

Minutes

Town of Corinth Planning Board 12/21/2006

Meeting called to Order 7:05pm

Present: Louise Reed Althea Rivette
Joan Beckwith Edwin Eggleston
Attorney Pozefsky Fred Mann, Building Inspector - Excused
Absence
Alex Pellizzi- Absent

Public Present:

Carl C. Winslow, Jennifer Winslow, Dave Barrass,
Arleen Springer, Eric Butler, Matthew Kyarsgaard, Cheryl Healy,
Robert Healy

***MOTION TO APPROVE MINUTES FROM NOVEMBER
16TH, 2006 ~ Joan Beckwith**
Seconded~ Edwin Eggleston
All in Favor~ Edwin, Althea, Joan

New Business:

1) Robert Healy:

Mr. Healy was before the Planning Board for a conceptual on a 3 lot subdivision of property located at 1 Sycamore street, right next to the Village and Town lines. There was some discussion as to whether or not the Healy's are in Adirondack park. Mr. Healy said that the proposed lots would have their own sewer and water. Dave Barras confirmed there would be enough room for these lots to have their own sewer and water. Mr. Healy said he had notified his neighbors Mr. Thompson and Mr. Kevin Eggleston of this subdivision and had copies of the letters he sent to them for the planning board. Mr. Healy said the existing home will stay on approximately 1.8 acres of land and the two new proposed lots will be on .461 acres of land each. Mr. Healy informed the planning board that about 5 years ago he bought the streets surrounding his

property because this area was a mess and since then he has given away some of those streets to his neighbors. Attorney Pozefsky questioned Mr. Eggleston owning Poplar Street. Mr. Healy said that it states in the letter from Mr. Eggleston that Poplar Street is a valid right of way for the Healy's. It was formerly owned by the Healy's and sold to Mr. Eggleston. Mr. Eggleston is willing to make it a formal right of way at the County if this subdivision is approved. Attorney Pozefsky asked if the planning board had a letter on file in regards to Mr. Eggleston giving someone else a right of way for this street. Mr. Healy said that right of way on file was for Mr. Eddy. Attorney Pozefsky said that he is sure that the board will want as a condition that lot #2 have legal access over poplar. Mr. Healy said the other lot will have access over Sycamore Street, which he owns and has not yet decided who will own this road, whether it be lot #1 or lot # 2. Mr. Healy will return for a preliminary with a public hearing scheduled for the 18th of January 2007.

2) Matthew Kyarsgaard:

Mr. Kyarsgaard is before the planning board for a conceptual on a subdivision of property located on Rte 9N in the Town of Corinth. Tax Map #'s 99-1-41.1 and 99-1-41.2. Mr. Kyarsgaard said there are wetlands on this property and he has spoke with John O'Connor from DEC. The wetlands have already been flagged. The proposed parcels of property are zoned R3. Chairperson Reed asked if Mr. Kyarsgaard if he had filled out and notarized the Representation Certification form. Chairperson Reed told Mr. Kyarsgaard that the was going to need individual permits for each lot from DEC and that he would also need approval from the County for a driveway (curb cut permit). Mr. Kyarsgaard said he had spoke with the County and they will not look at it until it has been approved by the Town. Board member Rivette was looking for clarification to the actual location of this property. Mr. Kyarsgaard said that it was right after locust Ridge development, a blue chalet house and that his proposed subdivision is right after that on the left before the dip. Attorney Pozefsky questioned if there was any intent in the future to dedicate the proposed roadway to the Town. Mr. Kyarsgaard said that would be his future plan. Attorney Pozefsky discussed the issue of whether this subdivision would be considered minor or major because the property as it sits presently is two separate lots. Attorney Pozefsky said when an applicant does a major subdivision in pieces it is considered segmentation. The only difference between the two applications is the long form SEQR. Therefore, Attorney Pozefsky feels that it is a major subdivision. Chairperson Reed

polled the board members to see if they were all in agreement that this would be a major subdivision. All board members agreed :

Althea Rivette- Yes

Edwin Eggleston- Yes

Joan Beckwith-Yes

Chairperson Reed said there would need to be room at the end of the roadway for an emergency vehicle to turn around. Mr. Kyarsgaard will be placed on the Agenda for January 18th, 2007 at 7:00pm for a Preliminary and a public hearing will be scheduled.

