

**Johnsburg Planning Board Minutes
May 23, 2011**

ATTENDANCE: Mrs. Osterhout, Mr. Record, Mr. Smith, Mr. Klippel, Mr. Heidrich, Mr. Nester, and Attorney Mr. Hill. Absent Mr. Pelton

Guests; See Attached

Public Hearing Called to Order 7:05 P.M.

Subdivision Application #179-11 Front Street

Attorney Smith explained that all information had been previously submitted and explained in previous meetings. Nothing has been changed from the last submissions. Attorney Hill asked if the applicant could go over the sewer and septic plans. Mr. Record explained that it would be covered in the General Meeting. Hearing no further questions or concerns Mr. Record entered a motion to close the Public Hearing. With a second from Mr. Smith and a vote of all in favor the Public Hearing was closed at 7:07 P.M.

Regular Meeting

Called to Order 7:07

Minutes

All members received the minutes electronically prior to the meeting eliminating the need to be read at this time. With a motion entered by Mr. Heidrich and a second by Mr. Klippel to approve the minutes of May 9, 2011, a vote determined all were in favor, no one opposed and no one abstaining. Motion carried minutes approved as presented.

Subdivision Amendment #179-11 Front Street Development

Attorney Smith explained that the septic system from the house to the main tank would be standard operation. From the tank the affluent would be pumped to another tank right next to the first tank. From there the affluent would be pumped to the treatment area and processed to the leach field for now. Each house would have its own tank. The homeowner's responsibility is to the septic tank, the HOA will take responsibility from there. The system will be equipped with one generator that will operate the pumping system in case of power outage. This generator will be able to handle up to three buildings if necessary. Mr. Smith asked how this generator will be powered by an outside power port on each unit. The applicant explained that there will be an HOA employee on call to handle any emergency situation and testing that need to be done. Mr. Record asked if the applicants could tell the Board about the transportation corporation. Attorney Smith said that the applicants have met with the Town's Attorney and the system has been designed by engineers and reviewed by DEC, they do not anticipate any errors or denials. At this time DEC is doing a system analysis. Delaware Engineering has advised the Town on Bond amounts. Attorney Hill asked if he was correct in remembering that the applicants had stated the treatment plant tanks would be the size of dumpsters. The

system is designed so the solids will stay in the individual septic tanks and will have to be pumped out, cost to be covered by the HOA, and liquids will be pumped to the treatment area treated and released through the leaching area. The applicants again said that once the project reaches a certain mass a new system will be built. This system will handle about 12000 gallons a day. Mr. Cricklair said that the space or and the ultimate treatment plant cost is too exurbanite for 13 units. The system being built is the Orenco System. Mrs. Osterhout said the Board needed to know the correct number of lots being asked for at this time. Attorney Smith said that there will be 16 lots. Lot 16 – 422 acres HOA, Lot 15- sewer- 17 acres Lot 14- HOA 14.49 acres roads and 13 individual unit lots. Mrs. Osterhout explained the Board's options. 1 the Board can vote on application as presented. 2. The Board has 62 days from Public Hearing to hand down a decision. Mr. Record saying that this plan has been previously approved and the applicants have been to the Board before with this plan, entered a motion to conditionally approve with the conditions of approval by APA, DEC, DOH as well as any other approvals required. Attorney Hill said there multiple steps a preliminary step and a final step. Mr. Record said this was for the final step. Attorney Hill suggested that the motion cover both steps. Mr. Record made it both preliminary and final conditional approval and waives the Public Hearing for final approval. A second was entered by Mr. Heidrich and a vote determined that 5 were in favor Mr. Heidrich, Mr. Record, Mrs. Osterhout, Mr. Nestor and Mr. Klippel and 1 opposed Mr. Smith. Motion was approved.

Preliminary Presentation

Subdivision Application #222-11 Anker

Attorney DeSantis represented the applicants explained that they would like a 2 lot subdivision on Harvey Road in North River. The applicants wish is to create a 31 acre plus or minus lot for sale and retain their residence and a 10 acre plus or minus lot for personal use. Attorney DeSantis said that the APA will be receiving the jurisdictional information next week. Mr. Nestor entered a motion to set a Public Hearing for June 27, 2011 at 7:00 P.M., with a second from Mr. Record and a vote of all in favor no one opposed and no one abstaining the motion was approved.

Mr. Record recused himself and left the table

Site Plan Application #111-05A

Mr. Record would like to amend his previous Site Plan to include the production of fudge, popcorn and other food stuffs at this location. He said that applicants manufacture under Health Department regulations and he has built a separate commercial kitchen within the house. Mrs. Osterhout asked if Mr. Record was still offering the original items and he responded that he has replaced those items. He explained that both driveways are 20 foot driving surfaces however the northern one is the one most used. He has had delivery trucks in and out with no difficulties. Mr. Smith asked if Mr. Record had spoken with the adjoining land owners about commercial use. Mr. Record said the property has historically been commercially used.

Local Training

Attorney Schachner has agreed that the subject chosen was a good choice. A date of July 27, 2011 was decided with the time of 6:30 to 8:30 P.M. To review the subject will be Ethical Consideration, problem solving and decision making. There will be a

question and answer period but they must be general questions nothing that can be connected to any project.

Mr. Smith had inquired about the meetings going back to the original schedule of the third Monday of each month. Attorney Hill said that was not good for them as he thinks they already have a commitment for that day. If that is the case the Board has agreed to stay with the current forth Monday of each month.

ZEO Report

Mrs. Tucker has presented a written report. She explained that the report was short because of sickness and lack of time this month. Mrs. Tucker explained that she had gone up to Top Ridge and found that the second entrance and egress was still blocked by a berm and the gate has not been installed. Attorney Hill said that a friendly letter from the Board explaining that they had 30 days to complete this or the ZEO could take action.

Improvements to Ice Cream Shop

Mrs. Tucker said that the Hudson River Snack Shack owner had called and wished to change the building to a residence. His plan is to make it a camp by insulating and adding a shower. Mr. Nestor informed her that the property in question has no septic system.

Mrs. Osterhout said that it appears that the shop in Wevertown will now be creating Adirondack furniture and she told Mrs. Tucker that they will need to come back to the Planning Board if they choose to build the furniture at that location.

Mr. Record said that he had not had the chance to speak to Professor Lamb has he had said he would. However he will continue to try to make that contact and get the answers he was after.

Mr. Klippel presented a motion to go into Executive Session with the Boards attorney and the ZEO for discussion on Enforcement. A second was entered by Mr. Record and a vote determined all in favor carried the motion. Executive Session opened 8:23P.M.

Executive Session closed at 8:45 by a motion by Mr. Klippel and a second by Mr. Record and a vote of all in favor.

With no further questions, concerns or comments Mr. Nestor entered a motion to adjourn at 8:47P.M. With a second from Mr. Klippel and a vote of all in favor meeting adjourned at 8:47P.M.

Respectfully,

Marion Monroe, Secretary

