

Minutes 03/15/2007

Town of Corinth Planning Board

Meeting called to Order 7:03pm

Present: Louise Reed Althea Rivette
Edwin Eggleston Eric Butler
Attorney Pozefsky Fred Mann, Building Inspector
Cheri Sullivan, Secretary
Joan Beckwith- Excused

Public Present:

Arleen Springer, Cheryl Healy, Cindy Baker, Sigrid Koch, Sue Wood, Frank Wood, Mae Wood, Sarah Whaley, Bruce Whaley, Dan Babson, Richard C. Straight, Lacy Skinner, Bonnie Peck, Earl Taylor, Ed Byrnes, Mitch Saunders, Barbara Weatherwax, Louise Kirkpatrick, Dave Barrass

***MOTION TO APPROVE MINUTES FROM January 18, 2007~**

Edwin Eggleston
Seconded~ Althea Rivette
All in Favor~ Edwin, Althea, Eric

At the start of the meeting Chairperson Reed announced that there would be no discussion at this evenings meeting about a Local Law amending the Corinth Town Code relating to the disposal of waste. Chairperson Reed said the Planning Board members had just received their copies of the Proposed Law tonight. Chairperson Reed said the Planning Board would make a future announcement as to when and where a workshop will be held.

Old Business:

1) Wayne & Cynthia Baker: Tax Map ID# 87.1-1-17.111

Cynthia Baker was before the Planning Board for a Public Hearing on a 3-lot subdivision of property located at 65 Fuller Road. Cynthia Baker said she was subdividing approximately 27 acres into three lots. The first lot being approximately 5.1 acres, the second lot being approximately 3.5 acres, and the third lot with approximately 18 acres would remain vacant. Mrs. Baker said she had submitted the new revised maps, with the new information the board had requested to be on the maps. Mrs. Baker asked the Planning Board if she could read a letter to them that she wrote. The letter was in reference to a right of way that was on her brothers' property located at 87 Fuller Road that gives access to Lot#3 that is part of Mrs. Baker's subdivision. Mrs. Baker said in the letter, that she felt this was a legal issue and should not have any bearing on the proposed subdivision that is currently before the board.

Board member Rivette said she did not see the easement as a problem as long as the Lot#3 was not landlocked. Board member Eggleston wanted to know about the Quentin Court right of way. Mrs. Baker said the Quentin Court right of way is in all the deeds along Quentin Court and this is the right of way that she intends to use to get to the lots that are proposed.

The Public Hearing notice was read and Chairperson Reed opened the Public Hearing.

Bonnie Peck wanted to know what the time frames were on further subdivisions and what was the definition of wetlands. Mrs. Baker said that she had spoke with George Hodgson, the director of Environmental Services at Saratoga County and he had declared that there were very minimal amount of wetlands on the property and these wetlands were located next to the 5 acre lot that she has proposed as part of her subdivision. Mrs. Baker also said the wetlands are next to the current right of way which is Quentin Court. Board member Rivette said the surveyor needed to ask DEC to flag these wetlands. Bonnie Peck said that ACOE has jurisdiction over streams.

Baker cont.

Attorney Pozefsky said these were issues that needed to be addressed at the building stages and that what was in front of the planning board currently was a 3-lot subdivision. Bonnie Peck asked if the 60 ft right of way could be defined. Attorney Pozefsky said the 60 ft right of way starts at Fuller Road and extends back to lot #3 and if the applicant chose to use lot #3 then there would need to be a turn around on that lot for fire and emergency vehicles.

Attorney Pozefsky said that the other easement on their map is not the primary access for lot #3 and he does not see how it is relevant to this subdivision. Attorney Pozefsky said the Planning Board does not decide what rights people have with right of ways and therefore is not part of the Planning Board's determination. Bonnie Peck said she was concerned about future development on lot #3.

Richard Straight said he bought the property at 87 Fuller Road in 1985 and that there was only 63ft between the edge of the property and the buildings on his property. Code Enforcement Officer Mann said that usually right of ways are 20ft wide and not 60ft. Board member Butler said the easement must have been in the deed when Mr. Straight bought the property. Attorney Pozefsky said the right of way on Mr. Straight's property is not part of this subdivision and that the Planning Board can't and shouldn't decide this issue.

Chairperson Reed asks the public if there are any more questions, and then asks the Planning members.

Attorney Pozefsky said that the board could grant the application with conditions that the wetlands are on the maps prior to signing. Board member Rivette said she would rather the Board hold the Public Hearing open until the applicant comes back with the wetlands on the maps. Board member Eggleston wanted to know if the stream on the map that heads North West goes under the road and if it does it needs to be shown on the map.

