

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

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

Roll call showed the following persons present: Dottie Osterhout, Cork Nester, Roger Smith and Janet Konis (Tim Record-absent)

Also present was attorney for the planning board, Mike Hill

The meeting was called to order by Chairperson Osterhout at 7:01pm and the public hearings were opened.

1. Subdivision #224-11 (Cunningham to Stewarts) – no one from the public wished to speak on this matter. A motion was made by Mr. Nester and seconded by Mr. Smith to leave the hearing open – All in favor.
2. Special Use Permit #300-11 (White Water Challengers) – Mr. Silvestri, Attorney for Mrs. Jillion, said he had toured the site with Mr. Schmale and most of the concerns have been addressed. There was still an issue with hours of operation. A motion was made by Mr. Nester and seconded by Mr. Smith to close the hearing – All in favor
3. Subdivision #226-11 (Four V's) – Chairperson Osterhout explained that the Attorney for the applicant has said they were not ready and would like to table the application. On advice of counsel for the Planning Board, the public hearing should be left open. A motion to leave the hearing open was made by Mrs. Konis and seconded by Mr. Nester – All in favor
4. Subdivision 225-11 (Ward Hill) –Letters from the Honorable Wm. Hudnut and Ellen Smith were read into record – Mr. Wm. Bryant spoke as an adjoining landowner and member of the Chatiemac Village Homeowners Association and several other concerned citizens expressing their concerns about the project ranging from Storm-water, potential damage to existing roads, road grade for proposed road, logging easements and fire protection. A motion was made to leave the hearing by Mrs. Konis and seconded by Mr. Nester – All in favor.

**APPROVAL OF MINUTES**

A motion was made by Mr. Nester and seconded by Mrs. Konis to approve the minutes of January 27, 2012 as written – all in favor

**OLD BUSINESS**

1. Subdivision #224-11 (Cunningham to Stewarts) – after considerable discussion, a motion was made by Mrs. Konis to approve the subdivision conditional upon receiving an easement(s) from the property owner. Counsel for the planning

board asked if they had done a SEQR Review. Chairperson Osterhout answered “no” so the board proceeded to complete the review. A motion was made by Mrs. Konis and seconded by Mr. Nester to approve a negative declaration (Osterhout, Konis, Nester in favor, Smith against) Due to not meeting a majority vote the motion fails to carry therefore nothing further can be done with this subdivision until the SEQR can be approved – Patrick Russo, representative for Stewarts, will return to applicant to explain what information is needed to complete the SEQR.

2. Special Use Permit #300-11 (White Water Challengers) – the board discussed all of Mrs. Jillions’ concerns and reviewed all necessary requirements for the permit. The board discussed with Mr. Schmale the hours of operation and he felt that 8a.m. was reasonable. Chairperson Osterhout suggested a later start in morning might be a good compromise. The hours of 9a-8p were offered and discussed and a motion was made to approve the permit with the change of hours by Mr. Nester and seconded by Mrs. Konis– All in favor.
3. Subdivision #01-2012 (Four V’s Development) A motion was made by Mr. Smith and seconded by Mr. Nester to table for future discussion – all in favor
4. Subdivision# 225-11 (Ward Hill) – after lengthy discussion Chairperson Osterhout reminded all present that this would be discussed again at the March meeting and if anyone had any concerns that they should feel free to put them in writing to the Board at Town Hall or to the Chairperson. She felt it would be several months at least before any decision could be reached. She asked the applicant if they would waive the 90-day time limit for the Planning Board to review the project. The applicant agreed.

#### **NEW BUSINESS**

1. Site Plan # 01-2012 (Izzy’s Market & Deli) – Owner Dave Waite reviewed the plans for Izzy’s Market & Deli with the board. He said they had not filed a sign permit as they had not decided on a logo. A motion was made to approve the site plan conditional on a sign permit being issued by the Zoning Enforcement Officer by Mrs. Konis and seconded by Mr. Nester – All in favor.

ZEO Danae Tucker spoke with the board concerning Gore Electric stating that the issues of property line and septic have been addressed to her satisfaction but the board still felt Mr. McAlonen had to either take down the portion of the original building as agreed upon in original Site Plan or return to board to amend it with current plans for the building.

A motion was made by Mrs. Konis and seconded by Mr. Nester to adjourn the meeting at 10:30pm – All in favor.