

Minutes

March 19, 2009

Town of Corinth Planning Board Meeting

Meeting called to Order 7:00pm

Eric Butler, Chairman
Althea Rivette, Vice Chairperson
Louise Reed
Joan Beckwith
Philip Giordano
Mark Montanye, Alternate
Attorney Pozefsky
Fred Mann, Building Inspector
Cheri Sullivan, Secretary

Public Present:

Edwin Eggleston, Cathy Reed, Larry Ramsey Jr., Cheryl Ovitt,
Arleen Springer, Sigrid Koch, Dave Barrass, Warren Longacker, Don Darrah,
Matthew Kyarsgaard, Amanda Peterson

Public Hearings: None

Old Business: None

Correspondence:

1. APA notification-Gary Joseph & Debra Akrop; Winery Permitted use in RU zoning. 58.-1-68. Code Enforcement Officer Mann said this was a permitted use in this area as it is listed under agricultural.
2. APA notification- Charles & Lisa Camerilli; Construction of a single family dwelling in area zoned as low intensity on Davignon Road tax map # 58-1-9.13. Code Enforcement Officer Mann said he was not sure what is taking place at this residence however, he does know that the applicant owns a 100ft x 60ft garage that contains vehicles and the applicant was looking to put in a septic, so he is not sure if the applicant has decided to build a home or not.
3. Training on March 31, 2009 from 6pm-9pm in Fort Edward – Will satisfy 3hrs of the 4hr mandatory training requirements.
4. Training on September 13-15th, 2009 in Lake Placid-71st annual Planning & Zoning conference.

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New Business:

1. Boundary Line Adjustment: Cheryl Ovitt

Property is located on Hollister Road and is zoned RR. Property was previously subdivided as a Family subdivision. Applicant will not be giving property to family member and wishes to combine lots 100.-1-23.41 and 100.-1-23.43. Attorney Pozefsky told the board that if the boundary line adjustment is approved Ms. Ovitt would be taxed at a lower rate because she would be paying taxes on one parcel and not two as she is currently.

***Motion to Approve Boundary Line Adjustment.** ~ Beckwith

SECONDED ~ Rivette

Polled as follows:

Butler-Yes, Rivette-Yes, Reed-Yes, Beckwith-Yes, Giordano-Yes

2. Matthew Kyarsgaard: Proposed Major Subdivision

Mr. Kyarsgaard is here for a conceptual on a Proposed Major Subdivision (6-lot) on Rte 9N. Property is located on Rte 9N north of the intersection with Depot Road in South Corinth. Warren Longacker an engineer for Mr. Kyarsgaard spoke on his behalf and stated that this is a different subdivision than what was proposed in the past and that the applicant has acquired more property. Warren Longacker said the applicant wishes to combine three separate parcels to create this proposed 6-lot subdivision. Tax Map #'s 99-1-41.1(22.03 acres/60ft road frontage/ R3) and 99-1-41.2 (3.38 acres/ 540 feet road frontage/R3) and 99.-9-1-30 (1.23 acres/ 284 feet of road frontage/ R2 & R3). Warren Longacker said they are proposing two separate curb cuts for this development. There was great concern with the board members present in reference to the wetlands on this proposed subdivision. Chairman Butler said the applicant is going to have to have the wetlands flagged by DEC (the maps state that the wetlands were flagged by VanGuilder Associates (Wetland Biologists) in 2008) and the ACOE will have to be involved because the kaderoseros creek flows into Saratoga Lake. Board member Rivette asked if the wetlands had ever been flagged. Code Enforcement Officer Mann said neither he nor any other board members have previously walked these parcels to be certain of where the wetlands lie. Warren Longacker said DEC had flagged these wetlands in 2001 but they will need to be done again because it is past the three-year time limit that DEC has. Chairman Butler expressed concerns with the driveway on the bottom of the map and wanted to know if this was a shared driveway for the proposed four homes or if it was to be deeded to the Town and if because it was in a proposed major subdivision if indeed it did not have to be turned over to the town. Mr. Longacker said the driveway would be done with easements. Chairman Butler said his other concern was that at present there was no room for emergency vehicles to turn around. Board member Giordano said he felt that it was a particularly bad place on route 9N to be entering and exiting the highway and thought that the applicant may have issues obtaining a curb cut permit. Mr. Longacker said the state would look into the site distance issues when the applicant submits his

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preliminary plans. Board member Reed said it looks as if with this shared driveway that it will be in the wetlands. Mr. Longacker said the driveway was not in the wetlands and clarified on the maps. Mr. Longacker said they were at tonight's meeting for a conceptual of the site plan looking for direction and a feel of there they may encounter issues. Code Enforcement Officer Mann said the maps do not show how wide the proposed driveway is and it should be as wide as 60ft that is what would be required if the Town was to assume the road. Code Enforcement Officer Mann said if it is going to be privately owned then the only requirement is that it has to be 20ft wide but that the board should view this, as there will be a possibility of the town assuming the road at some point. Chairman Butler stated if the applicant has to have a shared driveway that is 60ft long then Lot # 1 would no longer meet the lot size requirements in zoning. Surveyor Darrah said the lot sizes could be adjusted to meet the zoning requirements. Board member Beckwith questioned the distance of the septic on the proposed maps. Code Enforcement Officer Mann said the only requirements with the septic are that it has to be 20 ft from the property line and 100 ft from the wells. Code Enforcement officer Mann said lot #3 with the proposed septic will still have to be 10ft away from the right of way line in regards to the proposed driveway. Board member Beckwith stated to the applicant that if the proposed road going to the four houses is not turned over to the town then it will have to be in the deeds. Board member Beckwith said if some of the proposed wells are in the wetlands that the applicant would be needing a permit from DEC. Mr. Longacker said they would be needing a permit from DEC. Chairman Butler questioned the recommendation from Clough Harbour on the last application the applicant submitted regarding the 200ft requirement of road frontage. Attorney Pozefsky explained that most municipalities have a 200ft road frontage requirement but the Town of Corinth does not and Clough Harbour probably just assumed that the town did in their previous recommendation. Chairman Butler asked Mr. Kyarsgaard why he feels that this proposed application for a major subdivision is different from the previous one two years ago, that had four lots compared to this proposed one with 6lots; because with the previous application Saratoga County, DEC and the towns engineer all felt that four homes was too dense for this particular site. Mr. Kyarsgaard said with the subdivision proposed two years ago he did not have access on the southerly side of the creek, and he has purchased the extra parcel which has enabled him to do such. Mr. Kyarsgaard said he intend to build six nice homes that will ad to the tax base for the Town of Corinth. Chairman Butler asked if there were any other suggestions from the board members present. Board member Reed said she would suggest the applicant submit an application to DEC with the proposed maps and send a copy of the maps to Clough Harbour for the towns engineer to review. Attorney Pozefsky said the maps could not be sent to Clough Harbour because the applicant has not submitted a complete application as of this time. Chairman Butler said if the applicant returns with the recommendations from DEC that at the next meeting he feels it would be helpful to have the Superintendent of Highways present for his opinion on the proposed driveway.

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***Motion to Approve Minutes from January 29, 2009.** ~ Beckwith

SECONDED ~ Reed

Polled as follows:

Butler-Yes, Rivette-Yes, Reed-Yes, Beckwith-Yes, Giordano-Yes

***MOTION TO ADJOURN MEETING** ~ Giordano

SECONDED ~ Beckwith

ALL IN FAVOR~ Eric, Louise, Althea, Joan, Phil

Meeting Adjourned 8:06 pm.

Respectfully Submitted

Cheri Sullivan