

Minutes of the
TOWN OF JOHNSBURG PLANNING BOARD
March 24, 2014

The Meeting was called to order by Chairperson Cork Nester at 7:02 p.m.

Roll Call showed the following persons present: Gretchen Millington, Cork Nester, Curtis Richards, Tim Record

Guests: Nancy Persons Kulikowski, Robert T. Farrell, Steve Studnicky, Roxy Freebern, Reg Freebern, Leslie Clement, David Webb, Joe Brown, Joyce Monthony, Dale Monthony, Danae Tucker, (Town Zoning Officer)

Public Hearing: SUB-07-2013 – Subdivision – Herrmann – 222 Durkin Road – Tax Map #83.-1-47 Mr. Herrmann not present at the start of the meeting, Mr. Nester states he will bypass Mr. Herrmann and will revisit if he arrives.

Approval of Minutes: January 27, 2014 (Richards, Millington, & Nester), February 24, 2014 (Nester, Record, and Millington).

NEW BUSINESS: SUB-01-2014-Sub-division-Smith/Weig-Route 28-Tax Map#135.-1-9.1 and 135.-1-10

Attorney Robert Farrell began presentation by showing the board the property map, proposing the Smiths conveying 16 + acres to the Weigs for Mr. Weig to have access to the road. Mr. Nester questions whether Mr. Weig has a right of way currently, Mr. Farrell responded yes. Mr. Nester also asks if the Smiths driveway will change, Mr. Farrell responded no. Mr. Nester questioned whether the Park Agency is all set, Mr. Farrell stated they are not all set they are waiting for additional information to be sent by Mr. Farrell. Mr. Nester questioned whether Mr. Weig is planning to merge the parcel he is acquiring with his other parcel, Mr. Farrell stated yes. Mr. Record questions whether the boundary line is the road, Mr. Farrell states the line is near the road but not the road, Mr. Farrell clarifies on the map the boundary line. Mr. Record asks who will own the road and Mr. Farrell replies “Weig”. Mr. Record asks the map to reflect the merging of the parcels. Mr. Farrell states he cannot change the map nor can he have it changed due to the death of the surveyor. Mr. Record questions if an APA Permit is required and Mr. Farrell states he has applied for a permit with the APA. Tim Record motioned, seconded by Curt Richards for public hearing, all in favor.

SP-03-2012-Site Plan Amendment- Clement- 83 Cemetery Road- Tax Map# 30.-1-68

Ms. Clement proposes an occasional wedding venue at the hobby farm which would include a wedding tent for a maximum of 100 people next to the farm stand. Food will be prepared at the farm stand, and alcohol (beer, wine, cider) will be served with special event permit obtained from the New York State licensing, with only 4 permits per year. Ms Clement also states guests may bring in their own catered food and liquor, but liquor must be purchased from a licensed brewery or wholesale supplier and not from a liquor store. Wedding rental agreement would indicate any music would end by 11pm and sound levels not exceed 55dba. Ms. Clement states there are two bathrooms available but if necessary port a potties could be brought in. Ms. Clement states parking is available on site for 16 cars with additional parking on Cemetery Road. Weddings would only be scheduled May thru October. Ms. Clements stated there will be no adverse impact on the neighborhood, environment or the roads. Mr. Nester questioned if a septic permit was obtained for the hobby farm itself. Mr. Nester is concerned with the parking situation and states he will not approve any plans where the parking would be on the road. Ms. Clement stated she could park more than 16 cars if she parks behind one another. Mrs. Millington questions whether the campground will be going on at the same time as the weddings. Mr. Record asks where the bathrooms for this parcel were going to be built. Mr. Nester also stated he's concerned about the well and the capacity of the septic for that amount of usage. Mr. Record asks how many toilets, Ms. Clement stated there are 3 bathrooms available. Mr. Nester states he wants to see a map with the distances and the septic information.

SP-02-2012A- Site Plan Amendment-Webb- Orenda Properties, LLC, Camp Orenda- Tax Map# 163.-1-21

David Webb proposes a new commercial kitchen and an additional platform. Mr. Webb presents the planning board with a map showing the locations of the kitchen and the additional platform. Mr. Webb states his proposal is in review with the Department of Health, County and the Johnsburg Planning Board. Mr. Nester asks if the bathhouse is moving. Mr. Webb stated no they are upgrading the septic system. Mr. Record asks if they are changing the water line, Mr. Webb stated yes and explains there is a new well to supply all the facilities. Mr. Record asks if the grease trap and septic tank are the same structure, Mr. Webb stated yes they are both 1,000 plastic tanks. Mr. Record asks how the board originally handled this site plan. Mr. Record proposes a review if there is a significant adverse environmental impact with regards to the site plan amendment. Mr. Nester stated they will wait until the next meeting and asked Mr. Webb to bring in documentation from the Department of Health.

Site Plan Amendment-Studnicky- 126-06

Mr. Studnicky proposes to add a personal services business of a tattoo artist. Mr. Studnicky states there is a 200 square foot area for the tattoo area, and the service will operate the same hours as the retail store. Mr. Record asks if there is a separate area closed off from the store, Mr. Studnicky confirms there is. Mr. Record makes motion to approve amendment to add tattoo area, seconded by Ms. Millington, all in favor, motion carried.

Privilege of Floor

After Ms. Clement concluded, a concerned neighbor asks if the farm stand is a home occupation. Mr. Nester said yes it is a home based business. The Neighbor said she sees it as a business and sees the wedding venue as a business. Mr. Nester said he sees it as an acceptable use for that zone. Neighbor stated she would like to see something in writing with regards to the authorizations Ms. Clements has obtained. Secretary of the North River cemetery association states she does not want the road to be blocked. Mr. Record replies to put that concern in writing.

ZEO Report

Mrs. Tucker reported she spoke with Sterling in regard to renting additional office space in the Pearsall Realty building in the upstairs apartment. Mrs. Tucker is questioning the use of the building as fully commercial.

Motion to Adjourn: Motion by Mr. Record, Mrs Millington, second. All in favor. 8:20 PM

Respectively submitted:

Shannon Slater

Johnsburg Planning Board Secretary

*Next Planning Board Meeting –Monday, April 28, 2014
at the Tannery Pond Community Center– 7 p.m.*