

**Johnsburg Planning Board Minutes
June 16, 2008**

ATTENDANCE: Mrs. Osterhout, Chairperson, Mr. Record, Mrs. Comstock, Mr. Heidrich, and Mr. Pelton, Absent Mr. Osterhout , Mr. Smith and Mr. Morris

Guests: See attached

Public Hearing: Opened 7:05 PM

Subdivision Application #195-08 Mahon

Applicants represented by Attorney Frank DeSantis and Saratoga Associates, Matt Rogers. Mr. Rogers presented the revised plan and explained that the only change made, was to the driveway location to minimize the amount of vegetation disturbance. Applicants plan includes moving or dismantling existing garage to allow for adjusted driveway plan. Subdivision to provide 2 Lots one being 1.45 acres and the second to be 2.24 acres. The stream will remain on the property to be inhabited by the Mahons. Mr. Rogers has contacted the County and there are no official snowmobile trails designated for that property. Having no further questions, a motion was presented by Mr. Record to close the Public Hearing. With a second from Mr. Heidrich, a vote revealed all were in favor no one opposed and no one abstaining. Motion approved. Public Hearing closed 7:12 PM.

Open Regular Meeting: 7:12 PM

Minutes:

Corrections: Mr. Record asked to change the word concerns, on page one 3rd sentence from the bottom, to questions. The stairs at Oasis Massage are okay. Minutes approved with corrections with a vote of all approved no one opposed and no one abstaining.

Subdivision Application #195-08 Mahon

Mr. Record asked, what is the width of the pull off for garage plan? Mr. Rogers answered that it is more than adequate for a vehicle. Board inquired about the grade of the road and Mr. Rogers answered that the grade was well below the 12% required, at last measurement it was 5%. The Board had no other questions. A motion was presented by Mr. Heidrich to approve Application #195-08 as presented and with a second by Mr. Pelton a vote determined all were in favor and no one opposed and no one abstained motion was approved.

Site Plan Application #140-08 Bette Crane

Mrs. Osterhout explained prior location was mishandled through the steps and the Board determined that the Glen location was a mute issue. This application is for the Wevertown location and the applicant is only using the parking area for storage. The applicant is not using the building. By advice from the Attorney the fee will be based on the fee for 0- 2500 sq. ft. Mr. Record asked how much longer the debris will be left at the Glen location and Mr. Butler replied that the Glen location was complete. Both locations will be done and cleaned up by this fall. Mrs. Osterhout asked about the amount of construction traffic and about congestion at the traffic lights. Mr. Butler said there will be quite an amount of construction traffic. The traffic lights do not appear to be effected as the lights have sensors and the only other change is the do not turn left from Johnsbury on Route 8. No one has control of drivers not following the traffic laws. Mrs. Comstock asked if there were any noise complaints and the answer was no. Mr. Record stated there should have been two applications however the Board was happy to see applicant there and appreciate the effort to complete requirements. Mr. Record presented a motion to approve Site Plan Application #140-08, signed by representative Mr. Butler, with a second from Mr. Heidrich, a vote determined all were in favor no one opposed and no one abstained. Motion approved.

Site Plan #137-08A

Mr. Stoddard not present Board determined to wait for applicant to appear.

Subdivision Application #196-08 LaGuercio

Applicants represented by Attorney DeSantis who explained that this is a pre-existing subdivision of which the applicants would like a lot line adjustment. Under the new Land Use Plan there are no provisions for Mrs. Osterhout to approve a lot line adjustment, now the matter must come in front of the Board. This plan will not change the net number of lots it will create a lot of 3.2 acre size. Mr. Heidrich presented a motion to schedule a Public Hearing July 21, 2008 at 7:00 PM for Subdivision Application #196-08 and with a second from Mr. Record a vote determined all were in favor with no one opposed and no one abstaining.

Mrs. Osterhout informed the Board that Mr. James Morris had sent a letter to the Town Board that he had to resign his Planning Board position due to conflict of interest with his employer. Mrs. Osterhout said he will be missed by the Board and it is unfortunate because Mr. Morris had so much experience to offer.

Mrs. Osterhout informed the Board that we have received an email that said Mr. Johnson has informed the APA he has withdrawn his application for the time being. The Board still needed to do something about the inadequacies of the previous approval. Mr. Record asked if there had been previous constructions plans submitted. Mrs. Osterhout said yes however the problem might not be with the plans but with the construction itself. The Board can still ask for Engineering Plans. Mr. Heidrich thought the project had been stopped by the findings on the road construction and the ditch issues. Mrs. Osterhout said that the Board needed to find

a way to get the road corrected. Attorney Jordan said that if the applicant has an approval that is out of compliance the Board needs to send a letter to the new land owner and the applicant that no building can occur until applicant is in compliance. The Board should not accept the landowners as Surveyor they need Engineering conformation. The Board request Attorney Jordan to draft a letter to Subdivision landowner and lot owner. Mrs. Osterhout informed Attorney Jordan about the inability of fire protection.

Ski Bowl Village

Applicants represented by Mr. Martin of the LA Group. Mrs. Osterhout explained that this is a Class A Project and Site Plan will be reviewed by the APA. The Board is looking at approval for Phase I subdivision only. Attorney Jordan said that the APA has approval over entire project. Phase I is contingent upon Plat Plan being identical to what was submitted to the APA. Site Plan has been approved by APA it was approved in April. Mr. Martin informed the Board that there were technical points that were being worked out. Site Plan is complete with the APA. The Board will be involved with the Subdivision of the Phases. Applicant will obtain the 911 addresses on a separate sheet to avoid confusion with the map. Attorney Jordan said the Board will be involved with engineered support walls however decorative walls have been covered by Site Plan. He also said the Board did not have to do SEQR. Mr. Heidrich asked, in regards to the information being covered by a committee for the Town Board, if the entrance is still located off Route 28. Mr. Martin said the additional lane discussed was for Peaceful Valley project not this project. This lane is scheduled for when Gore Mt. reaches a specific number of ticket sales. Regarding this project a new review will take place when project is complete as this will give a truer sense of actual traffic pattern. Mr. Martin said that Ski Bowl North has always been and will remain to be the main entrance. Attorney Jordan asked if it is the Boards contention that the Plat submitted is the same or similar enough as to determine no change. The Boards determination is the Plat is similar enough to be the same. The Boards consensus is that there is no need for another Public Hearing.

Mr. Heidrich presented a motion to adjourn at 8:18 and with a second from Mrs. Comstock, a vote determined all were in favor and no one opposed. Meeting adjourned at 8:18 PM.

Respectfully,

Marion Monroe, Secretary