



PLANNING BOARD
Regular Meeting – December 18, 2023

Chairman Little called the meeting to order at 7:00 pm.

Attendance:

Chairman Paul Little, Vice Chairperson George Hilton, John Nick, Kathy Bilfield, Patrick Powers, Greg Taylor, Bruce Goody, and Mindy Conway (Acting Secretary) were present. Kathy Bilfield and Zoning Administrator Jeremy J. Little were absent.

Public Hearings and Old Business:

None.

Minutes:

On a motion by Bruce Goody, seconded by Greg Taylor, minutes from the regular meeting on October 16, 2023 were **ACCEPTED**.

AYE 5 NO 0
Patrick Powers - Abstained

Minutes from the November 20, 2023 Regular Meeting were **TABLED**.

Correspondence:

- Zoning Administrator's Activity Report for November 2023.

Old Business:

#SPR2020-13: Loon Lake RV Park LLC (Tim Beadnell) is seeking Site Plan Review approval to finish and renovate the upstairs of the existing Camp Store to offer coin operated video games and coin operated laundry (2 sets). Property is located at 5400-5408 State Route 8, identified by Tax Map Parcel #: 103.-1-18.1, in Zoning District Low Intensity ****TABLED UNTIL FURTHER NOTICE BY REQUEST OF APPLICANT****

Family Gift Subdivision (Section 8.02 of the Zoning Local Law; Article III of the Subdivision Regulations): Philip Sr. and Elaine K. Rinaldi are seeking confirmation from the Planning Board that the proposed division of land constitutes a gift:

- **Grantors: Philip Sr. and Elaine K. Rinaldi**
- **Grantee: Philip Rinaldi, Jr.**
- **Property Address: 25 Woodridge Road**
- **Tax Map Parcel #: 104.14-1-61**
- **Zoning District: Hamlet**
- **Proposed Lot 3 to be gifted from the Grantors to the Grantee will consist of 1.082 ± acres.**

- **Proposed Lot 4 to be retained by the Grantors will consist of 1.064 ± acres.**
- ****TABLED BY THE PLANNING BOARD AT THE 04/17/2023 MEETING****

#SD2023-09: Mary E. West-Hannigan, William Scott West, John Clark West (as Trustees of the Mildred West Irrevocable Income Only Trust Agreement) are seeking after-the-fact approval for a two-lot minor subdivision for property located at White Schoolhouse Road, identified by Tax Map Parcel #: 69.-1-53.111 and 69.-1-53.112 (Formerly Tax Map Parcel #: 69.-1-53.11 prior to the subdivision), in Zoning District Low Intensity. Lot 1 consists of 20.06 ± acres and Lot 2 consists of 97.97 acres. ****TABLED BY THE PLANNING BOARD AT THE 11/20/2023 MEETING****

Tom Hannigan, Executor, was present and said that he had received correspondence from Jeremy Little, Zoning Administrator. They have completed or are in the process of completing everything that the Zoning Administrator has asked for.

Tom Hannigan said that he was here to ask if there are any additional items. They have hired Bret Winchip to do the two (2) additional test pits for the perc tests. The surveyor is out due to illness, so the map is not redone yet. The APA has assigned a new APA number. They have also filed the papers for the unpermitted structures.

Chairman Little said the test pits are done on both lots, the permits are file but not reviewed yet, APA approval we now have for the easement on the east side of White Schoolhouse Road. Tom Hannigan said now they have a new permit with the APA for the west side of White Schoolhouse Road. Chairman Little commented that they do not have all the permits needed. Tom Hannigan replied no. Chairman Little said the maps have not been updated. Tom Hannigan said no, due to his illness, and asked if the Board wanted to see the entire property on the survey, both sides of White Schoolhouse Road. John Nick said that was what was decided along with future building and future well.

Chairman Little read the following from the November 20, 2023 Minutes:

“John Nick said that he would like to see the rest of the property on the map, two (2) perc tests for each septic, and show setbacks. The Application states Lot #2 has a dwelling and access from East Shore Drive and that is not shown on the map.”

Tom Hannigan said that it is a separate lot, but it is the same family.

Chairman Little continued:

“On Lot #1 there are footings going in and there are no permits issued.”

Tom Hannigan said all work has stopped.

Chairman Little continued:

“They may have to go back to the APA because of the wetlands.”

Tom Hannigan said that is the case that they have filed, APA-0230147.

Chairman Little said that he doesn't think that they can deem the application complete tonight. Greg Taylor recommended getting the APA to come out to flag the wetlands before a hard freeze.

The Board continued to TABLE **Subdivision Application #SD2023-09: Mary E. West-Hannigan, William Scott West, John Clark West (as Trustees of the Mildred West Irrevocable Income Only Trust Agreement)** until further notice.

NEW BUSINESS:

#SPR2023-21: Leslie Homfeld is seeking Site Plan Review approval for the construction of a One-Story Two-Bedroom Single-Family Dwelling (1,816 sq. ft.) with an attached Two-Car Garage (830 sq. ft.), a 12' x 24' Pre-Fabricated Storage Shed, On-Site Wastewater Treatment System and On-Site Water Supply Well. The proposal is a Class B Regional Project. Property is located at 253 Cobble Creek Road, identified by Tax Map Parcel #: 32.-1-39, in Zoning District Rural Use.

Leslie Homfeld was present via Zoom and said on the revised plan there is no longer a detached garage.

Chairman Little asked how this project became a Class B Regional Project. Leslie Homfeld said that the APA produced a permit that was issued back in February 1980 and that made it a Class B. The original permit that was issued is a subdivision permit where 87.64 acres was approved to be subdivided into three (3) lots, one of which is the lot which she purchased, and on her lot it was approved for potential two (2) principal buildings and potentially a third principal building, because there was a prior permit even though the buildings were never actually built for some reason that made it a Class B.

