board and depending on where situated would need a variance from Zoning Board.

Steve Mullins asked about putting an addition on the first house would they need to come back to the Board.

Zoning Administrator stated no. Once the site is approved by the Planning Board the home would have to go near the same location as stated on this map. If in the future they wanted to add another bedroom to the house then the septic system would have to be upgraded and would be handled at that time.

Chairperson Bill McGhie asked what the soil is like on this property.

Zoning Administrator Jim Steen stated that perc tests done provided results of 8-10 minutes which is standard. There would be no problem putting the leach field in this soil. The sites are pretty wooded but they will only be clearing around the house.

Being no further questions or comments Dan Freebern made a motion to deem the application complete and set a Public Hearing for August 21, 2019. Second by William Siegle. **ALL AYES.**

Reminder: NONE

Correspondence: NONE

Public Comments: NONE

Board Member Comments: NONE

Being no further questions or comments Dan Freebern made a motion to adjourn. Second by Bill Siegle. **ALL AYES.**

Meeting adjourned: 7:45 pm

Next Meeting: August 21, 2019

Respectfully Submitted,
Terri Katsch, Secretary