

**Johnsburg Planning Board Minutes
July 27, 2009**

ATTENDANCE: Mr. Record acting Chair, Mr. Heidrich, Mr. Smith, Mrs. Comstock, Mr. Sanantonio, Mr. Pelton and Alternate Mr. Klippel Absent Mrs. Osterhout

Guests: See attached

Public Hearing

Called to order at 7:02PM by Mr. Record

Regular Meeting

Minutes:

All members received the minutes electronically prior to the meeting eliminating the need to be read at this time. A motion to approve the minutes as received by Mr. Heidrich, and seconded by Mr. Smith, a vote determined all were in favor, motion granted.

Site Plan Application #146-09 Wevertown Country Store

Mrs. Heckett provided information requested by the Board. Applicant met with James Davis of the Department of Transportation to determine the acceptable location, size and material for drive division. General discussion proved that a railway tie box about 75 feet in length would allow two 26 foot openings, applicants could plant shrubs. Mrs. Heckett got an approval letter from DOT. Applicant clarified that parking will be along the existing fence on the south property line with designated handicap parking along the front and side of the store. Mrs. Heckett verified the location, size and last pumping of the Septic with Mr. Naler Wells of Hometown Septic. As indicated on the plat plan the septic is behind the store and consists of a one thousand gallon cement tank with an adequate leach field which was last pumped last summer. General discussion determined that a tank that required multiple pumping indicated that it was not operating correctly. Mrs. Heckett stated that the septic system would be closely monitored and any and all necessary maintenance will be preformed. Mr. Smith said that he agreed with that statement however the test results indicate the system should be fine. Applicant provided a picture of the planned sign and verified that it meets all Town of Johnsburg requirements. She had planned to use the existing light on the post in the ground for now. Mr. Record said that the Board has determined that all sign illumination needs to be downward directed. He read the requirements from the Land Use Plan. The Board then reminded the applicant that lighting on the ground would be covered with snow and would interfere with appropriate lighting. General discussion revealed that perhaps moving the existing light to the top of the sign with

a little roof built over it would provide the correct lighting and protect the electrical components from the elements. With a motion by Mr. Smith to approve Site Plan application #146-09 conditional on downward lighting for the sign. Mr. Pelton seconded the motion and with a vote of all in favor, no one opposed and no one abstaining, the motion was approved as presented.

Site Plan Application #147-09 Hudson River Trading Company

Ms. Arnheiter brought in the detailed plans for her project, as requested by the Board. General discussion disclosed that the new front porch would replace the existing awning. The new porch will be constructed to the edge of the sidewalk just as all other business in the area. The barn to be replaced, will be moved off the property line and be connected to the store by a covered walkway perhaps to be used as a café serving only light fare to keep within the Department of Health guidelines. The new barn will include two one bedroom apartments with a loft for storage. Parking will be along the back road with handicap and delivery parking on the parcel. Mr. Record asked if the Town was aware of this parking area and applicant replied that it is existing parking for businesses in that area at this time. Mr. Heidrich asked if applicant was asking for approval for this parking area and applicant said no. Applicant said that the public parking available meets her parking needs. Mr. Record asked applicant if she could bring this need to develop parking in that area to the Towns attention and applicant replied yes. Applicant asked if she could change her status to review as she had gotten all necessary documentation. Mr. Record said that the application has to go to the county for review and as all information had not been in until now it had not gone as of this date. Mr. Record said that the applicant could receive the review she asked for however any decision would be contingent on a decision of No Impact from the county. Mr. Heidrich presented a motion to approve applicant #147-09 contingent on a Warren County decision of no impact. With a second by Mrs. Comstock the Board accepted further discussion. Mr. Smith advised the applicant that if the County decision comes back with a request for change the applicant must address the issue and submit the change. Ms. Arnheiter agreed to take any action necessary. Mr. Heidrich asked if there was a need to address parking and the general consensus was that public parking is sufficient. Mr. Record asked about the increase in size for the new front porch. Applicant replied that it would increase about two feet toward the side walk. This increase will bring the front of the business into alignment with the surrounding businesses. Mr. Smith asked if the porch roof will pose a snow problem and the applicant said that keeping the front of the business clear is of upmost importance to her. Mr. Klippel asked about the walkway to the riverfront property. Applicant said that she cannot designate that as a public walk through however she will not try to stop the public as long as there is no destruction of her property. A vote on the motion declared that all in favor with no one opposed and no one abstaining. Approval of application #147-09 was passed conditional on a No Impact decision by the Warren County Planning Board review.

Chair Report

1. Chris May had to meet a prior commitment and could not make this

meeting. Mr. Record asked that Mrs. Monroe ask him to look into the new plans for the Pizza Parlor. Secretary to pull file and have ZEO check the building and any new plans available. There will be a change of use for Video area.

2. Mr. Record asked to have Chris talk to Rudd about the lights pointing upward on the Wevertown sign. Mr. Record has observed that the lighting wattage is too bright and interferes with traffic.

3. Mr. Record visited the Johnsbury Public Market and noted that there were issues that he is concerned about. There is an open electrical box in the work area, unfinished 12-2 wire on the front of the building and the addition located on the side of the building when there was more than ample room at the back of the building. The removal of survey stakes forced the adjoining land owner to pay again for survey of that line. Mr. Heidrich said that he had visited the property to check out the dip at the edge of Route 8 as reported by the applicant's relatives at the last meeting and he found there was no dip as described. There is a catch basin with some depression but no dip as described. He did park parallel to Route 8 and found that a customer wheeled into the business and passed him on the inside creating a hazard. He feels there is definitely a need to address this issue. General discussion revealed that the applicant has not followed the necessary steps to receive Site Plan approval and that although this Board does not want to see a business shut down it does want all business to be in compliance. Mr. Record has offered to discuss this with Supervisor Goodspeed. The Board agrees to this action. Mr. Heidrich will speak with him at Rotary meeting. Mr. Sanantonio is concerned with lack of compliance.

4. Secretary to have ZEO check the Produce Stand across from the White Pine Diner.

Mr. Heidrich presented a motion to adjourn and with a second from Mrs. Comstock and a vote of all in favor, motion was carried. Meeting adjourned at 8:10 PM

Respectfully yours,

Marion Monroe, Secretary