

Regular Planning Board Meeting

Town of Fort Ann, NY

October 26 , 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 26th day of October 2015 at 7:15 pm.

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

ABSENT: Charlie Selletti
 Lynn Steves

OTHERS PRESENT:

Mark Miller – Code Enforcement Officer

Mike O'Connor – Jointa/Galusha – Goodsell Rd Mine Project

John Davidson – President of Jointa/Galusha LLC

Jeff Lang – Engineer for the Goodsell Rd Mine Project

Dennis MacElroy/Chris Crandall – Site Plan application – Office and Maintenance Garage -
Buttermilk Falls Rd.

William Brown – Boundary Line Adjustment

OPEN REGULAR MEETING:

Chairman, Donald Bedeaux called the meeting to order at 7:15 PM, with the Pledge of Allegiance.

APPROVAL OF MINUTES:

- Reviewed 9/28/15 Planning Board Meeting minutes.
- Reference to incorrect dates, were discussed, and corrections will be made.
- Motion made by Bill Hohmann, 2nd by Butch Barrett to accept the 9/28/15 minutes, with noted corrections.

Vote: 6 Ayes 0 Nays 0 Abstains

ORGANIZATIONAL MEETING: No organizational meeting agenda items noted.

ORGANIZATIONAL MEETING: Closed

PUBLIC COMMENTS: No Public comments.

REPORTS FROM COMMITTEES: No reports

OLD BUSINESS:

Dennis MacElroy/Chris Crandell – KHS Land Holdings. Project is to build a commercial building/maintenance garage/base of operation for his existing Excavation business. This is a 60 acre parcel on Buttermilk Falls Rd.

Mr. MacElroy advised the board the APA has confirmed the application submitted to them was complete, and their review would begin shortly.

The FA planning board has received both an electronic and written referral review from Washington County Planning Board, stating the boards' recommendation, the project was found to be a matter of essentially local concern, therefore, the referring body should proceed to take final action on the matter.

A motion to set a public hearing for the next planning board meeting, November 23, 2015 was made by Bill Hohmann, 2nd by Chad Wilson.

Vote: 6 Ayes 0 Nays 0 Abstains

NEW BUSINESS:

William Brown – Boundary Line Adjustment Application

Mr. Brown presented the board with copies of a tax map regarding the selling of a 17 acre parcel to Walkers Farms.

Attorney Stockwell advised the board the agreement received is a conveyance agreement, however it is not in a "recordable" format as required by Washington County Clerks' office.

Mr. Brown advised there was an attorney involved in the sale of the property. Attorney Stockwell recommended Mr. Brown have the attorney complete a conveyance agreement which was in the recordable format, and include the conveyance language required by the board.

Attorney Stockwell also advised Mr. Brown that there is specific language to be included on both the Boundary Line Adjustment form and the Mylar Map, this language is similar to the language found on a deed. The board also requires specific language be included in the agreement and on the Mylar Map "No new parcels have been created as a result of this conveyance and this parcel may not be conveyed separately without subdivision approval from the Town of Fort Ann Planning Board."

Attorney Stockwell recommended to the board that approval be conditioned upon the "recordable language" be included in the conveyance agreement and map.

A motion was made by Bill Hohmann, 2nd by Butch Barrett:

- 1) To authorize the Town Attorney to speak with the sellers' attorney and provide them with the information and language necessary to complete the boundary line adjustment application.
- 2) Approval of the boundary line agreement, conditioned upon the "recordable language" be included in the deed and map.

Vote: 6 Ayes 0 Nays 0 Abstains

Grande Aggregates – Attorney Stockwell advised she spoke to the attorneys for Grande Aggregates regarding their canal project.

If business is being conducted – a site plan would be required.

If Grande Aggregates is going to be a sub-contractor for the State of New York, No site plan is needed.

As this is a "pilot program" – No site plan is needed.

Attorney Stockwell read a letter she received from the New York State Canal system advising the following:

"The Champlain canal will be concluding its 193rd consecutive navigation season on November 18, 2015. We have extended the season, just for a few days date on occasion for the commercial season, however we cannot go to long because navigational aids need to be retrieved and lock winter maintenance must commence. We do not expect activity at this site to be overly active this year and there is just about enough time to get one or two barges loaded before the canal closes for the season.

The work permit granted to Mr. Grande is temporary and has stringent parameter and is revocable by us, the NYS Canal Corp, at any time.

This had been proposed to us and accepted by as a pilot project intended to determine the viability of shipping stone product by canal out of Fort Ann, the findings of which will benefit Mr. Grande, the people of the state of NY, through their agency, the NYS Canal Corp, the townspeople of Fort Ann, and sum what ironically Mr. Grande's competitors.

We endorsed this pilot project because there are some logistic challenges to the concept that simply cannot be figured out on paper, but need to be demonstrated in a field that they are indeed surmountable. If successful, it would be expected that Mr. Grande as well as two of his competitors will ultimately seek to develop fully, functioning efficient wharfs for regular moving of their product in the market. This would not only involve a Use & Occupancy permit from us, the canal corporation, as well as other possible permits from other state and federal agencies, but would also fall into the jurisdiction of the locally administered site plan review. Land use and development process as the state owned the canal shoreline property, it is simply not wide enough for large scale operations. Limited scale loading operations, however, like the one permitted by us in this case using mobile loading equipment have not, in any instance required local land use approvals and there is considerable precedence state wide.

If there is something we overlooked or missed particularly unique about the code of Fort Ann which we are not aware of, please let me know”.

William Hohman and Vanessa Bedeaux – Boundary Line Adjustment Application

A motion was made by Brian Mattison, seconded by Chad Wilson to table the William Hohmann and Vanesa Bedeaux Boundary Line Adjustment Application.

4 Ayes 0 Nays 2 Abstains (recused)

Misc/Correspondence:

Secretary advised the board that a government notice was received from the APA regarding a subdivision plan being submitted for Ron and Janis Jeckyl. Subdivision consists of a 12 lot subdivision with hoa parcel. Total acreage of the Jeckyls property is 544 acres. The government notice was completed by Chairman Bedeaux. Mr. Jeckyl will be picking the completed form up at town hall on 10/27/15.

Adjourn: A motion was made by Brian Mattison, seconded by Chad Wilson to adjourn the meeting at 8:29 pm.

Anne S Wilcox

Secretary