Old Business:

1) Carl & Jennifer Winslow - The Winslow's are before the planning Board for a minor 2 lot subdivision of their property. Tax Map # 87.-2-51.2. They have 13.48 acres of land located at 751 County Rte 25. Property is zoned RR and there are wetlands on this parcel. The Winslow's have their permit from DEC to construct the driveway and the wetlands have been flagged. There was a minor defect in the printing of the public notice for Carl Winslow. The public notice stated that it was a 92 lot subdivision, when in actuality it is only a 2 lot subdivision. Attorney Pozefsky said that the planning board can waive minor defects in a public notice.

***MOTION TO WAIVE MINOR DEFECTS IN PUBLIC NOTICE FOR CARL WINSLOW'S 2 LOT SUBDIVISION~** Joan Beckwith
SECONDED ~ EDWIN EGGLESTON
ALL IN FAVOR~ ALTHEA, JOAN, EDWIN

Jennifer Winslow said that the planning board had requested that they put in a turn around for emergency vehicles and this request has been satisfied. Chairperson Reed questioned if they were planning to have a 25 foot easement for the road. The Winslow's said that they did. Attorney Pozefsky said the Winslow's application had been referred to the Saratoga County planning Board for review. The Saratoga County Planning Board had the following suggestions for modifications:

1) The subdivision plan be modified to provide the proposed lot with adequate frontage for a driveway onto County Rte 25.

2) The required 100 ft separation between well and septic must be provided.

3) Due to the long length of the driveway it should be required that the driveway be constructed to withstand the weight of an emergency vehicle.

Dave Barras questioned if the County was looking for actual lot frontage on this property instead of the easement that was proposed. Attorney Pozefsky said that was what the County was suggesting. Chairperson Reed said she had talked to Code Enforcement Officer Mann and he stated to her that the town only requires 20ft of road with a turn around. Joan Beckwith said the driveway is 25ft wide but that the easement is 33ft wide. Attorney Pozefsky said the Corinth Planning Board could overrule the Saratoga County Planning recommendations with a majority vote plus one. All board members agreed that the driveway that has been proposed is with a deeded easement and that was sufficient for all board members present. Chairperson Reed asked Mr. Winslow if when DEC gave them their permit, if DEC actually came down to inspect the proposed driveway. Mr. Winslow said DEC did come down to inspect the driveway, but they have not been back to close on it because he has until 2009 to finish the driveway.

***MOTION TO WAIVE SARATOGA COUNTY MODIFICATION**

REQUIREMENTS ~ Joan Beckwith

SECONDED~ Edwin Eggleston

ALL IN FAVOR~ Louise, Edwin, Joan, Althea

Attorney Pozefsky also said the Planning Board could adjourn this until next month if the Planning Board wanted clarification from the County. Chairperson Reed opens the Public hearing. There were no public comments.

***MOTION TO CLOSE PUBLIC HEARING** ~ Joan Beckwith

SECONDED~ Edwin Eggleston

ALL IN FAVOR~ Althea, Edwin, Joan

***MOTION FOR A NEGATIVE ENVIRONMENTAL IMPACT** ~ Edwin

Eggleston
SECONDED~ Althea Rivette
ALL IN FAVOR~ Joan, Edwin, Althea

***MOTION TO APPROVE PRELIMINARY AND FINAL
SIMULTANEOUSLY WITH THE FOLLOWING CONDITION**

1.) That the easement for the driveway is in the deed, in case they should ever sell the property.

*MOTION MADE BY ~ Joan Beckwith
SECONDED~ Edwin Eggleston
ALL IN FAVOR~ Edwin, Joan, Althea

Chairperson Reed said she had a message from Code Enforcement Officer Mann for Mr. Winslow. Mr. Winslow should get a warranty deed when he files his maps, because as soon as the Code Enforcement Officer has that, he will be able to give the Winslow's a building permit.

Planning Board:

Chairperson Reed said in 2007 it will be a requirement for all planning Board members to attend at least four hours of training. Chairperson Reed said she knows that some of our board members also hold full time jobs and that she is trying to work something out with Saratoga County to have a class held here at the Town Hall for all members to attend.

***MOTION TO ADJOURN MEETING** ~ Joan Beckwith
SECONDED ~ Edwin Eggleston
ALL IN FAVOR~ Althea, Edwin, Joan