

TOWN OF NEW BALTIMORE PLANNING BOARD
Regular Monthly Meeting
August 10, 2017 – Page 1

The regular monthly meeting was called to order at 7:09 p.m. by Chair Rob Van Etten followed by the Pledge of Allegiance. Other Board Members in attendance were Ann Marie Vadney, Jean Horn, Bob Court, Pat Bruno and Bill Boehlke. Lee Salisbury was out of town.

NEW BUSINESS

Anthony LoMonaco 2010 Irrevocable Trust – Minor Subdivision Application

Minor Subdivision Application, Short Form EAF, copy of deed, required letter of authorization giving Mr. Hilscher authorization to represent the property owners and \$60. application fee had been provided prior to the meeting. Also provided was an incomplete Ag Form which can be completed when Mr. Hilscher is next present.

Present was Art Byas, President of the Stanton Hill Cemetery, who was filling in for Mr. Hilscher who was out of State. Mr. Byas did not have letter of authorization but since he is Cemetery President and Mr. Court a Cemetery Trustee, the Board was in favor of allowing the discussion to continue.

The two-acre parcel to be subdivided from LoMonaco property on Route 51 is to be added to the cemetery property also on Route 51 upon subdivision approval. As a brief history, the original whole cemetery was taken off in increments over the years from what was originally the Powell farm. Approximately ten years ago, another acre and quarter was obtained and now an additional two acres is being given for purpose of enlarging the cemetery.

Question was raised as to whether this additional land will also be considered historical. Since the two acres will be combined with land currently owned, it will all be considered historical. County historical designation was obtained with the assistance of Cless and Jean Bush a couple of years ago and State and Federal recognition has now been obtained as well. The current sign was obtained by a grant through the Pomeroy Foundation. The Cemetery, originally a Quaker Cemetery, is believed to be the only cemetery in New Baltimore maintaining that designation all the way through.

Following up on discussion at the prior meeting, it appeared apparent, that Mr. Hilscher had decided that the subdivision process would be less complicated and less time consuming than going through the lot line adjustment procedure. It was noted that the map the Board was viewing this evening was a preliminary map, not the final maps that had already been left with Mr. Hilscher.

It was moved by Vadney and seconded by Court to classify as a minor subdivision.

Ayes: Van Etten; Vadney; Horn; Bruno; Boehlke

Nays: None Abstained: Court Absent: Salisbury

Required Public Hearing scheduled for 7:00 p.m. September 14, 2017. Copy of certified letter instruction sheet was provided.

OLD BUSINESS

Lands of Mansion Street Development, LLC – Minor Subdivision Application

Required Public Hearing had been held just prior to the start of this meeting. Property owners authorized representative Surveyor Charles Hite remained present. Part 2 of the Short Environmental Assessment Form was gone through with questions answered as follows:

1. *Will the proposed action create a material conflict with an adopted land use plan or zoning Regulations?* - **NO**
2. *Will the proposed action result in a change in the use or intensity of use of land?* - **NO**
3. *Will the proposed action impair the character or quality of the existing community?* - **NO**
4. *Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?* - **NO**

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5. *Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?* - **NO**
6. *Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?* - **NO**
7. *Will the proposed action impact existing:*
 - a. *public/private water supplies?* - **NO**
 - b. *public/private wastewater treatment utilities?* - **NO**
8. *Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?* - **NO**
9. *Will the proposed action result in an adverse change to natural resources (e.g. wetlands, waterbodies, groundwater, air quality, flora and fauna)?* - **NO**
10. *Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?* - **NO**
11. *Will the proposed action create a hazard to environmental resources or human health?* – **NO**

There being no further questions or concerns, resolution was presented as follows:

WHEREAS, Mansion Street Development, LLC wishing to complete a two-lot minor subdivision of property located on e/s Route 9W submitted Minor Subdivision Application at the July 13, 2017, Planning Board Meeting; and

WHEREAS, required Public Hearing, having been duly noticed, was held on August 10, 2017, with members of the Public offering comment; and

WHEREAS, the Short Environmental Assessment Form was reviewed, now therefore be it

RESOLVED, the application be granted a negative declaration for purposes of SEQR; and

RESOLVED, that the Mansion Street Development, LLC minor subdivision be approved with the no conditions.

Moved by: Court
Seconded by: Vadney

AYES: Van Etten; Vadney; Horn; Court; Bruno; Boehlke
NAYS: None ABSTAINED: None ABSENT: Salisbury

Mr. Van Etten stamped and signed the maps and mylar. Green form was provided for County Clerk's signature at time of map filing and form return to the Planning Board.

