

Planning Board Regular Meeting

Town of Fort Ann, NY

October 28th 2019

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 28th day of October, 2019 at 7:00 pm.

PRESENT:

Don Bedeaux	Chairman
William Hohmann	Vice-Chairman
Brian Mattison	
Chad Wilson	
George F. Smith	
Jeff Meyer.	Attorney
Tiffany Ball	Secretary

ABSENT:

OTHERS PRESENT: Mark Miller, Jeremy Treadway, Michael Crowe, Claire Greene, Eric Henry, Paul Kelly, Alex Mirbito, Wayne Davis, Katelyn & John Moskos, & Chris Hatin.

OPEN REGULAR MEETING:

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

APPROVAL OF MINUTES:

Don Bedeaux: Does anyone have any changes to the minutes?

Chad Wilson: Is the resolution included in the minutes?

Don Bedeaux: Yes it is.

Bill Hohmann: The copy of the resolution that I had a copy of and the resolution that I have in the minutes doesn't reflect what was discussed, my copy says Monday and April – Thanksgiving.

Jeff Meyer: The resolution in the minutes reflects what was read in the last meeting.

Chad Wilson: But this copy of the resolution that was handed out is different. It was read quickly, but that paragraph was left out.

Don Bedeaux: The one that you have a copy of is the old resolution, the one that you voted on last time is the new resolution.

Brian Mattison: Mine is missing that paragraph that mentions Monday too.

Jeff Meyer: The paper copies that I handed out had that additional language in it. That is why I asked Mr. Treadway what he was applying for. He was not looking for extra days so I did not include Monday's or Federal Holidays because he was not looking for that, so I did not read that

paragraph because it was not what Mr. Treadway was applying for. I did not read it, because it was not in his application. If you would like to amend the resolution, please feel free to do so. I would recommend that you approve the minutes and adopt a second resolution with that verbiage.

Brian Mattison made motion to approve the minutes, George F. Smith 2nd.

Vote: Ayes – 4 Nays – 1 (Bill Hohmann) Abstain-0

CORRESPONDENCE: None

OLD BUSINESS:

ADK MX/Jeremy Treadway:

Bill Hohmann: Motion to amend the resolution, from last meeting. I would also like the amendment to be retroactive from the last month's meeting date of 9/23/19. Hours are Saturdays from 9am until 6pm and Sunday 10am to 6pm. In the event one of the days in a given Thursday to Sunday period the applicant is forced to close more than 6 hours due to adverse weather conditions, the applicant may operate on the following Monday from 9am to 6pm. The applicant shall be allowed to operate on Federal Holidays during the open season as well.

Bill Hohmann made motion to approve amendment, Brian Mattison 2nd

Ayes-4 Nays – 1 (Don Bedeaux) Abstain – 0

Jeremy: I am looking to change the track parameter, to allow for me to account for the starting gate and not be scrutinized by every inch. I would also like the record to reflect that both ATV's and UTV's are allowed to operate on the property.

Bill Hohmann: Motion to accept the application and set up a public hearing for next month. Brian Mattison 2nd.

Ayes- 5 Nays – 0 Abstain – 0

*****See Attached Amended Resolution*****

**PLANNING BOARD OF THE TOWN OF FORT ANN
COUNTY OF WASHINGTON, STATE OF NEW YORK**

**RESOLUTION AMENDING THE CONDITIONS
OF THE ADK MX SITE PLAN APPROVAL**

On a Motion by Mr. William Hohmann, seconded by Mr. Brian Mattison based upon all of the evidence and materials submitted by the Applicant, the site plan application of Jeremy Treadway and ADK MX, dated June 25, 2019 for relief from the hours of operation, as approved on September 23, 2019 is hereby amended as follows:

- a. The Hours of Operation: effective immediately, the track operation shall be permitted to operate annually between April 1, through the fourth (4th) Thursday of November; during the open period motorcycle(s) shall only be permitted to operate on-site Thursday – Saturday from 9:00 AM – 6:00 PM and Sunday 10:00 AM – 6:00 PM. *In the event one of the days in a given Thursday to Sunday period the Applicant is forced to close for more than six (6) hours due to adverse weather conditions, the Applicant may operate on the following Monday from 8:00 AM – 6:00 PM. The Applicant shall be allowed to operate on federal holidays during the open period of April 1 through the fourth (4th) Thursday of November.*

Chairman Bedeaux – No

William Hohmann – Aye

Brian Mattison – Aye

Chad Wilson – Aye

George F. Smith – Aye

Approved. October 28, 2019.

Eric Henry Subdivision:

Bill Hohman: Motion to open public hearing. Chad Wilson 2nd

Ayes – 5 Nays – 0 Abstain – 0

Eric: My neighbor has 10 acres, I am just looking to purchase 2 of the acres and subdividing the 2 acres of it for my own personal ownership. I don't have any plans to build on it right at this point in time, I would just like it for a buffer.

