

# **Minutes November 29, 2007**

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## ***Town of Corinth Planning Board***

Meeting called to Order 7:05pm

### **Present:**

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

### **Public Present:**

Sigrid Koch, Arlene Springer, Fred & Crystal Clothier, Kevin Skinner

### **\*MOTION TO MOVE THE NOVEMBER 15, 2007 MINUTES TO THE DECEMBER 20, 2007 MEETING ~ Althea Rivette**

Seconded~ Edwin Eggleston

All in Favor~ Louise, Edwin, Althea, Joan and Eric

### **New Business:**

Secretary reads Public Notice into record.

Chairperson Reed opens the Public Hearing.

1.) **Kevin Skinner:** Site Plan Review: Property is currently a vacant lot. Applicant is proposing construction of a workshop/ Adirondack style store. Property is located at 4536 Rte 9N in South Corinth. Property is zoned SCH. Mr. Skinner said that the proposed size of the building is to be 64 x 100ft. Mr. Skinner said it would be similar to Suttons and the Silo in Glens Falls. Board member Eggleston said that Saratoga County

Planning Board mentioned that the well should be relocated to the other side of the building so that future access to rear of property is not encumbered. Mr. Skinner said he was planning to make that change on his own. Board member Butler wanted to know if everything regarding the Zoning issue had been resolved with the Town Board. Chairperson Reed said that the Town Board passed it. Board member Butler wanted to know when this happened. Chairperson Reed asked secretary Sullivan if she had paperwork on this issue. Secretary Sullivan read resolution #213 passed by the Town Board and the Planning Boards' letter to the Town Board.

Chairperson Reed asked Attorney Pozefsky if he had any questions. Attorney Pozefsky said his comments had to do with the requirements that are suppose to be on the maps. Attorney Pozefsky said under the Town Code section 6.4b it list all the things that are suppose to be on the maps. One of these is the height of all existing and proposed buildings, location, design and construction materials of all proposed signage, the proposed location, direction, power and hours of all outdoor lighting. Attorney Pozefsky said that he did not see any of this on the map and he is not sure if Mr. Skinner had reviewed any of this. Attorney Pozefsky said he feels that there is a few that should be on the map that are not, especially for a new building. Chairperson Reed said it would have to be on the new building because there are no existing buildings on the lot. Attorney Pozefsky said that was correct so things like the height of the building, the signage, the landscaping plans, grading and some of those things, which may not be necessary, but the plan is suppose to at least show what the proposals are. Board member Eggleston said that Mr. Skinner does state on the map that it is going to be pole barn construction and there is a parking lot on the map. Board member Rivette asked if there had been a perk test done. Mr. Skinner said that Bradley's Septic did it and it was acceptable with the Code Enforcement Officer. Attorney Pozefsky said the Planning Board could waive these requirements if they don't feel that it is necessary. Board member Rivette asked about outdoor lighting and if it was necessary. Attorney Pozefsky said that it is necessary only if the board chooses to get into it. Chairperson Reed said that in regards to the signage he has to go to Code Enforcement. Board member Rivette did not feel that the lights would be an issue, and that it was common sense that the lighting should not be directed towards the road. Board member Beckwith asked Mr. Skinner what type of lighting he was planning to use outdoors. Mr. Skinner said his intentions for outside lighting was just for security lighting.

Board member Eggleston said he thinks that there is something questionable in regards to the map showing the parking, in that the map does not reflect anything in regards to the access road on the side of the building for the delivery trucks. Mr. Skinner said that would be difficult to show since he does not know where the state is going to give him his curb cut access. Board member Beckwith did not feel that the security lights would pose a problem because Mr.

Skinner was changing the building from a pole barn style to a conventional style building. Board member Beckwith asked about the landscaping. Mr. Skinner said it was mostly parking lot and that he had plans to put in some shrubbery in on the corners of the parking lot. Board member Butler said that one of the things Attorney Pozefsky brought up was the drainage part of this site, because of the house that is next door. Board member Butler said now that there is no shrubbery or trees and that run off should be an issue of concern. Board member Eggleston asked which way the lot was pitched. Mr. Skinner said that presently it is flat. Board member Eggleston said considering this when Mr. Skinner gets ready to start grading that the best way would be to tip it so that the runoff drains to the back of Mr. Skinners lot.

