

**Johnsburg Planning Board Minutes
September 26, 2011**

ATTENDANCE: Mrs. Osterhout, Chairperson, Mr. Pelton, Mr. Heidrich, Mr. Smith, Mr. Record, Mr. Nestor and Attorney M. Hill.

Guests; See Attached

Meeting Called to Order 7:03 P.M.

. Regular Meeting

Preliminary Presentation

Subdivision Application #223-11 and 223-11A Galusha

Attorney R. Simon presented the plan by Galushas to subdivide the parcels of land divided by Route 8 into two lots. One lot to be 13.33 acres on North side of Route 8 and the South side of Route 8 to be 4.13 acres. After this subdivision the Galushas would like to do a lot line adjustment to add 4.38 acres of their remaining property to make the South side lot a legal lot. The applicants would also like to retain the building lot status on the North side of Route 8 not changing the number of building rights. With no further questions, from the Board members, and a motion from Mr. Record to schedule a Public Hearing for October 24, 2011 at 7:00PM. A second was entered by Mr. Heidrich and a vote determined all were in favor, no one opposed and no one abstained, Public Hearing scheduled as stated.

Subdivision Application #224-11 LoGuercio

Attorney F. DeSantis presented the plans for the applicants have proposed a two lot subdivision with lot 1 to be 10 acres and conveyed and lot 2 to be 44 plus acres and be retained. Attorney DeSantis said that the APA would be issuing a permit not a NJ letter. It is Attorney DeSantis's opinion that he will not be ready for a Public Hearing in October, he probably will not be back until November.

Site Plan #154-11A Sally's Salon

Sally Lawrence has plans to move her Beauty Salon into her home. New owners have made it financially conducive for this move. The Salon will be a separate room with separate entrance and its' own restroom. The septic system consists of a 1000 gallon system which should be more than adequate. There is more than ample parking and her plan is not to have a sign. Mrs. Osterhout informed the applicants what would be required for review. Application to be delivered to applicants for the October meeting.

Site Plan 152-11 Firewood People

Mrs. Osterhout informed everyone present that the actual scenic corridor measurement was 500 feet each side of the road. However that did not mean that there could not be any signs in that space. It only stated that the signs must be Adirondack in color and it was suggested that the colors be Brown and Yellow. Attorney Hill informed the Board that the ZEO would be the one to make the determination about sign locations and colors. Mr. Vancavage expressed concerns

about the trees that had been cut on the property in question and asked if there would be a public hearing scheduled. Mrs. Osterhout explained that yes there would be a Public Hearing but that it had to be advertised. General discussion with the applicants determined that Old Stratton Hill Road was determined by the Town to have never been a Town Road. Applicants will be accepting their deliveries on a tri axle truck only and there will be no deliveries from December 1st until March 1st. At that time the applicant will be delivering the fire wood to their customers via their own trucks only. Mr. Record asked if the applicants would be processing from March 1st to Dec. 1st to which they replied yes. Mrs. Osterhout asked how many wood splitters and chainsaws would be utilized for the processing. The applicant replied that there would only be one wood splitter and two chainsaws (but only one used at a time the second for back up use only). Eventually the applicant wishes to purchase and use a small wood processor in the place of chain saws. Mr. Record asked how many full time residences. It was believed only to be the Vicarage's. Mrs. Osterhout asked about the planned location of the sign and the applicant responded that their plan was 51 to 55 feet from the edge of the road. He also plans to use a base with flowers and some kind of landscaping to adorn the sign. Applicant clarified that the actual processing would be back by the house at the furthest location from the neighboring property. Mr. Heidrich inquired about the logs that are piled in the front now and the applicants said that they are from the clean up. Mr. Record read the definition of Section 814 regarding Home Based Business with Vehicles or Equipment. Attorney Hill clarified again that there would be no processing from Dec. 1st to March 1st except personal use. Attorney Hill said that days and hours are important. Mrs. Osterhout said that applicant and Board could agree on acceptable days and hours of operations. Mr. Record asked that applicant about what he had in mind for replanting the front of the lot. Mr. Dzienszewski said that he would like to put in 100 Christmas trees. There are no further questions by the Board so a motion was presented by Mr. Record to schedule a Public Hearing for the October meeting. With a second by Mr. Heidrich and a vote of all in favor, no one opposed and no one abstaining, motion carried. Mrs. Osterhout informed the adjoining land owners that their concerns could be heard now. Mrs. Vancarage stated that they are losing property value now and will be losing even more with a commercial business next door. Mr. Vancarage stated that when they purchased the property there were enough trees on the adjoining property to keep the headlights from shining in their windows. Now they are able to see the head lights from Route 28. Mrs. Osterhout explained the Public Hearing process and reminded all that the Public Hearing had been scheduled for the October meeting.

