

**Minutes of the Town of Johnsburg Planning Board Meeting
August 27, 2012**

Minutes of the public hearings and regular meeting of the Planning Board of the Town of Johnsburg held on Monday, August 27, 2012 at the Tannery Pond Community Center, North Creek, NY.

Roll call showed the following persons present: Dottie Osterhout, Cork Nester, Janet Konis, Curt Richards, Roger Smith and Bill Moose (Came in late).

Also present was attorney for the planning board, Mike Hill

The meeting was called to order by Chairperson Osterhout at 7:00 pm

No Public Hearing - Open regular meeting and approval of minutes – Chairperson asked if there were any corrections to the minutes as emailed previously other than the grammatical errors in the first paragraph. Hearing none a motion was made by Mr. Cork Nester to approve the minutes, with a second by Mrs. Janet Konis – All in favor.

Old Business

1. **Four V's Subdivision # 01-2012 (Tax Map #101.-1-85 – 101.-1-97)** - Attorney Smith reported he was still waiting on response and signature of maps from DOH. Chairperson stated that per the board's report from Clough Harbour, there were no outstanding issues with this subdivision. There was brief clarification regarding lot access to parcels 10 & 12, which Attorney Smith explained would be a share access off State Route 28; lots 8, 9 & 11 would be off Highview Lane; 13 was APA jurisdictional and approved for either location. Attorney Hill led the board in a SEQR review for the lots they have jurisdiction over. After the review a motion was made by Mrs. Konis for a negative declaration, seconded by Mr. Nester – all in favor. A motion was made by Mr. Nester to grant conditional approval of the subdivision and authorize the Chairperson to sign the maps with the following conditions:

- ☐ The board receives signed maps with the approval from DOH
- ☐ The board receives verification of the 200' separation between lots 9 leach field and lot 10

The motion was seconded by Mr. Konis – all in favor.

NEW BUSINESS

1. **Tracey** – Chairperson Osterhout briefed the board on Mr. Tracey’s property, formerly known as the Ice Cream Shack on Main Street, North Creek. He’d converted it to a single family residence that was deemed by Warren County Building Codes as personal use. Mr. Tracy is looking to modify the unit and modify the site plan to turn it into a rental. He had received a variance from the State Building Codes for the size limitation and will seek a new building permit for the addition of the kitchenette from Warren County. Chairperson Osterhout informed Mr. Tracy that the board would require a drawing to scale of the building, the proposed kitchenette and the location on the property and any variances in writing prior to any final determination of the board. The ZEO stated she has a confirmation letter from Schrade regarding the septic and it is satisfactory. Mr. Tracy contends that he is not converting to a business. Chairperson indicated he would not be classified as business, but that the board is reviewing it that way due to the restrictions placed by the County.

2. **Gear Source – #01-2012 (Tax Map #66.10-1-26.2)** - Mr. Pulka stated he was in his 5th year of business, 2 years at the current location – they are still a ski, bike and sport shop. They have added small coffee/espresso service bar and been through DOH. Still looking to add more tables and chairs etc. The idea is to get people into the store, but make it more of a meeting place for active people to meet. He does not anticipate the venture expanding beyond beverage service. There are currently 2 tables with chairs. The DOH permit has not been submitted to the Town yet. The septic was reviewed by Delaware Engineering – that has not been submitted yet either. It will utilize the same parking spaces in front, on side and around back. (approx 10) Need to table this until next month.

3. **Kinnarney Subdivision – #04-2012 (Tax Map #134.-1-41)** Attorney Mr. Desantis representing Mr. Kevin Kinnerny has a lot about 118 acres and would like to subdivide the house from the larger acreage to be able to get a mortgage on the house. Mr. Kinnarney has a buyer for both lots. – I t is just a line being drawn and that is it so the buyers can get a mortgage. Please do not schedule a public hearing yet.

4. **Gore Village Subdivision- #04-2012 (Tax Map #83.11-1-1)** Proposed Subdivision is a transfer of 1 acre from Gore Village Associates to the abutting property owner Gore Village Home Owners Association. This one acre parcel contains the leach field for the Gore Village Home Owners Association. It is just a transfer and the Home Owners Associates has already accepted it. Please schedule a public hearing for September.

Chairperson Report – No Report

ZEO Report

Attorney Dan Smith showed a map regarding the Hudnut Cemetery - Mr. Daniel Smith Attorney for Thomas and Deirdre Hudnut ½ Interest and Stewart Hudnut, Trustee ½ Interest. - Property is located on Chatiemac Road. The proposal is for a 4 lot subdivision. They will convey to the Bischoff-Clarkson-Hudnut Corporation the 1 Acre that the Cemetery is currently on. (This is active Cemetery.) Need a Special Use Permit. The board needs to know that the Bischoff-Clarkson-Hudnut Corporation will accept the cemetery and responsibility of the cemetery.

Hearing no other comments, Chairperson asked for a motion to adjourn; so moved by Mr. Cork Nester and seconded by Mrs. Janet Konis all in favor.

Respectfully Submitted:
Jo Ann Bateman Smith, Secretary