

Board Members Present:

___ Bill McGhie, Chairperson
___ Dan Freebern
___ William Siegle
___ Joe Turcotte
___ Steve Mullins
___ Barbara French, Alternate # 1
___ David Iasevoli, Alternate # 2

Others Present: Town Legal Counsel Leah Everhart, Gary Frenz, Drew Cappabianca, Gene Viani, James Kearney, Cathy Kearney, Michael Black and Bob Olson,

Meeting Called to Order: 7:00 PM

Pledge

Review of Minutes: Vice-Chairperson Dan Freebern made a motion to accept the August 21, 2019 minutes. Second by Joe Turcotte. **ALL AYES.**

NEW BUSINESS:

File # 2019-02 CU
Tax Map # 88.7-1-1
Mill Pond ADK Holdings, LLC
3 New Street
Brant Lake, NY 12815

Requesting a Conditional Use from **Section 5.20** for Boat Storage, Commercial

Drew Cappabianca spoke about his request for a Conditional Use. This is the lot across the pond that is next to the Hub. I own that lot and I am looking to offset the cost of owning the land. The community uses that to park for the little fishing area that is down there. I was talking to John Palmer from Palmer Brothers about using the lot for boat storage. His customers need more space. Drew Cappabianca stated that he would like to rent the space to any of the marinas in town for boat storage.

Steve Mullins asked if Drew Cappabianca if he would be putting up trees as screening for boat storage so as not to see blue plastic shrink wrap.

Drew Cappabianca responded that it would take a lot of boats stored there in order to justify screening. He stated that he is open to the idea.

Steve Mullins asked if he would be using the back part of the lot.

Drew Cappabianca stated yes only the rear of the property.

Steve Mullins asked if he would have plenty of room for spillover on busy nights.

Drew Cappabianca responded that this would be done during winter only because he uses that lot for the Hub as well as parking for Food Truck Friday's and other events in the Town.

Steve Mullins asked if there would be trailers in there as well.

Drew Cappabianca responded yes but in the winter only.

Chairperson Bill McGhie stated that the ground looks solid there and does not look like there would be any disturbance of the ground.

Drew Cappabianca responded that yes it is solid and nothing on the property would change.

Chairperson Bill McGhie asked if the ground is sandy.

Drew Cappabianca stated that it's all gravel and very solid.

Chairperson Bill McGhie asked how much space would each boat need and he would like to know how many boats would be stored on the property.

Drew Cappabianca responded that he is not familiar yet with how many boats he could store. He thinks each boat would need about 10' between the boats.

Joe Turcotte stated that most boats are about 8' wide and if you add a little extra for the trailer wheels you would need about 10' space between each boat and you could probably store at least 20 boats.

Chairperson Bill McGhie asked about gasoline leaking out of the boats there.

Joe Turcotte responded that boat storage facilities do not have any provision or regulations for containment for leakages.

Steve Mullins asked if having boat storage will change his insurance or will it create any liability for you.

Drew Cappabianca stated that he did not know.

Joe Turcotte responded that the insurance company asks the value of what you are storing and each boat owner has their own insurance.

Chairperson Bill McGhie asked about the SEQRA form question number 14 where Drew Cappabianca indicated there is a shoreline.

Drew Cappabianca responded that technically the property includes the Mill Pond and it is across the road.

Chairperson Bill McGhie asked if the APA has anything to say about the shoreline.

Drew Cappabianca believes that because this is in the Hamlet the APA would not request him to get a permit.

Town Legal Counsel Leah Everhart asked if the maps Drew Cappabianca submitted depict where the boats will be stored.

Drew Cappabianca responded yes.

Town Legal Counsel Leah Everhart stated that the board could deem the application complete tonight, set a Public Hearing and the Board could ask for more specificity from the applicant if they wish to do so.

Joe Turcotte responded that for example they could ask for a better description of the area.

Chairperson Bill McGhie would like to see the edges defined.