Amendment Scott Staples

Attorney Staples informed the Board that he had requested a lower floor efficiency apartment in the building located at 280 Main Street, North Creek, NY. The building at this time houses a law office street level and an apartment upper floor. When the original upgrades were done to the building Attorney Staples installed full size windows at the rear of the lower level and a separate entrance for this area. Attorney Staples received a conditional use variance for this project conditioned on approval from the Town of Johnsbury Planning Board. This was required as a

lower level apartment is not an approved use for this district without these approvals. General discussion revealed that there was already wash room and small kitchen facilities. A motion was presented by Mr. Nester to approve pending no impact decision by the County, a second was entered by Mr. Heidrich and a vote determined all were in favor no one opposed and no one abstaining. Motion carried.

Front Street

Attorney Smith informed the Board that there had been two minor changes and the applicant was seeking amendment of Conditional Final Approval they had received. Mrs. Osterhout asked if the latest maps presented to the Planning Board were the same maps provided to the APA to which Attorney Smith answered yes. Attorney Smith said that the Health Department wants a letter from the Planning Board that the map of August 24, 2011 has been approved. A motion was entered by Mr. Record and seconded by Mr. Nester to approve map of August 24, 2011, with a vote of all in favor, no one opposed and no one abstaining, motion carried. Attorney Smith to pick up letter from Mrs. Osterhout's residence.

The Ledges

Mrs. Osterhout said that after the last meeting Mrs. Tucker went to check the ledges road. Mrs. Tucker contacted DEC and Ms. McGee offered to do a site visit, upon completion of that visit Ms. McGee issued a notice of violation. Mr. Nester asked if the Board could request time frame from Cell Company. Board response yes.

ZEO Report

Mrs. Osterhout spoke to Mrs. Tucker about the Railroad in Riparius. She said that the large equipment has been moved to a location further down the road. At this time only pickup size vehicles are there. The site plan was approved for food and a gift shop now it looks like an office is going in at that location. Mrs. Osterhout said that the parking should be for people who want to get on the train no equipment. Mrs. Osterhout said that the Site Plan could be amended to the new use. Mr. Smith also said that the State road had been blocked by their loading equipment.

Minutes

All members received the minutes electronically prior to the meeting eliminating the need to be read at this time. A motion was entered by Mr. Heidrich to approve the minutes as received, and with a second from Mr. Smith and a vote of all in favor, no one opposed and no one abstaining the motion was approved.

Mr. Smith informed Mrs. Tucker that she had to use all the tools available to her to issue a notice of violation.

Mrs. Tucker also informed the Board that Front Street had received all necessary paperwork and approval for the Waste Water Tanks from the Town Board.

With a motion from Mr. Record and a second from Mr. Nester the meeting was adjourned at 8:55 P.M.

Respectfully,

Marion Monroe

Marion Monroe, Secretary

Town of Johnsburg Planning Board Meeting

Please Sign In

Date: Sept 26, 2011

1 Sally + Gary Lawrence

2 Bob + Donna VanCarage

3 Dan Smith

4 Scott Staples for Koran m. Dec

5 FRANK DeSantis - Womewood

6 Michael + Donna Dziemuzal

7 ~~Bob Smith~~ Bob Smith

8 Danae Tucker

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