

Minutes of the  
TOWN OF JOHNSBURG PLANNING BOARD  
Monday, January 27, 2014

The meeting was called to order by Chairperson Cork Nestor at 7:05 pm.

Minutes of the public hearing and regular meeting of the Planning Board of the Town of Johnsburg held on Monday, January 27, 2014 at the Tannery Pond Community Center, North Creek, NY.

Roll call showed the following persons present: Roger Smith, Curt Richards, Gretchen Millington and Cork Nester (Tim Record Absent)

Also present was attorney for the planning board, Michael Hill.

Guests: Dennis MacElroy

**NEW BUSINESS:**

Public Hearing for SUB-08-2013 – Subdivision Montor – 295 Main Street – TAX Map #66.10-1-49 – Planning Board was provided with a copy of a map of the property prior to the meeting to reference. Mr. Dennis MacElroy representing Mr. Montor, commented that there had been a question at the last meeting regarding waste water disposal for the property. Mr. MacElroy stated that Mrs. Danae Tucker had found a file which showed that the property's water disposal had been originally connected with the Copperfield Inn's water disposal system. Mr. MacElroy stated that the new owner of the Copperfield Inn may not be aware of the shared system. Mr. MacElroy continued that the current subdivision proposal would allow the new owner of the property to square things away with the Copperfield Inn or build a new system. Mr. MacElroy hoped that in light of this new information the Planning Board would go ahead and approve the proposal. The Planning Board looked at the parcel map and Mr. Nester mentioned that there seemed to be no record of green space on the property. The property contains frontage, an old foundation, and a rise covered in sand and gravel. Mr. MacElroy mentioned a possibility of the frontage being used as commercial space but was not sure of the new owner's definite plan in that regard. Mr. Roger Smith proposed to close the public hearing, with a second from Mr. Curt Richards, motioned carried.

SUB-08-2013-Subdivision Montor-295 Main Street-TAX Map #66.10-1-49- Mr. Cork Nester summarized the proposal to take off the office building leaving enough space for a septic system to be installed, and the other lot remaining vacant at this time. A question was raised by Mr. Roger Smith of when exactly the building of the septic would take place. Mr. MacElroy stated that it would be the new owner's

option to negotiate with the Copperfield Inn for septic use or build a new system, of course the soonest that would happen would be in the spring. Mr. Cork Nester noted that a caveat should be added that if the Copperfield Inn does not wish to enter into such an agreement that the new owner would then need to build a new system immediately. Mr. MacElroy stated that he did not know of the legality of this suggestion, being that the use of the Copperfield Inn septic has been established for twenty years. Mr. Michael Hill said that it was not mentioned in the deed although either option could be legal, but things need to be put into order and all parties need to be aware of the situation, but it did not affect the action of subdividing the land. Mr. Cork Nester brought up that on the Mylar map it should be noted that the designated area should remain available for septic use in the future, Mr. Michael Hill agreed, seeing that there is no independent septic system on the property at this time. Also, it would be a good idea to attach a copy of Mr. MacElroy's engineering map to the map. The Planning Board reviewed the applicant's Short Environmental Assessment Form, and found that the proposed action would not have any adverse environmental impact. A motion was made by Mr. Roger Smith, to accept the Planning Board's findings in regard to no negative environmental impact for the subdivision, second by Mrs. Gretchen Millington, motion carried. Mr. Roger Smith made a motion to approve SUB-08-2013, there will be amendments made to the map to reserve the septic, second by Mr. Curt Richards, motion carried. No one from the public was in attendance.

SUB-08-2013-Subdivision-Herrmann-222 Durkin Road-Tax Map #83.-1-47 Public Hearing was open and will remain open for the February 24, 2014 Planning Board Meeting.

**Motion to Adjourn:** Motion by Mrs. Gretchen Millington to adjourn, Mr. Roger Smith, second. All in favor. 7:36 pm

Respectfully submitted,  
Samantha J. Cleveland  
Johnsburg Planning Board Secretary

*Next Planning Board Meeting*

*Monday, February 24, 2014*

*Tannery Pond Community Center– 7 p.m.*