

Johnsburg Planning Board Minutes
May 9, 2011

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

Guests; See Attached

Special Meeting Called to Order 7:08 P.M.

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. Record and a second by Mr. Smith to approve the minutes of March 28, 2011, a vote determined all were in favor, no one opposed and no one abstaining. Motion carried minutes approved. There were no April 25, 2011 minutes because there was no quorum and no meeting was held on that date.

Subdivision Amendment #179-06 A Front Street Development

Attorney Smith, representing the applicants, explained to the Board the applicant had submitted a new application for a 13 lot subdivision. At this time the water line is complete to and supplying the first completed building. Applicants and their representatives have met with the Town Attorney and he wants the sewage to be owned by the Transportation Corporation. Liquid sewage to be carried down treated and pumped out into the leaching area. The meeting between the Applicant and the Town Attorney Jordan produced a tentative agreement on a bond for the plant and a bond to build it. The applicant still has to submit to the Town Board the tariff amount. The Applicants needs a permit from the Department of Health. At this time the applicant is asking for conditional final approval for Phase I Residential and Attorney Smith is asking the Planning Board to waive the Public Hearing. Mr. Crikelair said that for now the entire waste solution is all underground like giant bath tubs, when it reaches a certain mass solids will be held in individual septic tanks serving each townhouse. The tanks will have to be pumped out periodically. Liquid effluent will be pumped to filter modules for purification and infiltration / leaching into the ground, not discharge into a stream. Eventually, when the wastewater volume reaches a certain point, the new wastewater treatment system would have to be built and used to handle all wastewater processing. The treated effluent from the new treatment plant would be discharged into a stream if DEC approves the necessary SPEDES Permit to allow it. Mr. Smith asked applicant to clarify that the sewage will leave the residence and go into the hold and haul tank which will then become Transportation Corporation owned. The Transportation Corporation will be responsible for pumping the tanks. Mrs. Osterhout restated Attorney Smith's request for the Board to waive the Public Hearing and grant final conditional approval for a 13 lot subdivision for Phase 1A residential. General discussion revealed that it is not possible for the Board to waive the Public Hearing and therefore a motion was entered by Mr. Record to hold a Public Hearing, and a second was entered by Mr. Smith. A schedule was set for May

23, 2011 at 7:00 P.M. With a vote of all in favor, no one opposed and no one abstaining, the motion was approved.

Old Business

Lot Line Adjustment Wording

General discussion disclosed that the Board members had read the suggested wording for the amendment of Lot Line adjustments in the Land Use Plan supplied by the attorneys. A motion was entered by Mr. Smith to accept the wording and send a recommendation to the Town Board, with a second from Mr. Heidrich and a vote of all in favor, no one opposed and no one abstaining, motion carried.

Number of Subdivision Maps Required

General discussion disclosed that the required number of maps would be

4 Large maps

8 Size 11" by 17"

1 Digital Copy if available

New Business

Local Training Day

Mrs. Osterhout said that she had gone to the Town Board and they have agreed to pay a presenter for a local training session. General Discussion revealed that the Board would like to hold the session on a Monday night. Mr. Record presented a motion to plan the session for a Monday in July that is convenient for the presenter. A second was entered by Mr. Klippel and a vote determined all were in favor, no one opposed and no one abstaining, motion carried. Mr. Heidrich said that he thought that the session on ethics was a particularly good one. Mr. Record said that yes it had been a good session however the Board could form a mini panel to decide the subject if necessary.

Number of Maps

Attorney Hill advised the Board that this map requirement was staying the same in number just changing in sizes required. Therefore this item did not require a code change only wording change in the application or checklist.

Cell Tower Discussion

For the Cell Tower planned for North Creek, Mrs. Osterhout has spoken to the APA member who is in charge and information about the road not meeting the grade compliance will be sent to her. The applicant himself has informed the Board the road is in excess of 12% and he will make any adjustments needed to meet that grade requirement. No permits will be issued until the road is in compliance.

ZEO Report

Mrs. Tucker has presented a written report. Please see attached.

The Board requested Mrs. Tucker to visit Top Ridge and see if the emergency egress has been completed. She should then report next month as to the stage of

construction of this egress. If the breakaway gate is not installed then a letter should be sent asking them to come to the June meeting.

Mrs. Tucker asked that a Driveway permit be included in a Subdivision application and the application not be deemed complete if the application is not complete without the application signed by Supervisor Hitchcock.

At 8:33 Mr. Record entered a motion to Enter Executive Session with just the Board and their attorneys to discuss possible enforcement actions, Mr. Smith seconded the motion and a vote of all in favor, no one opposed and no one abstaining, the motion was carried.

With a motion by Mr. Record and a second by Mr. Klippel to end executive session at 8:55 P.M., a vote determined all were in favor, no one opposed and no one abstained. Executive Session ended at 8:55P.M.

Mr. Smith entered a motion to send a copy of the memorandum (dated 03/31/11) received from the attorneys to the ZEO. With a second from Mr. Nestor and a vote of all in favor, no one opposed and no one abstaining. Motion carried.

Having no further business Mr. Klippel entered a motion to adjourn, which was seconded by Mr. Smith and a vote of all in favor adjourned the meeting at 9:00 P.M.

Respectfully,

Marion Monroe, Secretary