

Planning Board Regular Meeting

Town of Fort Ann, NY

April 25, 2016

A regular meeting was held by the Planning Board of the town of Fort Ann, County of Washington, and the state of New York was held at the Fort Ann Town Hall, 80 George Street, Fort Ann, NY on the 25th day of April 2016 at 7:00 pm.

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

ABSENT: Charles Sellitti

OTHERS PRESENT: Mark Miller – Town of Fort Ann Code Enforcement Officer
 Edward Monsour

OPEN REGULAR MEETING:

Chairman, Donald Bedeaux called the regular meeting to order at 7:00 pm with a pledge of allegiance.

Prior Months Meeting Minutes:

Both the regular Meeting minutes and the Public Hearing meeting minutes were received and reviewed by the Board from the March 28, 2016 meeting.

A motion was made by William Hohmann and seconded by Brian Mattison, to accept and approve the regular meeting minutes of March 28, 2016 with no amendments.

Vote:

Ayes 5

Nays 0

Abstain 1 – Chad Wilson

Absent 1—Charlies Sellitti

Motion Carried

A motion was made by Brian Mattison and seconded by Butch Barrett, to accept and approve the public hearing meeting minutes of March 28, 2016 with no amendments.

Vote:

Ayes 5

Nays 0

Abstain 1 – Chad Wilson

Absent 1—Charlies Sellitti

Motion Carried.

New Business:

A motion was made by Brian Mattison and seconded by Butch Barrett, to appoint Chad Wilson as acting secretary for the meeting of April 25, 2016.

Vote:

Ayes 5

Nays 0

Abstain 1 – Chad Wilson

Absent 1—Charlies Sellitti

Motion Carried.

Edward Monsour:

Edward Monsour of 2089 and 2095 Red Johnston Way, Town of Fort Ann, Washington County, New York, 12827, approached the board for a potential boundary line adjustment application. Nothing had been submitted to date by Mr. Monsour and he was not on the agenda, but the Board granted him the opportunity to speak. He discussed with the board that he had appeared before the board on a similar matter on March 26, 2012. He was advised by the board that if he wanted the Board to consider a Boundary Line Adjustment or any other application that he needed to pay the requisite fees, if any, and submit thirteen copies to the Planning Board office no later than May 13, 2016, to be heard on the May 23, 2016 meeting. Mr. Monsour advised that he would speak to his Attorney and apply to the board when he was ready. Mr. Monsour was also advised by the board at length to consult with the APA as this property is in the APA and any future approvals, if any, would be conditioned upon APA approval as well. Mr. Monsour acknowledged that he would, in addition to his attorney, also be reaching out to the APA to see if he needed any further approvals or extensions.

David Stockman – Boundary Line Adjustment Application

A motion was made on March 28, 2016, to approve the boundary line adjustment, conditioned upon the additional language being included in the boundary line agreement form, which will be submitted to Attorney Stockwell for her review, by the applicants attorney. Attorney Stockwell advised that the applicant had not contacted her for any additional language and nothing was submitted for approval from Mr. Stockman. Chairman Bedeaux advised that the motion from March 28, 2016, stands as the application is not approved until such time as attorney approval is granted, as this was a condition of the motion.

Kenneth Mattison – Boundary Line Adjustment Application

Attorney Stockwell advised the board that Mr. Mattison's attorney, William E. Fitzgerald, Esq. contacted her and submitted a proposed boundary line adjustment as was required by the board at the March 28, 2016 meeting. The proposed language in the boundary line adjustment was acceptable. A copy of same is on file with the Planning Board Office. No further action is required by Mr. Mattison.

Donald and Vanessa Bedeaux – Sub Division Application

Chairman Bedeaux abstained from this portion of the meeting as he has a conflict of interest, as he is the applicant.

A motion was made by Brian Mattison, 2nd by Butch Barrett appointing William Hohmann as acting Chairman for this subdivision application.

Vote:

Ayes 5

Nays 0

Abstain --Donald Bedeaux

Absent-- Charles Sellitti

Motion Carried.

Acting Chairman Hohmann opened the public hearing at 7:20 p.m.

APA approval has been received by the applicant (APA letter is on file in Planning Board office). The APA advised the applicant that the proposed subdivided parcel must be made into two lots due to the lower part of the property line is too close to the other camps which the parcel borders. The property is located on Stones Way, Fort Ann, NY. The parcel being subdivided originally was 5.21 acres, however, per the APA letter requests the 5.21 acres be split into 2 separate lots, one equaling 3.99 acres and the other 1.22 acres. The APA letter states “Therefore construction of a single family dwelling, mobile home, or other principal building on the 1.22 +/- acre lot containing 44’ of shoreline would require an APA variance.”

No members of the public commented on the application.

Board discussed the application and questioned the Applicant regarding the compliance with the APA, as well as final lot sizes.

The Board went through questions 1-11 on the Short Environmental Assessment Form Part 2-Impact Statement SEQRA document and determined that as to all questions there was “No, or small impact may occur” as it relates to this project.

A motion was made by Brian Mattison and seconded by Chad Wilson declaring that the Town of Fort Ann Planning Board as lead agency on this project, based on the information and analysis of the Board, and all supporting documentation the proposed Unlisted action will not result in any significant adverse environmental impacts and adopted a Negative Declaration as it relates to SEQRA.

Vote:

Ayes 5

Nays 0

Abstain --Donald Bedeaux

Absent-- Charles Sellitti

Motion Carried.

A motion was made by Brian Mattison, seconded by Chad Wilson, having heard no public comment for or against the application, to close the public hearing at 7:38 p.m.

Vote:

Ayes 5

Nays 0

Abstain --Donald Bedeaux

Absent-- Charles Sellitti

Motion Carried.

A motion was made by Brian Mattison, seconded by Butch Barrett, to approve the application for Subdivision as submitted with all APA required changes and no additional conditions being imposed. Applicant shall submit a final mylar for signature by the Acting Chairman Hohmann and Acting Secretary Wilson

Vote:

Ayes 5

Nays 0

Abstain --Donald Bedeaux

Absent-- Charles Sellitti

Motion Carried.

After the application relative to Chairman Bedeaux was completed, Chairman Donald Bedeaux joined the meeting to again act as Chairman.

Code Enforcement Officer Miller advised the board that he is researching what he believes to be an illegal mobile home situated on Michigan Lane and will report back to the board in this regard. Further, Code Enforcement Officer Miller advises that the DEC is approaching the Town Board in regards to National Flood Plain Laws and he wanted to make the Planning Board aware of this as there is a potential for the Planning Board to be the acting authority.

No further business was discussed by the board.

A motion was made by Butch Barrett and seconded by Brian Mattison to adjourn the meeting at 7:44 p.m.

Vote:

Ayes 6

Nays 0

Abstain 0

Absent-- Charles Sellitti

Motion Carried.

Acting Secretary

Chad Wilson