Chairman Little asked if the APA had been notified of the single-family dwelling. Leslie Homfeld replied 100% yes.

John Nick asked who designated where the wetlands are. Leslie Homfeld said the APA, she did a preliminary jurisdictional with them. Leslie Homfeld said they are detailed on the site plan. John Nick asked who determined where the wetlands were marked on the map, the APA. Leslie Homfeld said the APA approved all of the maps submitted.

Chairman Little said that they need something from the Park Agency stating that the wetlands are marked properly.

On a motion by John Nick, seconded by Greg Taylor, **Site Plan Review Application #SPR2023-21: Leslie Homfeld** was **TABLED** until we receive correspondence and confirmation from the APA about the wetland locations and designations on the print.

AYE 6 NO 0

#SPR2023-22: Daniel and Lisa Keating are seeking Site Plan Review for the construction of a 35' x 40' Three-Bedroom Single-Family Dwelling with a 494 ± sq. ft. covered porch (1 ft.

overhangs). The proposed construction of the single-family dwelling will occur on the property where the slopes are in excess of fifteen percent (15%). Property is located at Kingsley Lane, identified by Tax Map Parcel #: 86.15-1-2, in Zoning District Moderate Intensity.

Steve Dean, consulting engineer, was present representing the Keatings.

Steve Dean said he recently attended the Zoning Board Meeting last month where they discussed the project.

John Nick asked if there was a variance required. Steve Dean said yes, for the setback. The house is closer than the 60 ft. setback required.

John Nick said there is a 50% exp area and he thinks you need to show a 100% footprint for a secondary septic system. Steve Dean said that he was unaware of that requirement.

John Nick asked if he knew the distance from the property line to the proposed well site. Steve Dean said that he does not have that exact number. Chairman Little said that it is in our On-Site Wastewater Treatment Local Law Article 3, page 9. Steve Dean said that the expansion area may be on a 15% grade.

Chairman Little said that they need clarification on where the replace wastewater system will be located and can it be on more than 8% slope.

Chairman Little read the following from the On-Site Wastewater Treatment Local Law, Article 3, Section 3.010 E:

“Most proposed absorption facilities shall not be located where the final slope of stabilized soil exceeds 15%, but absorption trench systems with stringent minimum horizontal and vertical separation distances (i.e. 10 ft., 9 ft., 8 ft. or 7 ft. between parallel trenches and 2 ft., 3 ft. or 5 ft. between trench bottom and high ground water, bedrock, or impermeable soil, respectively) may be constructed on sites with in situ soil having a slope of >15% to <20% and a soil percolation rate of 1 to 60 minutes per inch. ”

Greg Taylor said that if you are doing any fills, they have to spend one freeze thaw cycle.

John Nick said that it is steep in the back. Greg Taylor asked if there is a plateau and pump it up.

On a motion by John Nick, seconded by George Hilton, **Site Plan Review Application #SPR2023-22: Daniel and Lisa Keating** was tabled until the location of replacement leach field is determined.

AYE 6 NO 0

#SKETCH-SD2023-02: Adirondack SXXI Resorts LLC (Jorge Eduardo Dyszel) is seeking approval of a subdivision sketch plan for properties located at Olmstedville Road, identified by Tax Map Parcel #s: 35.4-2-6.1 to 6.5, in Zoning District Hamlet. Proposed subdivision involves the creation of twelve (12) lots.

Matthew Huntington and Katie Laughman from Studio A were present representing the Applicant.

Matthew Huntington said the project site is a previously approved five (5) lot subdivision. It is across the street from the old Word of Life offices. There is town water. They would like to take the five (5) lots and break it up into smaller lots. They are proposing eleven (11) building lots and a twelfth lot for the road, and they are currently in discussion to see if the town would take the road and if not, the road will remain under an HOA. They are proposing cabins (small houses). The property slopes down to Trout Brook so they will have storm water management. Each lot will have its own wastewater system.

Greg Taylor said for an HOA they will have to go through the Attorney General.

Patrick Powers asked about lighting. Matthew Huntington said right now they are not going to propose any lighting, they are supposed to be rural home sites.

Patrick Powers asked about landscaping. Matthew Huntington said they will have a landscaping plan as part of the submission.

Chairman Little said the lot size is 0.25 acres if you have municipal water and 75 ft. for road frontage in a Hamlet Zoning District. He asked if there is enough room on each lot for a septic and a replacement field if necessary. Matthew Huntington replied yes, they are proposing using the Presby System. Greg Taylor said they will need to show test pits on the maps, and they need to go to DEC to clear the land.

Chairman Little asked about wetlands. Matthew Huntington said no, it is pretty steep back near the brook.

#SKETCH-SD2023-03: Rebecca Baroudi is seeking approval of a subdivision sketch plan for property located at 358 Byrd Pond Road, identified by Tax Map Parcel #: 49.-1-3.2, in Zoning District Moderate Intensity and Rural Use. Proposed subdivision involves the creation of two (2) lots.

Rebecca Baroudi (Mulvey) was present and said she has 238 ft. road frontage on the North Creek end of the property and if she sells 200 ft. that would only leave 38 ft. and asked if that would propose a problem getting to the back of the property.

A lengthy discussion ensued about road frontage, roads, and driveways.

Public Privilege:

None.

Board Privilege:

None.

Adjournment:

On a motion by John Nick, seconded by Georg Hilton, the meeting adjourned at 8:13 pm.

AYE 6 NO 0

Respectfully submitted,

Mindy Conway
Acting Secretary