There was further discussion and review by the board on the wetlands and the Board agreed to hold the Public Hearing open until map is revised with wetlands showing. Chairperson Reed asked if there was anything else that

anyone would like to see on the maps and there was no reply.

Old Business cont:

2) Cheryl & Robert Healy: Tax Map ID#73.52-1-35

Cheryl Healy was before the planning board for a Preliminary/Final application on a 3-lot subdivision and the public hearing was left open from January's meeting. Mrs. Healy briefly reviewed her plan for the 3-lot subdivision. There were no questions from the public present. There was brief discussion about the right of way on Popular Street. Mrs. Healy said the right of way would be in the deeds for the parcels that were to be created.

***MOTION TO CLOSE THE PUBLIC HEARING~ EGGLESTON
SECONDED~ RIVETTE
ALL IN FAVOR~ BUTLER, RIVETTE, EGGLESTON**

***MOTION FOR A NEGATIVE ENVIRONMENTAL IMPACT~
EGGLESTON
SECONDED~ BUTLER
ALL IN FAVOR~ RIVETTE, EGGLESTON, BUTLER**

***MOTION TO APPROVE PRELIMINARY AND FINAL
APPLICATION~ EGGLESTON
SECONDED~ BUTLER
ALL IN FAVOR~ RIVETTE, EGGLESTON, BUTLER**

New Business:

1) Dan Babson (Babson Homes): Tax Map ID#86-2-8,9,10,11,12,55 Property is zoned R2. Mr. Babson was before the planning Board tonight for a conceptual for a 10-lot subdivision on property located at 181 Heath Road. The property was previously subdivided into 5 lots. Mr. Babson said that there is a total of 32 acres. Mr. Babson said that he had spoken to Casey Hollsworth at DEC and Mr.

Hollsworth said the plans that Mr. Babson had for these 32 acres were much better than the previous owners plans. There were issues discussed such as lots #1 & 2 not having enough buildable land because of the wetlands. There were questions in regards to whether or not there would be enough room for the septic and if Mr. Babson would be able to meet these setbacks. It was discussed that the applicant would need to get special permits from DEC to be able to build on these two lots, and that regardless of what permits were obtained the septic could not be within the wetland buffer. Code Enforcement Officer Mann said the septic would require engineered septic systems because he would not take responsibility due to the abundance of wetlands. The wetlands have been flagged by DEC. Dave Barrass, Surveyor, for Mr. Babson said in regards to the septic this is a Major subdivision and the DOH will be addressing these issues. Mr. Babson was placed on the agenda for April for his preliminary.

- 2) Earl Taylor: Tax Map#98.-1-12.21 Mr. Taylor is before the board tonight for a conceptual on a 3-lot subdivision of his property located at 122 miner Road, Porters Corners. This parcel of property is NOT located within 500 ft of the Greenfield town line. Property is zoned RR and there is 11.01 acres to be divided. Mr. Taylor said his intentions were to give the middle lot to his daughter. Mr. Taylor wants to create two (2) four acre parcels and a 2 ½ acre parcel. Mr. Taylor said he was looking to deed the parcels so that they may not be further subdivided. Mr. Taylor told the board that there were no wetlands on the property and that the land was level. Code Enforcement Officer Mann said there would need to be enough room with the proposed driveways for emergency vehicles to turn around. Mr. Taylor said he had no intentions to build on these lots and his house is currently on one of them. Mr. Taylor was placed on the agenda for April for his preliminary.

Planning Board:

Chairperson Reed spoke to the board members about discussing the proposed Local Law Amending the Corinth Town Code relating to the disposal of Waste. Chairperson Reed said the Planning Board had only 35 days from the 8th of March in which to submit their recommendations to the Town Board. Attorney Pozefsky said he wanted to clarify, that the words in the proposed law that are crossed out are the words that have been taken out, and the words that are underlined are the new words being put into the law. Attorney Pozefsky said the workshop would need to be advertised to the Public. The Board briefly discussed possible dates to have the workshop. Attorney Pozefsky told the board members specific sections of the Town Code to look at, review and to refer to. Board member Rivette told the board she felt that the Planning board members should have copies of the Town Code Book.

***MOTION TO ADJOURN MEETING** ~ Eric Butler

SECONDED ~ Althea Rivette

ALL IN FAVOR~ Althea, Edwin, Eric

Respectfully Submitted

Cheri Sullivan