

Town of Corinth Planning Board

600 Palmer Avenue

Corinth, New York 12822

Phone: 518-654-9232 ext. 6

Fax: 518-654-7751

Planning Board Meeting Minutes: August 27,2020- Draft

Planning Board Members

Chairman

David Barrass

Members

Althea Rivette

Dan Willis

Joan Beckwith

Louise Reed

Daren Potter: Alternate

Planning Board Attorney

Jackie White

Planning Board Secretary

Lynn Summers

Meeting was held virtually via Zoom

1. Meeting was called to order at 7:05 PM by Chair David Barrass

Attendance roll call.

Members Present:

Althea Rivette – Yes

Joan Beckwith – Yes

Dan Willis- Absent

Louise Reed – Yes

Daren Potter- Yes

David Barrass - Yes

Lynn Summers - Yes

Jackie White - Yes

2. Motion to approve July 30, 2020 minutes with correction

Motion to accept the 7-30-20 minutes with correction made by Joan Beckwith seconded by Daren Potter, All in favor-aye

3. Public Hearing- Joan Beckwith Planning Board Member recused herself

Petruzzo – Minor Subdivision – 2 Lot Subdivision- Owner to subdivide the 74 acre parcel into 2 lots creating a new 8.2 acre lot

603 Main St.

TM# 74.-1-85

2 Lot Subdivision – Applicant Hartman Hill LLC- represented by Kristin Darrah

Subdivision of R Petruzzo property located in Industrial Zone. We have Jim Martins determination and he has no issues with the application.

Use- presently a firewood processing operation and this will be the continued use.

The easement and neighbor's driveway encroachment were discussed at the previous meeting. The map has been revised to show a boundary adjustment correcting the driveway encroachment. The easement will stay in place to facilitate the turning of trucks. Access to the new lot would be by use the existing gravel road. The boundary adjustment will not change any of the road frontage for the new lot.

Board Members- Comments

Louise- no questions

Althea- no questions

Daren- no questions

SEQR- Short Environmental Assessment Form – Part 1 was completed by the applicant

Unlisted action- Short form

SEQR Part 2&3- Jackie White – Attorney read the questions from Part 2&3 with the Planning Board responding and completing the SEQR process

Motion made to declare a negative declaration not resulting in any adverse environment impact made by Althea Rivette seconded by Daren Potter all in favor- aye (Roll taken- Daren- yes, Dave-yes, Althea-yes, Louise-yes)

The Public Hearing Notice was read into the record and the mailing receipts have been received from the applicant.

Open Public Hearing at 7:15pm

Public Comments

Donald Street- Golden Rule Property LLC

Owns the property joining both Heath Reynolds and Petruzzo's property

He voiced his disagreement that the subdivision would have little impact to the Neighborhood. He stated that Mr. Reynolds installed a fence along his woodyard for the protection of children but there is a sawmill in operation that is causing a noise problem. There is noise from the sawmill and back up beepers on equipment that cause people to not be able to use the outside decks on his property. He questioned if additional sawmill were to be installed as a result of this subdivision and if there was any proposal to control the noise.

Joan Beckwith- speaking as a member of the public and adjoining owner (recused herself as a Board Member)

Questioned a dashed boundary line shown on the map. It was explained that the line was on the remaining Petruzzo land and not on the new lot being created. She asked if another wood storage lot was being proposed and if the existing buildings were to be removed. She stated that she felt that the noise concern should be a part of SEQR and asked if there was a noise ordinance in the Town Code. She asked if operations on the new lot were to be combined with operations on the Reynolds lot. She stated that there would be an increase in traffic and that a traffic study might be required.

David Barrass – Chair- commented that they are continuing the present use.

Kristen Darrah- Land Surveyor representing Petruzzo said they are continuing the current operation, moving the operation further away and off the Reynolds Property and adding nothing new.

No more Public comments

Public Hearing closed at 7:33PM- Motion made to close the public hearing by Daren Potter seconded by Louise Reed, All in favor- aye

Board Comments

Louise – Stated that she was aware of the fence and questioned whether there were local, county or State noise ordinances.

Daren- none

David – responded to Mr. Streeter comments-

The property is in the Industrial Zone- zoned for light industry

This is a Sub-division application not a Site Plan Review

Althea-left the meeting due to technical issues

Jackie White –

The Use is not before the Planning Board for determination.

Code Enforcement Officer makes decisions re: Noise

Noise is not a concern of the Planning Board

The board can go back to Jim Martin (Zoning Administrator) re:

Determination that the current use is permitted. .

If the board decides to move forward tonight it is not the PB responsibility to answer these questions.

The Town of Corinth has not adopted a noise ordinance.

Board Comments/discussion

After discussion it was the consensus of the board to move ahead with approval Of the subdivision contingent upon a determination by the zoning administrator that the existing use is permitted.

Motion made to approve the Sub-Division with condition upon confirmation from the Zoning Administrator that the proposed use is a permitted use made by Louise Reed, seconded by Daren Potter. All in favor- aye

Dave will contact Kristen Darrah re: the zoning administrator's determination.

