

Planning Board Regular Meeting

Town of Fort Ann, NY

July 23, 2018

A regular meeting was held by the Planning Board of the town of Fort Ann, County of Washington, and the state of New York at the Fort Ann Town Hall, 80 George Street, Fort Ann, NY on the 23rd day of July, 2018 at 7:00 pm.

PRESENT:

Don Bedeaux	Chairman
William Hohmann	Vice-Chairman
Brian Mattison	
Chad Wilson	
Jeff Meyer, Esq.	Attorney
Tiffany Ball	Secretary

ABSENT: Matt Jones

OTHERS PRESENT: Mark Miller, Charles Bowen, Frank Cattone, Claudia Braymer, Jeremy Treadway, Mark Miller, & Doug Knight

OPEN REGULAR MEETING:

Chairman Don Bedeaux called the meeting to order at 7:00 pm with the pledge of allegiance.

APPROVAL OF MINUTES:

-The board reviewed the 6/25/2018 Meeting Minutes. Motion to approve minutes by William Hohmann, seconded by Brian Mattison. Approved unanimously.

CORRESPONDENCE: None

OLD BUSINESS:

Andrew for Monolith Solar/Site Plan/Public Hearing: Proposal to install solar panels at Boats By George, 10018 State Route 149, #109.-1-32.7. Public Hearing was to be held on 5/29 and no one was present. Brian Mattison asked if we are going to keep tabling this? Can we send a letter? Attorney Jeff Meyer agreed that letter should be sent. Bill Hohmann made motion to send letter and table until next month. Brian Mattison seconded.

Vote: Ayes – 4 Nays – 0 Abstain-0

Mark Miller- Needs survey map reviewed: Mr. Miller came back this month with Claudia Braymer and further explained that nothing had changed with the property, they just need the map reviewed and approved to match county records. Copies of survey map given to board

members. Mr. Miller explained that there is no site development at all, just need to put a well in because the current one is failing. They had to move septic to meet the 100 ft requirement as the previous septic was only 50 ft from well. Brian Mattison confirmed with Mr. Miller that there were no changes to the map since last month. Mr. Miller explained that the neighbors all signed boundary line agreements to state that everyone was in agreement with where the property line actually is. Claudia Braymer advised that her clients do want to file a mylar with the town, but don't need special verbiage. board requested that they include verbiage stating that no new lots are being created. Bill Hohmann made motion to approve and Brian Mattison seconded.

Vote: Ayes – 4 Nays – 0 Abstain – 0

Jeremy Treadway ADK,MX Motorcross Track, 10786 State Route 149: Mr. Treadway explained that he went before the town board and that they gave him all of the variances that he requested. No map changes. Variance included were: pay phone, laundry, showers, and a cold water tap on each site. Bill Hohmann confirmed with Mr. Treadway that he still doesn't want storage of campers to which Mr. Treadway replied "No, 7 days max." Mr. Treadway asked if going forward he goes through Dept. of Health since he has already come through the town? Attorney Jeff Meyer explained that it really depends on if it changes his site. Something like a gate would be a site plan change and require coming before the town again. Jeff Meyer also mentioned that the resolution from the Town Board requested that we please look at noise from generators, confirm that Mr. Treadway be required to follow the Dept. of Health's mandatory quiet time of 10pm, acquire copies of all permits, request that camping only be permitted during operating hours. Mr. Meyer explained that they are not conditions, just concerns. Mr. Meyer explained to the board that at most, we could accept Mr. Treadway's application and deem ourselves lead agency and inform all other agencies of this.

Bill Hohmann made motion to be lead agency, set public hearing date for 8/27. Referring to Washington County Planning Board; Brian Mattison seconded.

****Resolution Included Separately****

Vote: Ayes – 4 Nays – 0 Abstain – 0

Charles Bowen PUBLIC HEARING: Subdivision 87 Rathbunville Lane Whitehall, NY 12887: Mr. Bowen explained to the public that he has an 80 acre lot. He has an Amish buyer that would like to buy 75 acres of it. He would like to subdivide this lot to keep 5 acres for himself. Chairman Bedeaux asked the public if there were any questions. Bill Hohmann made motion to close, Brian Mattison seconded.

Attorney Jeff Meyer read SAEF. Brian Mattison made motion for negative declaration and Bill Hohmann seconded. Bill Hohmann made motion to approve subdivision and Brian Mattison seconded. Bill Hohmann went on to explain that Mr. Bowen should have surveyor do Mylar and Map and drop off for signatures and stamp from Planning Board before filing with the county.

Vote: Ayes – 4 Nays – 0 Abstain – 0

NEW BUSINESS:

Gregg Oudderkirk 360 Clay Hill Rd Fort Ann 104.-2-19 & 104.-2-20: Subdivision Request- Represented by Jen Ball. Ms. Ball explained that this was just a standard simple subdivision. It is currently for sale as one large lot and they would like to split it up into smaller lots. Brian Mattison asked if this would make a multi lot right of way situation? Jen explained that she did not believe so because per the gps most of the lots would have road frontage with one lot that may possibly require right of way through property. Chairman Bedeaux explained that the one lot requiring the right of way will need to have an agreement drawn up between the two lots that it affects. Jen agreed and advised that it is currently being drawn up by their attorney. The board advised that it would go to public hearing and that Jen Ball would need to bring the right of way agreements along with a large map. Bill Hohmann made motion to move to public hearing, Brian Mattison seconded.

Vote: Ayes – 4 Nays – 0 Abstain – 0

Doug Knight Sawmill:

Don Bedeaux: “You’ve gotten quite large”

Doug Knight: “Depends on who looks at it. I am small in comparison to most others.”

Don Bedeaux: “ You never came to us with your site plan review”

Doug Knight: “I did.”

Don Bedeaux: “I believe you came before us and said that it would be once and a while. You got a packet but never returned.”

Doug Knight: “I believe that I fall under Ag & Market which would be exempt. I do firewood etc.”

Jeff Meyer: “Ag & Market typically requires harvest & cut from the land.”

Don Bedeaux: “Are you harvesting from your land?”

Doug Knight: “Not a whole lot.”

Bill Hohmann: “I believe that you need to fill out a site plan review packet.”

Don Bedeaux: “Include hours of operation.”

Don Bedeaux asked if there was anything from the public? Neighbor to Doug (Frank Cattone) explained that Doug has grown exponentially. “He says that he is smalltime no but he won’t be in a couple of years. It is a non-stop drone of noise 8-10 hours a day. Dust everywhere, no one does anything about it. I understand the everyday noise. I don’t mind that. We knew we moved next to the gravel pit, I just ask that he try to control the sound and dust. My property value is tanking. The noise is relentless. I just think he should be accountable for noise & dust. I don’t ant to hurt him, but he is ruining our lives. Please take into consideration the hours of operation.”

Mr. Knight replied that he thought perhaps it was Mr. Cattone’s new driveway that was stirring up dust.” It was agreed that Mr. Knight would be back for the 8/27 meeting with his site plan review packet in hand and we would go forward from there.

Brian Mattison made motion to close meeting at 7:50, Chad Wilson Seconded

Vote: Ayes-4 Nays-0 Abstain-0

Tiffany A. Ball
Planning Board Secretary, Town of Fort Ann