NEW BUSINESS (Cont'd)

Lands of Robert Peters – Minor Subdivision Application

Minor Subdivision Application, Short EAF, copy of deed and preliminary map had been received prior to the meeting. Representing Robert Peters, who lives out of state, was authorized representative, Marcie Peters. Required notarized authorization form had also been received for file.

Purpose of subdivision of 26-acre parcel on Alcove Road is to split the property into two parcels, 20 acres and 6 acres. The plan is for Mr. Peters' sister to build a home on the six-acre parcel in location as indicated by Ms. Peters. Mr. Peters will retain the 20-acre parcel, for which he has no plans at this time beyond possibly haying since family members have horses. It was noted that the six-acre parcel will run on both sides of Alcove Road.

Referring to Part 1 of the EAF, Question #8a. *Will the proposed action result in a substantial increase in traffic above present levels?*, it had been answered "yes". Answer was changed to "**no**". Likewise answer to 8.b. *Are public transportation service(s) available at or near the site of the proposed action?* was changed to "no" and 8 c. *Are any pedestrian accommodations or bicycle routes available on or near*

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site of the proposed action? was changed to “no”. Question #9, *Does the proposed action meet or exceed the State Energy Code?*, the answer to this question was also changed to “no”. Changes were initialed by Ms. Peters.

It was further noted that an easement issue with property owners, Vereen and Tucker, on Stahl Road, a private road, was addressed and taken care of at the time of an earlier subdivision taking a parcel from this property. The easement for that road remains with the Peters’ property.

It was moved by Vadney and seconded by Van Etten to classify the Peters’ application as a minor subdivision.

AYES: Van Etten; Vadney; Horn; Court; Bruno; Boehlke

NAYS: None ABSTAINED: None ABSENT: Salisbury

Required Public Hearing was scheduled for 7:15, September 14. Blue sheet explaining the certified letter process was provided. Question was raised as to whether both a certified letter and regular letter was sent to each property owner on surrounding property owner list. The Clerk explained that that has not been required, just the certified letter.

MINUTES:

The Board Members wished to have another month to fully review the May 11, 2017, Egan/New York Land & Lakes Development Major Subdivision Public Hearing and May 11, 2017 Regular Monthly Meeting minutes before approving. Concern was expressed regarding where the Clerk had indicated several times in the Public Hearing minutes, that conversation could not be understood because of conversations taking place. It was felt that it should be made clear that it was not the Board Members talking when a member of the public was speaking to them but rather it was members of the public present in the audience conversing. Discussion was also held regarding Public Hearing protocol for the future.

Lands of Robert Peters – Minor Subdivison Application (Con’td)

Mr. Court expressed concern that part of the right-of-way was going to be sold off and questioned if all the property owners on Stahl Road had in their deed that they have right-of-way on that road on the Peters’ property. He then questioned with part of that property being sold, how does that convey right-of-way across the new owner’s property? Where will that be shown? It will not be reflected in the deeds currently held by the property owners on Stahl Road. Mr. Van Etten pointed out that it will be shown on the maps. Mr. Court further questioned it will be shown on the maps but whose responsibility will it be to maintain it? It was then explained it is the Peters’ easement. Even though it shows “Stahl” as the name of the private road, it is an easement in the Peters’ deed which means if you went to court, they, the Peters, actually own it. Therefore, whoever is shown on the map now as Parcel #1, that would be on the map and it should be on the new deed. Mr. Court expressed concern regarding new owners taking over part of the easement and who would be maintaining the road. Mr. Boehlke pointed out it is usually in the deed who is responsible for the road but it was a good question to be raised at next month’s meeting.

CORRESPONDENCE

1. Green Forms returned for: Zacek, Murray, Wrisley and Lent/Parker/West map filing in County Clerk’s office.
2. Building Permit Applications: 1 porch replacement, 2 carports, 1 porch, 1 storage shed, 1 68-unit storage facility; 1 garage; 1 inground pool.
3. Summer, 2017, issue RURAL FUTURES
4. From Assessor Bennett, copy of Real Property Tax Service July Transfer Report

ADJOURNMENT

At 8:05 p.m., it was moved by Vadney and seconded by Horn to adjourn the meeting.

Ayes: 6 Nays: 0 Abstained: 0 Absent: 1

Respectfully Submitted,
Marjorie Loux, Clerk