Don Bedeaux: Any questions from the public?

Bill Hohmann: Motion to close public hearing. Chad Wilson, 2nd.

Ayes – 5 Nays – 0 Abstain – 0

Jeff Meyer read SEQR and Bill Hohmann made motion for a negative declaration, Brian Mattison 2nd.

Ayes -5 Nays – 0 Abstain – 0

Bill Hohmann made motion to approve the subdivision as on the survey map. Don Bedeaux 2nd

Ayes – 5 Nays – 0 Abstain – 0

NEW BUSINESS:

Paul Kelly Representing Robert Greene Lot Line Adjustment for 1377 Pattens Mills Rd:

Paul Kelly: I am here on behalf of Mr Greene. It is a lot line adjustment. Mr Greene's mother had a partial property that had been granted to several family members throughout the years. The last deed was a corrected deed. Mr. Marrigan is looking to purchase property and in the title search it came back. The tax map identification is correct, however the title had an issue. We would like to make a lot line adjustment so that the legal description in the public records match the tax map description. I have prepared several affidavits from all involved parties. There is a survey that was done in July that states the correct property lines. I also have a copy of the original deed from 1988 that grants it from Elaine Greene to Robert and Suzanne Greene.

Brian Mattison: Where is this located?

Paul: 1377 Pattens Mills Rd.

Bill Hohmann: Motion to approve the lot line adjustment as long as no new lots are created. Brian Mattison 2nd.

Ayes – 4 Nays – 0 Abstain – 1 (Chad Wilson)

Ayes-5 Nays – 0 Abstain – 0

Moskos Holdings Sunset View Way Boundary Line Adjustment:

John Moskos: I am looking to do a boundary line adjustment on two pieces of property that I own. The dotted line that runs zig-zaggy would be the new line. I would like to leave them 50 feet of road frontage too.

Don Bedeaux: Does anyone have any questions?

Brian Mattison: Where is the well and septic on this map?

John: Both are right here, I apologize he didn't mark it. It is right inside that rock wall, he didn't mark it because he didn't know that it was in there. We built that around it to make it safer.

Brian Mattison: Okay, looks good to me.

Bill Hohmann: Motion to approve the lot line adjustment, Don Bedeaux 2nd

Ayes – 5 Nays – 0 Abstain – 0

Mirabito Energy Site Plan Review:

Alex: We are interested in doing some propane storage on Bruce Mallory's property right at the airport. We are a home heat company based out of Binghamton and we are starting to get a lot of business up this way, but our nearest holding facility is Rensselaer NY. So currently, we are looking to do a multiple year lease with several lease renewal options for a 30,000 gallon tank.

Don Bedeaux: Will there be lighting around this?

Alex: Yes.

Brian Mattison: The only question I have, this is the lot right?

Alex: Yes.

Brian Mattison: Where does the tank go? Is there FAA guidelines that need to be followed?

Wayne Davis: The only guideline is 75 feet away.

Bill Hohmann: Do you have to report this to anyone else? I know Amerigas has to go through all sorts of hoops.

Wayne: We just have to report it to Homeland Security but that is really it. The only time they want to be involved is when you are in a heavily populated area, near a school or in an inner city.

Bill Hohmann: Will there be security cameras?

Wayne: That isn't in our plans right now, but we will likely be starting to at all of our sites.

Don: The lighting around this, what exactly will it be?

Wayne: We will have 2 lights.

Don: This won't be operating in the dark will it?

Alex: No, for the most part it's 8 to 5ish. They could be loading in the dark or at dusk depending on weather though.

Bill: I would like to have the town engineer look at this just to make sure everything is on the up & up.

Bill: Motion to send everything to town engineer, I accept the application and schedule the public hearing. Brian 2nd.

Ayes- 5 Nays – 0 Abstain – 0

Chris Hatin Siteplan Review for Distillery:

Chris: Thanks for fitting me in, I appreciate it. Essentially it's all there. What we are proposing is to use the hangar at Harris airport as a distillery. A tasting room and manufacturing space. You can only give 3 ¼ oz tastings to any person in a single day, so nothing dangerous. This is our first stop, then we can go to the SLA once we get your approval to move forward.

Don: How is parking there?

Chris: Plenty of parking. We have had more than 50 cars there for skydiving events. We will be putting in a few handicapped spaces etc too, but what we are planning on doing is mostly interior only.

Don: Is it paved?

Chris: No, only the runway but where they park is all gravel.

Bill Hohmann made motion to accept the application and set up the public hearing. Brian Mattison 2nd.

Ayes – 5 Nays – 0 Abstain – 0

Don Bedeaux made motion to close meeting, Brian Mattison 2nd.

Ayes – 5 Nays – 0 Abstain - 0

Public Comments:

None

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