Vice-Chairperson Dan Freebern would like more information as well. He would like to see a more detailed plan of how the boats will be stored. He does not want a visual impact to the Mill Pond area. He would also like to see a tentative plan showing trees and shrubs and the approximate number of boats to be stored as well as the setbacks defined.

Chairperson Bill McGhie stated that they have concerns about the Mill Pond area and they are trying to beautify the area. Seeing blue shrink wrapped boats is not what the Town has in mind for this area. So he would like to see something to block the visual impact of the shrink wrapped boats. He would like a tentative plan as well showing some landscaping or buffer to block the view of the boats.

Drew Cappabianca stated that this is a winter thing and putting in trees would hamper the plan for this property to be used as a pocket park as well and the pocket park plan is predicated on using some of his land. In reshaping the land for the pocket park they would have to rip out any trees that would be planted.

Chairperson Bill McGhie stated that he would like to see some sort of roughly drawn buffer.

Bill Siegle asked Drew Cappabianca if it would be possible to put the boat storage behind his building.

Drew Cappabianca responded no there is not enough room there for the boat storage.

Joe Turcotte stated that the Lake George Park has a requirement for white shrink wrap only.

Being no further questions or comments Vice-Chairperson Dan Freebern made a motion to deem the application complete subject to a more defined area for the boat storage to be presented at the next meeting, some proposal concerning landscaping, proposal for the approximate maximum number of boats to be stored there at any one time and the proposed storage date season and schedule a Public Hearing for October 16, 2019. Second by Steve Mullins. **ALL AYES.**

NEW BUSINESS:

File # 2019-01 SD (AMENDED MAP)

Tax Map #: 106-1-9

Adirondack Mt. Land, LLC (Michael Black)

Hayesburg Road

Brant Lake, NY 12815

Requesting an Amendment to the previously approved Subdivision

Michael Black stated that he was back asking for an amendment to the map that was approved originally at the August 21, 2019 Planning Board meeting for his subdivision. The APA had issued a determination that an APA permit would not be needed for the subdivision. After the variance request for the undersized lots went to the APA for review, the APA determined that the boundary line between Rural Use and Resource Management lands was inaccurately shown on the APA internal mapping and therefore the proposed two lot subdivision would require an

Agency permit.

Rather than go through the APA permitting process I amended the lot lines to include the Resource Management line on lot 2 which is in compliance and will change to 32.19 acres and lot 1 will now become 20.63 acres (also in compliance). Now that I have submitted the amended maps showing the new lot lines to the APA I received a letter from the APA stating no APA permit would be needed.

Town Legal Counsel Leah Everhart stated that she talked with Jim Steen, Zoning Administrator today and given all the factors leading up to this and given what is being proposed no additional review is needed. The only procedural step is an amendment of the previous Subdivision approval.

Chairperson Bill McGhie asked if we had the old approval and he was given the Decision done after the prior approval which was read to the Board members.

Town Legal Counsel Leah Everhart asked if the Board did a SEQRA review at the previous Planning Board meeting for this application and being no SEQRA review was done at that time (only at the ZBA meeting) the Planning Board reviewed the SEQRA application.

Dan Freebern made a motion that this is an Unlisted SEQRA action and the Board did an uncoordinated review and adopted a negative SEQRA declaration having no significant environmental impacts. Second by Bill Siegle. **ALL AYES.**

Being no Public Hearing is necessary for this amendment and no further comments Dan Freebern made a motion to amend the previously approved Subdivision File # 2019-01 and deem this new amended map dated 9/12/2019 application complete without any conditions. Second by Bill Siegle. **ALL AYES.**

Reminder: NONE

Correspondence: NONE

Public Comments: Jim Kearney stated that he is in favor of the Commercial Boat Storage proposed by Mill Pond ADK Holdings.

Three members of the Crystal Lake Preserve Homeowner's Association spoke about an issue at their Association.

Board Member Comments: NONE

Being no further questions or comments Joe Turcotte made a motion to adjourn. Second by William Siegle. **ALL AYES.**

Meeting adjourned: 8:10 pm

Next Meeting: October 16, 2019

Respectfully Submitted,
Terri Katsch, Secretary