

**Present at Meeting:** Harry Balz, Chair  
Bill McGhie, Vice-Chair  
Teri Schuerlein, Member  
Mike Raymond, Member  
William Siegle, Member  
Dan Freebern, Alt #2

**Also Present:** Jim Steen, Zoning Administrator  
Bob Olson, Town Board Member

Mary Ellen Stockwell, David Krogmann, Candi and David Dutcher, Brandon Himoff

**Agenda Items: File # 2014-01SD Tax Map 55.-2-5.1 & 72.-1-17 Brant Lake Farm**

Chair Harry Balz, called the meeting to order

Pledge

**Approval of minutes:** Bill McGhie made a motion to approve the August 2014 minutes with minor corrections as noted, 2<sup>nd</sup> by William Siegle, All Ayes.

**Communications:** None

**Public Hearing:** File #2014-01SD  
Tax Map 55.-2-5.1 and 72.-1-17  
Brant Lake Farm  
State Rte. 8 and Grassville Road  
Subdivision

Mary Ellen Stockwell, Attorney representing the applicant stated that the subdivision proposal is to carve a 100 acre contiguous parcel from two tax map parcels (55.-2-5.1 and 72.-1-17). The parcel will contain 1,000 feet of road frontage with a small shoreline parcel on the lake. , there are no wetlands on the property and a JIF was submitted to the APA and do not believe this project will be jurisdictional to the APA, there are snowmobile trails on the property and the purpose of the subdivision is to sell the property.

David Krogmann stated that he, his brother and nieces owns an adjoining parcel and was surprised when he received the notification of the application. David Krogmann continued to give the recent history of extensive negotiations between himself, The Carmels and the Himoffs, regarding purchasing this property to protect/buffer his property. David Krogmann stated that he suspects that this proposed parcel will be sold to Himoff's and concerned with the any proposed development of the parcel, and the impact on his land suggesting that this Board ask the applicant/buyer what their intentions are. David Krogmann stated that he is concerned with what the future impact will be on Brant Lake with the development of such a large tract of land.

Brandon Himoff stated that The Carmel's have not disclosed whom the buyer is, but due to the circumstances, stated that Island Pond Corporation, Himoff, has an agreement to purchase the land and they have been talking about it for approximately eleven (11) years. Brandon Himoff continued on to state that there was a proposal for a forty (40) lot subdivision and out of fear of this type of development, the Himoff's want to preserve the land and make certain that the property was not developed, making a hiking trail, keeping the snowmobile trail, and not selling any lots, there is a possibility of building a home on a ten (10) acre lot off of Grassville Road.

Jim Steen stated that any future development must be compliant with the Zoning Ordinance, any development of this parcel in the future will need approval from this Board.

Harry Balz asked if anyone else had any comments or questions.

Being no further comments or questions, Bill McGhie made a motion to close the public hearing, 2<sup>nd</sup> by Mike Raymond. All Ayes.

**Unfinished Business:** File #2014-01SD  
Tax Map 55.-2-5.1 and 72.-1-17  
Brant Lake Farm  
State Rte. 8 and Grassville Road  
Subdivision

The Board reviewed the State Environmental Quality Review Act Form (SEQRA). Harry Balz stated that Part I of the form was reviewed and amended at the August 2014 meeting. After review, Bill McGhie made a motion to declare a negative declaration, 2<sup>nd</sup> by William Siegle, All Ayes.

Harry Balz stated that the potential buyer indicated their intentions with respect to the proposed parcel.

Bill McGhie stated that this property will protect Point O' Pines investment and a housing development in that area would not be suitable.

Teri Schuerlein stated that this Board appreciates Brandon Himoff coming forward with the information.

David Krogmann stated that the purchaser stated that this purchase is fear motivated but would like something in the deed covenant regarding no development.

Brandon Himoff stated that Hiking trails are not development and not regulated in the Zoning Law, foot paths would be permitted. Brandon continued to state that originally they were looking at purchasing 50 to 60 acres and there was an indication of a forty (40) lot subdivision that no one liked, the Himoff families biggest motivation was that there not be any development on this property.

Jim Steen stated that this proposed parcel is located in two zones, R1 and LC-10. Any development in the LC-10 acre zone will require a Conditional Use. Jim Steen continued on to state that he spoke with Brian Grisi from the APA and requested the applicant file a JIF and suggested that this Board could approve the subdivision on the condition that the JIF be returned as "Non-Jurisdictional".

Mary Ellen Stockwell stated that the JIF has been submitted to the APA but has not heard back from them.

Being no further discussion, Bill McGhie made a motion to approve the subdivision on the condition that the APA declares this project non-jurisdictional, 2<sup>nd</sup> by Mike Raymond. All Ayes.

**Public Comments: None**

**Board Comments: None**

Being no further business before the board Mike Raymond made a motion to adjourn the meeting at 7:45, 2<sup>nd</sup> by William Siegle. ALL AYES

**Next Meeting:** October 15, 2014

Respectfully submitted

*Christine Hayes, Acting Secretary*