

**Minutes of the
TOWN OF JOHNSBURG
PLANNING BOARD MEETING
June 24, 2013**

Minutes of the regular meeting of the Planning Board of the Town of Johnsburg held on Monday, June 24, 2013 at the Tannery Pond Community Center, North Creek, NY.

Meeting was called to order by Chairperson, Mr. Cork Nester at 7:00 p.m.

Roll call showed the following Board members present: Roger Smith, Cork Nester, Tim Record, and Curt Richards – Absent: Bill Moos

Also present was attorney Mr. Mike Hill, for the planning board.

Guests Taken from the Sign in Sheet (also attached): Mark Richards, Brian Richards, Joe Brown

Approval of Minutes for May 20, 2013: Roger Smith motion to accept the minutes, Tim Record Second. All in Favor

Minutes still outstanding - lack of quorum: Jan 7, 2013 and April 22, 2013

NEW BUSINESS

Informal from Brian Richards, regarding his property at 7 Main Street and the property formerly owned by his father at 15 Main Street. Mr. Richards's brothers, Mark Richards and Jack Richards presently own 15 Main Street. Mr. Brian Richards is needing to move the lot line over to include the garage in which he constructed. Mr. Richards is also in need of a variance. There will be a JIF done on both properties. Mr. Nester asked Mr. Richards to come to the July meeting and at that time they will schedule a public hearing for the August meeting.

Bill Moose came in late

Steve Studnicky for Site Plan Amendment on TAX MAP #66.10-1-64 (Owner William & Inge Greenan) for Retail Use - Mr. Nester said that Mr. Steven Studnicky would like to move his business which is located above Izzy's Market Place, two buildings down to the Snow Train building – Mrs. Danae Tucker doesn't think that Mr. Studnicky needs to come in, because the usage is not changing. Attorney Hill asked if signage would be involved. Mrs. Tucker said yes, he would just move his sign from one location to the other. Mr. Record asked if it was possible for the Chairman or a Board member could meet with Mr. Studnicky so that he would not have to come in.

OLD BUSINESS

SUBDIVISION APPLICATION: #SUB-01-2013 Leslie Clement Tax Map #30.-1-68 & 30.1-69 for 4 Lots located on Shields Road, North River and SUBDIVISION APPLICATION: #SUB-02-2013 Leslie Clement Tax Map #30.-1-75 for 6 Lots located on Shields Road, North River – Mr. Nester stated that Ms. Clements has not completed the Warren County Soil and Water Plan yet, due to the weather. Ms. Clements also has not submitted a SWPP Plan. Ms. Clements application is still incomplete, so this will be tabled. Mr. Roger Smith asked since she has not completed the plan for Warren County Soil and Water does that mean erosion is happening? Mr. Nester said that Warren County has been out to the sight and they are very happy with the regrowth and the site has been stabilized. There has been work on the road – the Lenseth end – they made a huge turn around. Ms. Tucker received a call from a neighbor that a road was being put in from Ms. Clements Bird Camp is to the second pre-existing lot. Mr. Nester has not seen it. He did call DEC and spoke with Mr. Lassell regarding this. Mr. Roger Smith thinks that the Town should do something to stop her. Mrs. Danae Tucker responded that she would like to talk to DEC and to find out if this is or is not part of their plan. Mr. Roger Smith told Mrs. Tucker that the turnaround is new and Ms. Clements was told not to put it in. She is only supposed to be doing what is in the plan from Soil and Water. We can kick it back to DEC and wait three weeks for them to get back to us or we can make a recommendation to our Town Board to direct our

enforcement officer to pursue this. Mr. Nester did asked them to put in writing what she has deviated from what she was told to do. Mr. Record asked if Ms. Clements did something on the Hobby Farm then that would be acceptable. Mr. Nester said no because that lot is part of the DEC plan. Mr. Joe Brown asked who has the right to go on that road. Mr. Nester responded that it is still a town road. Mr. Brown's concern is Shields Road stops on his property and when his brother retires he wants to build up there, is he going to have access. Mr. Nester stated the Ms. Clements has been in contact with Mr. Ron Vanselow and Mr. Dan Hitchcock in regards to what the status of the road is going to be – abandoned, made into a town road, private road that still has to be built to town standards. Mr. Brown, if the town abandonees the road then she is the only one that has access to it. Mr. Nester, No anybody that has frontage on that road will have a right to use it. Mr. Brown, he won't have any frontage because his is in Hamilton County. Mr. Nester, if the portion that is there now – if your land boards it then you can use it. He understands that the road used to go farther, but at this time the town only maintains to the Lenseth Camp. At this time it really is a Town Board issue. Mr. Curt Richards said that the Town Board is looking into what would happen if they abandon the road. Attorney Hill suggested maybe having an engineer look at the DEC Plan to give a definitive answer as to if Ms. Clements is following the plan. Then the town can look at the recommendation and proceed from there. Attorney Hill asked if there was a written plan. Mr. Nester said yes, that everything was spelled out in the plan – even with photos of what Ms. Clements is supposed to be doing, and there is no construction in the plan. There is nothing in there about a hammerhead, nothing about making a driveway. Mr. Moos stated that he has taken a class about the SWPPP and all of the instructions are provided in detail so there should not be a problem if they are followed. Mr. Record asked Mrs. Tucker if she has been up there and she responded that she would be going up the following day. Mrs. Tucker, will bring the concerns to the Town Board and is concerned about spending excessive funds that they can't recoup. Mr. Brown asked if the plan also covered the Thirteen Lake Road, where it washed out. Mr. Nester, no this plan does not cover that. The County is interested in obtaining that portion of property but they need access to it. Ms. Clements must complete other items before she can proceed with that portion over to the county.

ZEO Report – was e-mailed to the board and no questions

Motion to Adjourn: at 7:47 pm by Roger Smith and second by Bill Moos – all in favor

*Next Planning Board Meeting – Monday, July 22, 2013
at the Tannery Pond Community Center – 7 p.m.*

DRAFT