

**Johnsburg Planning Board Minutes  
Meeting October 15, 2007**

**ATTENDANCE:** Mrs. Osterhout, Chairperson, Mr. Vanselow, co-chair, Mr. Heidrich, Mr. Bergman, Mr. Smith, Mr. Morris, Mr. Osterhout  
**Absent Mr. Record.**

**Guests: See Attached**

**PUBLIC HEARING: Open 7:00 PM**

**Mr. Osterhout in for Mr. Record**

**Subdivision #188-07 Mr. Slone , Lone Wolf, represented by Mr. Hutchins.**

**Presentation informed that subdivision plan includes wet lands and a meeting that Mr. Hutchins has with the APA will determine the final number of lots. Applicant would like to produce four lots however wet lands cannot be included for the density and plan may have to go to two lots. Mr. Hutchins to meet with the APA and return to the Planning Board in November. Close Public Hearing 7:05**

**REGULAR MEETING: Open 7:05**

**Subdivision #189-07 Mr. Slear Review placed on Agenda for November 2007, with clock suspended.**

**Site Plan #187-07 Hudson River Gallery**

**With a motion from Mr. Bergman and a second from Mr. Vanselow Site Plan application #187-07 was suspended as the applicant moved to a building that housed a similar retail business and did not need review. Motion to suspend review and return fees was approved with all in favor.**

**Subdivision #162-07 Tall Timbers**

**Mrs. Osterhout informed the Board that legal advice was that the Board could make a decision as the applicants had received a variance and the property could be legally subdivided. The Board had requested a landscape plan and the applicants had provided pictures of the property and information that there was no further landscaping planned. Mrs. Osterhout was hoping for more screening between this parcel and the adjoining parcel of Mr. and Mrs. Monroe. With a motion from Mr. Bergman and a second from Mr. Smith approval was granted only as**

- 1 Applicant has received a variance allowing 0-foot setback for the width of the building only.**

- 2 The original variance being rescinded with the approval of applicant and the Johnsburg Zoning Board of Appeals.**

**Mr. Dye asked for clarification. Attorney Jordan explained that the change of the building requested required a different variance. For the new variance to be legal**

the original variance had to be rescinded, and that was done at the presence of the Zoning Board Meeting. Mr. Smith presented a motion with a second from Mr. Morris. A vote determined Yeas, Mrs. Osterhout, Mr. Smith, Mr. Morris, Mr. Osterhout, and Mr. Bergman. Nay, Mr. Vanselow, and obtaining, Mr. Heidrich.

#### **Subdivision Application #179 – 06A Front Street**

Mr. Bergman left the room. Attorney Smith requested the Board to amend the original approval of application #179-06 to allow for a separate parcel to be signed over to the Town of Johnsburg. This amendment would allow for a final total of 166 lots as opposed to the 165 lots that were originally requested. Mr. Vanselow asked for the reason for the urgency and Mr. Smith said that as soon as the APA permit was received they could sign over this parcel and the construction of the new lift could begin. Mr. Vanselow said that he would like this to go to Public Hearing and Mr. Tabor said that it already has, and he did not feel the need for a second one. Mr. Heidrich presented a motion to approve amendment as presented, to change from 165 lots to 166 lots. Mr. Smith offered a second generating a voted that determined Yeas, Mrs. Osterhout, Mr. Heidrich, Mr. Smith, Mr. Morris, Mr. Osterhout and a Nay from Mr. Vanselow.

#### **Waivers**

Front Street presentation of the need for waivers to allow for the size of the roads to waiver from the Zoning Ordinance specifications. Mr. Martin informed the Board that all the paperwork was in order and that he had applied AFTO standards. The waiver request was necessary because of the demographics of the land and wet land locations. Mr. Vanselow asked if the speed limits will be posted and the applicants replied yes. Mrs. Osterhout asked if the designers had considered speed bumps and Mr. Martin said that they would not be needed. Mr. Martin also agreed with Mrs. Osterhout that the speed bumps could be considered after if needed. Mr. Martin informed the Board that he had letters acknowledging that all standards had been met with the DOT and the County. Mr. Heidrich agreed that there was very little difference between requested standards and the Zoning Standards. Mr. Martin said that the proposed standards would meet the new Zoning Ordinance just approved by the Town. Mr. Vanselow moved to approve waivers requested and with a second by Mr. Heidrich a vote determined that all were in favor, no one opposed and no one abstained.

#### **New Business**

APA training for October 18, 2007 will be in Wevertown at 6:00 PM. There is a training session planned in Horican for seeker, facts and findings.

#### **Subdivision Application #**

Van Deusen and Steves for a plot about 15 acres to be divided into 3 lots to be heard at this meeting November 2007.

**Subdivision #**

**Peaceful Valley, new plan at the location of the closed Sawmill, to be presented at this meeting November 2007.**

**Subdivision #**

**Mr. Johnson and Ms. L Benton tabled, as no one was present. Reschedule for November 2007 meeting.**

**OLD BUSINESS**

**Discussion on request by Mr. Robert Nessel revealed that Mr. Vanselow advised that this would be better entertained by the Zoning Committee. Mr. Bergman said that he did not see this area as being in danger of any immediate development and therefore there is no need to act at this time. Board consensus that there be no action taken.**

**Chairpersons Request**

**Mrs. Osterhout asked the Board members to review the new Land Use Plan and be ready for discussion at the November meeting.**

**General discussion revealed that the new plan has created a change in applications to be reviewed by local Board.**

**General Discussion**

**Tall Timbers discussion showed that there was a removal of the single-family structure at the end of the Runway. The gate planned for the South end of the runway needs final approval from the Fire Company. National Grid has to review and give final approval on electric planned. There are ongoing plans for planting and lighting details. The APA has suggested a bridge adjustment from 30 ft to 26 ft. Rive Road entrance could be widened and a right hand turning lane could be added. Applicants have made legal response for NIPPA. Water drafts have been submitted and meetings with DOT and DEC and other regulatory agencies have provided required guidelines for Speedys permit and any concerns from these agencies. There has been an APA meeting scheduled in two weeks. Applicant expects a complete application determination in mid - November. Fire Company has expressed that they have no concerns about presented plans. Mr. Tabor has requested a work session with Clough Harbour to explain where they are at this date. Mrs. Osterhout requested the Board offer dates available. Monday November 5, 2007 was the date chosen. Mr. Heidrich said that Clough Harbour had sent a 20-page document of items to be addressed and Mr. Tabor said that all items had been resolved. The road across the runway would be for emergency use only and gated on both sides. Mr. Tabor reviewed the time and manpower that had been expended on the issues raised. Mr. Heidrich asked who would pay for road improvements required? Mr. Tabor said that the applicant has offered to repair any damage made to River Road.**

**Applicant is willing to discuss this issue at the planned workshop. Mrs. Lomax asked if there were an intent to use gated road and applicant represented that it would only be used in the case of emergencies.**

**Mrs. Osterhout read the letter to the Board by Mrs. McNaughton. Copy of letter attached.**

#### **MINUTES**

**The minutes were read and a motion was presented by Mr. Osterhout to approve as written and a second by Mr. Vanselow, determined all were in favor, no one opposed and no one abstained. Motion carried.**

**Ms. Romeo asked the Board to verify application number and Mr. Bergman entered a motion to change number stated from           to #184-07.**

**Mr. Vanselow moved to adjourn. Mr. Bergman seconded motion and all were in favor no one opposed and no one abstained. Motion carried meeting adjourned 8:15 PM.**

**Respectfully  
Marion Monroe, Secretary**