

Regular Planning Board Meeting
Town of Fort Ann, NY
August 17, 2015

A regular meeting of the Town Planning Board of the town of Fort Ann, County of Washington, and the state of New York was held at the Town Hall, 80 George St Fort Ann, NY on the 27th day of July 2015 at 7 pm.

PRESENT: Donald Bedeaux Chairman
 William Hohmann Vice Chairman
 Brian Mattison
 Butch (Lewis) Barrett
 Curt Rehm
 Lynn Steves
 Mary-Ellen Stockwell, Esq Attorney
 Anne Wilcox Secretary

ABSENT: Charlie Selletti
 Chad Wilson

OTHERS PRESENT:

Mark Miller – Code Enforcement Officer
Mike O'Connor – Jointa/Galusha – Elaine Green subdivision.
Hal Halliday – Pole Barn/APA decision

OPEN REGULAR MEETING:

Chairman, Donald Bedeaux called the meeting to order at 7:00 PM with the Pledge of Allegiance.

APPROVAL OF MINUTES:

- Reviewed 7/27/2015 Planning Board Meeting minutes.
- Motion made by Bill Hohmann to accept the 7/27/2015 minutes.

Motion seconded by Butch Barrett.

Vote: 5 Ayes 0 Nays 1 Abstain (Lynn Steves – did not attend 7/27/15 meeting)

July 27, 2015 meeting minutes were approved and accepted.

ORGANIZATIONAL MEETING: No organizational meeting agenda items noted.

ORGANIZATIONAL MEETING: Closed

PUBLIC COMMENTS: No Public comments.

REPORTS FROM COMMITTEES: No reports

OLD BUSINESS:

- Mike O'Connor, Esq, presented a proposal. This was a revision to a subdivision proposal presented at the 2/23/15 Planning Board Meeting by Mr. O'Connor on behalf of Elaine Green, located on Pattens Mills Rd. The applicant is proposing 1 parcel will be merged with an existing lot currently owned by Jointa/Galusha, the 2nd parcel will be a free standing lot owned by Laura and Mike Gould, the 3rd parcel will be merged with an existing lot owned by Elaine Green. Mr. O'Connor advised the board this conveyance does not need APA approval as this is a family subdivision. Attorney Stockwell recommended the board review the conveyance agreement which would include the conveyance language for the applicants map. Secretary advised board there was a public hearing in March 2015, for the original subdivision application. The board requested another public hearing be held as the boundary lines have been amended for this proposed subdivision. Bill Hohmann made a motion to accept the application, conditioned upon:
 - Completion of the Public Hearing
 - Completed application, with deed and conveyance language, this is to be submitted to the town attorney by 9/18/15 for review.

Motion was 2nd by Brian Mattison.

- Vote: 6 Ayes 0 Nays 0 abstentions

Attorney Stockell asked Mr. O'Connor to speak to his request in July regarding a site plan application which Mr. O'Connor submitted on behalf of Jointa/Galusha LLC – Goodsell Quarry in 2012 or 2103 for their mining and processing of consolidated stone operation on State Rte 4, north of Goodsell Ln.

Mr. O'Connor advised the board that Jointa/Galusha had just received the permit from the Army Corps of Engineers, and the applicant is currently waiting for an Access permit from New York State for the building of a driveway from State Rt 4 to their mining facility, a four way intersection will be created at the intersection of Rte 4 and State Rte 22. Attorney Stockwell requested Mr. O'Connor submit copies of the site plan application along with any other correspondence regarding this project to the Planning Board secretary prior to the 9/28/15 meeting. Attorney Stockwell advised Mr. O'Connor the above information will need to be submitted by 9/18/15, in order to be on the 9/28/15 meeting agenda. Upon receipt of the above information, a public hearing will be scheduled for 9/28/15.

Mr. O'Connor advised the board he is looking for site plan approval and that the planning board has jurisdiction for this project.

The secretary advised the Planning Board that Mr. Bruhns' variance application was declined by the Town Board at the 8/10/15 meeting.

Hal Halliday – Mr. Halliday had appeared before the Planning Board in April 2015 advising he was building a garage at his property on Ridge Rd. Mr. Holliday advised the board that he was very thankful for their help in this project, and does not have any issues with the town of Fort Ann. Mr. Halliday wanted to bring the Planning Board up to date on this project and the APA's request to have Mr. Halliday remove the garage and the fill and put the property back to its original wetland state. Mr. Halliday advised the board that prior to building the garage he had gone to Washington County worked with John Ward and Steve Smith, and reviewed all wetlands and soil maps with them, and there were no wetlands where his garage was being planned. Based on these maps, he was advised there are 15 feet of designated wet lands on the back side of his property. The garage was not built on this portion of the property, it was built 40 feet from the wetlands. Mr. Halliday went back to Washington County on 8/17/15 to review the maps again, and confirmed the maps were the same as when he was there in April. There is a discrepancy between the County map used for wetlands and the APA wetlands map.

APA visited the property and made the following determination: "You have built on a wetland and you shall remove the building, remove the original wet land soils and return it to the original wet lands."

Mr. Halliday was also advised that the Lake George Park Commission permit due to the adjoining creek that runs into Lake George, his property is now considered lakefront.

Mr. Halliday asked the board to support him, and the code enforcement officer as this situation continues. He asked if the building permit could be amended to include verbiage directing the applicant to contact APA, the Lake George Park Commission, etc. so that no other families will have to go through what Mr. Halliday has.

Mark Miller – code enforcement officer report:

John Ward from Washington County Code enforcement has been notified and visited James Denton's property on Rte 149. Mr. Ward advised Mr. Denton the property is to be cleaned up immediately.

NEW BUSINES: None

Misc/Correspondence:

Secretary advised the board that she had received the following correspondence:

- 1) Jurisdictional Determination J2015-0380 from APA regarding the proposed parking lot expansion and hiking trailhead relocation. The letter indicates the "Pilot Knob Ridge Public Access Area, for purposes of Agency review this plan has been stamped final on July 13, 2015.
- 2) "Local Government Notice Form for Project/Variance application to the APA". Applicant's name is Chris Crandall, Land owner name is K&C Land Holding, LLC. Project type: Commercial-establish contractor's base of operations. Copies were provided to the town attorney and Chairman for review.

Attorney Stockwell, advised board an application has not been received from Chris Crandall. Secretary will reach out to Dennis MacElroy and ask him and/or the applicant to attend the next meeting, 9/28/15. As well as a site plan application.

- 3) NYS of EnCon Notice of Complete application for Jointa Galusha, LLC – Goodsell Quarry. Proposed mining and processing of consolidated stone.

Adjourn:

A motion was made by Bill Hohmann, 2nd by Brian Mattison to adjourn the meeting at 7:45 pm

Vote: 6 Ayes 0 Nays 0 Abstain

Anne S Wilcox

Secretary