

Minutes October 16, 2008

Town of Corinth Planning Board

Meeting called to Order 7:03pm
Pledge of Allegiance

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

Public Present:

Sigrid Koch, Arleen Springer, Dave Barrass, Steven Smead,
Linda Lawrence, Cathy Reed ?

After Roll Call the following business was conducted:

***MOTION TO APPROVE MINUTES FROM SEPTEMBER 18, 2008 WITH THE CORRECTION ON PAGE ONE, CHANGING ROAD TO RODE.**

Motion~ Beckwith
Seconded~ Eggleston
Polled as follows:
Butler-Yes, Eggleston-Yes, Beckwith-Yes, Reed-Yes

Public Hearings: None

Old Business: None

New Business:

1. **Robert A. Miller/ Steve Smead:** Tax Map ID # 88.-1-4.Mr. Barrass spoke on behalf of Mr. Miller and Mr. Smead regarding the proposed 2-lot Subdivision of land located on 4 Folts Road and County

Route 24. Mr. Barrass said the property is Zoned RR, requiring a minimum of two acres to subdivide. Applicant is proposing to subdivide said parcel into two lots, first lot being 70+/- acres, the second lot being 2+/- acres. Mr. Barrass explained that the proposed driveway was with an easement and the exact location was yet to be determined by the contractors and he would be updating the map at a later date. Mr. Barrass said that the 50 ft access area to get to the river was not in its exact location either and that change would also be reflected later. Mr. Smead said he was not going to do anything with the river access strip except to build stairs down to the water. Board member Beckwith questioned the necessity of the curve in the proposed driveway and if there was enough room for emergency vehicles to turn around. Mr. Smead replied that it would depend on the steepness of the land and the contractor was at the site today making adjustments. Mr. Smead said there would be ample room for the emergency vehicles. Chairman Butler asked Attorney Pozefsky if there were any issues that needed to be addressed regarding the frontage and access to the river. Attorney Pozefsky said there was not, however the application would have to go to Saratoga County for their review because the property abuts county route 24.

Chairman Butler asked if there was controversy regarding the driveway and the easement, which the board should be aware of. Attorney Pozefsky said he spoke with Jamie O'Neil about this and Saratoga County is not fond of deeded right of ways pertaining to driveways. Attorney Pozefsky said Ms. O'Neil stated that she was not fond of the layout of this subdivision. Attorney Pozefsky said Ms. O'Neil told him that even though Saratoga County Planning is not fond of the layout, the county would not stand in the way of it. Attorney Pozefsky also said Ms. O'Neil said she would have the County Attorney take a look at this subdivision. Mr. Miller and Mr. Smead both said they had talked to Ms. O'Neil at the county also, she told them that she would not have any problems with this subdivision. There were some discrepancies between conversations had with Ms. O'Neil. Attorney Pozefsky said the board is going to have to wait until they get a reply back from Saratoga County Planning as to exactly what their recommendations will be. Chairman Butler questioned Attorney Pozefsky on the correct procedures, when an application is forwarded to the County.

Attorney Pozefsky said the application as is presented, is forwarded to the County Planning Board, for their review and the Public hearing is scheduled for next months meeting. Attorney Pozefsky said ultimately it would be up

to this Planning Board to accept or reject the subdivision.

Board member Beckwith wanted to know how the construction being done on the driveway was going to affect the runoff once the trees were removed. Mr. Smead explained that Adirondack Industries the company that will be doing the work are actually going to have to make the road 50ft wide in some places, they already know what culverts and materials they will need to minimize the potential for runoff. Mr. Smead said that there is almost 400ft of driveway before it gets to Folts Road.

Chairman Butler asked Mr. Miller what would happen if at a later date another house were to be placed on the property. Mr. Miller explained that he had no reasonable intentions of further developing the property. Mr. Miller said that he is looking into a conservation easement around the farm area of the farm area of the present home and the other part of his property, he may in 3-4 years decide to put up another home. Mr. Miller said he also had intentions in a couple of years to sell more property to Mr. Smead. Mr. Smead said once he acquires more property, it would include the deeded right of way that is currently being proposed. Board member Beckwith asked if that was currently in the deeded right of way or in a written agreement that this proposed roadway to be shared. Mr. Smead and Mr. Miller said that that language is in an agreement that they have between them, other than just the deed. Mr. Miller said it is in there to allow him to have options for the future.

Attorney Pozefsky asked Mr. Barrass if the driveway was going to be the required 20ft width because it did not specify on the maps. Mr. Barrass said it was and he would revise the notes on the map to reflect so. Mr. Smead asked if there were any requirements regarding gravel. Code Enforcement Officer Mann said the Town Code does not state anything about gravel but he could check into it further with the state. Mr. Miller said if a Town takes over a road it has to be built to different standards than a privately owned road.

Mr. Miller and Mr. Smead were put on the agenda for a public hearing at the November 20th meeting at 7:00pm.

Other Business:

Chairman Butler reminded the board about the training classes in

their folders, one on October 30th and the other on November 07th.

Linda Lawrence:

Ms. Lawrence was before the board with a few more questions relating to her 11-lot family exemption subdivision. Ms. Lawrence said she had spoke with Dave Barrass and he told her she was going to need an engineer's approval for this subdivision. The information she received from Mr. Barrass was very overwhelming to her. Ms. Lawrence said she was looking for clarification as to the widths of the lots because Mr. Barrass told her that each parcel needed to be 200ft wide in order to build and it had to still meet the zoning setbacks. There was brief discussion amongst the planning board and attorney regarding if there had been any changes regarding this in the code, and it was decided that there had not been any changes made to the code. Attorney Pozefsky referred to PG A-8 in the land use book regarding lot width and read the definition. Board member Beckwith said the lot has to be 200ft wide at the point the house is to be placed at.

Board member Reed said she called DEC this past week and if Ms. Lawrence puts an application into DEC they would flag the wetlands for free. Ms. Lawrence said the wetlands are currently flagged.

Ms. Lawrence also asked Code Enforcement Officer Mann about the width of the road to be used for this subdivision if it had to be 60ft from the center of the road to the road frontage. Code Enforcement Officer Mann said he would require that there is 30ft from the center of the road on each side; because even though he has no jurisdiction over this he can foresee in the future, that the siblings will sell the land and then, there is the possibility of having passing traffic on that road in the future. Code Enforcement Officer Mann said that if this happens in the future he will not issue building permits and then there will be big issues and that is why he wants the road way to be at least 60ft wide now so that cars are able to pass in opposite directions. Board member Beckwith said the board does have a say as to whether or not fire and emergency vehicles can get in and out of this family subdivision. Code Enforcement Officer Mann said there has to be at least 20ft road width for emergency vehicles and stated if it is only 20ft wide and an emergency vehicle is on the road way (and this is an 11 lot subdivision) then it would be impossible for vehicles to enter or exit if the roadway is not at least 60ft wide. Mr. Mann stated if this were not a family subdivision,

60ft is what the roadway would have to be by code. Ms. Lawrence wanted to know if there were any minimum requirements for the width of the cul de sac. Mr. Mann said he was not sure on that and would have to look it up and get back to her. Board member Eggleston said he heard it was an 80ft radius in the cul de sac.

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

SECONDED ~ Althea Rivette

ALL IN FAVOR~ Eric, Edwin, Louise, Joan

Meeting Adjourned 7:45 pm.

Respectfully Submitted

Cheri Sullivan