Chairperson Reed asked the Board if they were happy with the maps presented as is. Board member Beckwith said that she was as long as it gets graded so that the runoff is towards the back of the property. Mr. Skinner said that the front of his building as it is proposed to sit, is even with the back of the neighboring house. Mr. Skinner also said that he did not remove any trees from the parcel of land. Code Enforcement Officer Mann said he just wanted to reiterate the fact about the well; it has to be 100ft away from the neighbors septic. Mr. Skinner said he talked with Sam Holland who was the person who put that septic in and Mr. Holland said the septic was actually on the other back corner of the house. Code Enforcement Officer Mann said that he is only going by what the map that Mr. Skinner presented shows.

Chairperson Reed asked if there was any member of the public present that was for or against this Site Plan review. There was no comment for or against from the public present.

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

Seconded~ Edwin Eggleston

All in Favor~ Louise, Edwin, Althea, Joan and Eric

Chairperson Reed said the board needed to make a motion to eliminate some of the requirements on this site-plan review. Attorney Pozefsky said the Planning Board could move to waive the rest of those site-plan issues stating that they are not necessary, if the board chooses, just so there are no questions as to whether or not they were reviewed. Prior to a motion being made to waive these requirements Board member Butler states that he had a question. Board member Butler said the question is being that this is site plan review, and the map presented is the map that has been submitted, he feels that the required items are clearly all not on the map. Board member Butler said if Mr. Skinner is going to submit this map for site plan review then clearly it should all be on there. Board member Butler said that he does not have any issues regarding what has been discussed verbally with the site plan review, but in

regards to the map, everything just discussed such as the driveway, shrubs in front and the well should be moved, etc. Board member Butler said the Planning Board was about to set a standard here and this is what they needed to be careful of. Board member Rivette agreed with Mr. Butler and said that the Planning Board has asked individuals prior to this, to have all the requirements in their entirety. Board member Beckwith said with that being the case they should require it. Board member Beckwith stated that Mr. Skinner would not need another public hearing; he would just have to come back with a revised map.

Chairperson Reed said that was correct. Attorney Pozefsky said tonight the Planning Board could give preliminary approval and tell Mr. Skinner to come back with everything on the map and the board would then give final approval. Mr. Skinner said that he would like to get started on this building prior to the frost setting in the ground, so this project does not have to set for another year. Attorney Pozefsky said he had another suggestion, which is to actually grant preliminary and final approval all at once and add conditions to it. Attorney Pozefsky said the conditions could be that Mr. Skinner actually shows on the map whatever it is that the board wants on the maps prior to Chairperson Reed signing. Board member Butler said he felt if there were conditions that included the extra items that weren't on the map and should be, that he would be good with that.

Board member Beckwith wanted to review what the board was requesting to be on the final map. Chairperson Reed said 1) that Saratoga County Planning had recommended that the well be relocated to the other side of the building so that future access to rear of property is not encumbered 2) the height of the proposed building, 3) Design and construction materials of all parking and truck loading areas. Chairperson Reed asked Mr. Skinner if there was going to be any outdoor storage. Mr. Skinner said the building itself is 40 x 100ft and then there is 12ft lean-tos on each side of it and that is the proposed open storage area, it is not enclosed 4) location of outdoor storage areas, 5) Location, design and construction materials of all existing or proposed site plan improvements, including drains, culverts, retaining walls and fences, 6) Location, size, design and construction material of all proposed signage. The issue of outdoor lighting was discussed and Mr. Skinner said that he was not sure what type of security lighting he was planning to use. 7) Landscaping plan. Mr. Skinner said that the curb cut would determine where the actual location of the shrubbery would be. Chairperson Reed said as long as it is showing as proposed on the map. Chairperson Reed asked about the buffer area. Board member Beckwith said that if Mr. Skinner plans to put the proposed fence area near the parking lot then that would be a sufficient buffer. Chairperson Reed and Attorney Pozefsky said that the only state or Federal permit needed was from Saratoga County and it was 8) curb cut permit.