Need Mylars and paper copies of the map. The deed for the boundary adjustment will need to be recorded before the deed for the new lot.

Emery – Major Subdivision – 4 Lot Subdivision – Planning Board Member – Joan Beckwith recused herself- she is a relative of the applicant

County Rt 10

TM# 86.-1-2

Located in commercial and rural use zone

Limited road frontage so the proposed lots are flag lots

Property located in the Adirondack Park (APA) – received letter from

APA stating it is non-jurisdictional

Saratoga County Planning Board review received.

Jim Martins Determination received

Lots- flag lots have limited road frontage

At the last PB Meeting the Board requested the following map revisions:

1. Add the driveway note
2. Add the land use zone line and setback requirements.
3. Correct the adjoining owner name on parcel 73-1-49
4. Correct the railroad owner name (Town of Corinth)
5. Remove Sketch Map from the title for the final map submission

The revised maps with the changes/revisions were submitted to the Planning Board.

Saratoga County Planning Board (SCPB) Determination –

No Significant Countywide or Intercommunity Impact

Comment: Originally the initial review of the subdivision plan was leaning to a staff recommendation of a modification of the subdivision plan because: 1) we questioned whether single family residences were a principal permitted use in the Commercial Zoning District, 2) we did not recognize flag lots as being defined by the town subdivision regulations (nor designed in practice), 3) the normal concern with issues that may arise with the use of limited lot frontage on a county road for four consecutive driveways, and 4) the handling of the future development of the remainder land of Lot 4, being 163 acres. Appendix D, Land Use District by Location of the town's Land Use Law indicates that land along a portion of Mosher Road is designated Rural Use and that County Road

10 (Mosher Rd., entirely(?)) is designated as Commercial. Although the dividing line for the Districts is unknown/undefined it would appear that both the Appendix and the - 2 - town's 2005 Land Use Law Map identify the Emery property as being zoned Commercial. Since the initial review of the material received from town staff our office has further reviewed the town's Land Use Law and the district Map and had email and telephone discussion/correspondence with the county Department of Public Works relative to the location and construct of four driveways onto the county road. We have discussed the rationale of subdivision plan and lot layout with the owner/applicant, we have reviewed the subdivision's impact on access to Saratoga County forest lands, and discussed each of these matters with the town planning board chairman. While both Districts allow single family dwellings as permitted uses as of right and as building lots in the Commercial District require a minimum lot width of 200 feet and those in the Rural Use District require a minimum lot width of 250 feet. None of the four proposed lots come close to meeting this minimum lot width requirement, as the tax parcel's width on Mosher Road is measured at approximately 236 feet by plan. However, the town's subdivision regulations allow for development of a lot or lots within a subdivision with a minimum flag lot width of 20 feet, the criteria of which these four lots meet. The town planning board should have a formal discuss of record with the subdividers regarding future plans of development of Lot 4, the remainder lands (163 acres). The plan shows Lot 4's frontage being 60 feet in width, meaning that two additional flag lots could feasibly be divided from it in the future. An additional and critical component of the proposed subdivision plan and existing conditions (which, however, have not been recorded on the submitted subdivision plan) is the representation on the plan and among the six map notes of the "existing dirt road" paralleling the northern boundary of proposed Lot 1. Because that dirt road does exist and because it does pass over the NE corner of proposed Lot 1 there should be an identifying arrow w/note and a Map Note added to the plan incorporating reference to the filed deed and description of an access easement to the benefit of Saratoga County for management of County forest lands adjacent to and north of the subject property. Please see applicable materials submitted to the town in reference to this deeded easement.

Board discussion with the Applicant re: Lot 4 use
Short Environmental Assessment Review (SEQR)

Jackie White – Attorney – Part 1 was completed by the applicant
Jackie read Part 2 & 3 to the Planning Board; the board answered the questions.
Motion made to declare a negative declaration not resulting in any adverse environment impact made by Louise Reed seconded by Daren Potter all in favor-aye (Roll taken- Daren- yes, Dave-yes, Louise-yes)

Chairman asked the secretary to read the Public Hearing notice into the record.
The mailing receipts have been received from the applicant.

Public Hearing opened at 8:02PM.

No Public Comments

Motion to close the Public Hearing at 8:06PM made by Louise, seconded by Daren, all in favor- aye (Roll taken- Louise-yes, Daren-yes, Dave-yes)

Motion to approve the Sub-Division with 2 conditions, (1. County easement required by the SCPB be added to the map, 2. No further Sub-Division with access to County Rt 10) made by Daren, seconded by Louise, all in favor-qye (roll taken- Louise-yes, Daren-yes, Dave-yes)

Please provide: 2 Mylars and 1 paper with the conditions and easement
Applicant has 60 days to file at the SC Clerks office

Motion to adjourn at 8:15PM- made by Joan Beckwith
seconded by: Louise Reed , **All in favor-aye**