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

SECONDED~ Joan Beckwith

ALL IN FAVOR~ Louise, Edwin, Althea, Joan and Eric

**\*MOTION TO APPROVE SITE-PLAN REVIEW FOR PRELIMINARY AND FINAL WITH THE FOLLOWING CONDITIONS APPLIED TO SITE PLAN MAPS**

**SUBMITTED:** ~ Joan Beckwith

SECONDED~ Althea Rivette

ALL IN FAVOR~ Louise, Edwin, Althea, Joan and Eric

**The following conditions must be met:**

- 1.) That Saratoga County Planning had recommended that the well be relocated to the other side of the building so that future access to rear of property is not encumbered
- 2.) The height of the proposed building.
- 3) Design and construction materials of all parking and truck loading areas.
- 4) Location of outdoor storage areas.
- 5) Location, design and construction materials of all existing or proposed site plan improvements, including drains, culverts, retaining walls and fences.
- 6) Location, size, design and construction material of all proposed signage.
- 7) Landscaping plan.
- 8) Curb cut permit.

**New Business:**

**1.) Boundary Line Adjustment:** Crystal Clothier was before the Planning Board for a Boundary Line Adjustment for the following parcels 73.24-1-4 & 5. The board members reviewed the Boundary line Adjustment with the applicant. Board member Beckwith asked Attorney Pozefsky if the applicant already had signatures from the other parties involved if the Planning Board had any more to do. Attorney Pozefsky said he wanted to take a moment to refresh the Planning Board on Boundary Line Adjustments. Attorney Pozefsky said according to the Town Code under subdivision, there are basically three things; subdivision, site plan review, special permits and referrals from the Town Board when the Planning Board is reviewing a new Law and PUD'S. Attorney Pozefsky said the Planning Board has authority

over subdivision, when a new lot is created. Attorney Pozefsky said the applicant is not creating a new lot here, and under the definition of subdivision it states “ that it does not include a Boundary Line Adjustment where there is a small amount of land”. Attorney Pozefsky said that once this board reviews the maps and states that this is a Boundary Line Adjustment with a small amount of land, the Planning Board is done. The Planning Board has no authority over it because it is not a subdivision. Attorney Pozefsky said the Planning Boards responsibility is to verify that it is a Boundary line Adjustment and that it is a small amount of land. Attorney Pozefsky said there is only one exception to this and that is when an applicant is changing the lot line on a filed subdivision map that has been previously approved by the Town of Corinth Planning Board. Board member Beckwith asked if there was anything else that the applicant had to do. Attorney Pozefsky said just to file their maps at Saratoga County. Chairperson Reed said she has to sign off on these maps prior to them going to Saratoga County, and Saratoga County won’t accept the maps without a signature. Attorney Pozefsky said the only reason that the county wants the maps signed is to ensure that the Planning Board is aware of what is happening. There were no further questions.

**\*MOTION THAT THE PROPOSED BOUNDARY LINE ADJUSTMENT IS A SMALL PIECE OF PROPERTY AND THEREFORE IS A BOUNDARY LINE ADJUSTMENT**

~Joan Beckwith

SECONDED~ Althea Rivette

ALL IN FAVOR~ Louise, Edwin, Althea, and Eric

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

SECONDED~ Althea Rivette

ALL IN FAVOR~ Louise, Edwin, Althea, Joan and Eric

**\*MOTION TO APPROVE ~Althea Rivette**

SECONDED~ Eric Butler

ALL IN FAVOR~ Louise, Edwin, Althea, and Eric

**\*MOTION TO ADJOURN MEETING ~ Joan Beckwith**

SECONDED ~ Edwin Eggleston

ALL IN FAVOR~ Louise, Edwin, Althea, Joan and Eric

Meeting Adjourned at 7:56pm

Respectfully Submitted  
Cheri Sullivan