

**Minutes
Warrensburg Planning Board
March 4, 2014**

Board Members Present: David Spatz, Shale Miller, Laura Moore, John Franchini

Board Member Absent: Alice Farrell, Danielle Robichaud (Alternate)

Others Present: Attorney Mark Rehm, Elsbeth Crusius, Mary Robinson, Chris Belden (Zoning Administrator) and two others

Meeting Commenced at 6:30 p.m.

Mr. Miller - Call this meeting to order; Town Planning Board, March 4, 2014. We have quorum. Right? (Inaudible) previous month's meeting minutes.

Mr. Spatz - I make a motion we approve last month's meeting minutes.

Mr. Miller - Seconded? Anybody got any issues? No (Tape inaudible).

Mr. Miller - 'Kay. All those in favor.

RESOLUTION #2014-5

Motion by: David Spatz

Second by: John Franchini

RESOLVED, to approve Planning Board minutes of February 4, 2014 (without correction).

DULY ADOPTED ON THIS 4TH DAY OF MARCH, 2014 BY THE FOLLOWING VOTE:

Ayes: David Spatz, Shale Miller, Laura Moore, John Franchini

Nays: None

Mr. Miller - New business; public hearing for subdivision 2014-1, tax map # is 167.-1-1.3, 839 Route 28. The applicant is here. (Inaudible) brief summary.

Mr. Rehm - Sure. Mark Rehm.

Mr. Miller - Yeah. Just one second, Mark. I'm going to open up the public hearing right now. It's 6:30 and we'll let you do your thing and we'll take questions from the audience.

Mr. Rehm - Absolutely. There was... As we talked last time at the preliminary, we're looking to separate lot C1 and lot C2, as it depicted on the prior map, which was filed. Clarence Alger had sold lot C1 to Mr. Peterson and Ms. Crusius and then in the interim, relied upon the Adirondack Park Agency permit (inaudible) subdivide these two lots. They just (inaudible), they had subdivided at the

County level, but for some reason, it was, it was never done here. So we're here seeking to correct that. Nothing other than converted into two lots, which was the intention. So that's what we're here to do, and I definitely like to (inaudible) comment, if there is any.

Mr. Miller - Anybody have any questions or comments about the project, about the...

(Unknown Speaker) - What do you mean by subdivision?

Mr. Miller - Right now you've got one, one or two large lots right now, right?

Mr. Rehm - Yeah, there are two lots in, in... I'll show you on the map here. There's a lot C1, you both can look at it. And there's a lot C2.

Mr. Miller - Which is...

Mr. Rehm - Which is that, that spot.

Mr. Miller - Okay.

Mr. Rehm - These lots were separated by the Adirondack Park Agency. You see this line right here, it's what they call a land hook.

Mr. Miller - Hm hm.

Mr. Rehm - From the Town's perspective, and from the County's perspective at one time, they were called C1 and C2. They were separate. So when the Adirondack Park Agency permit was applied for and, and they got, they just didn't come back to the Town to separate them because he sold this lot...

Mr. Miller - Right.

Mr. Rehm - ...to the two people, which I'm representing and trying to correct it so that it's, ya know, the sale still stands.

Unknown Speaker - And the property that he lives on right now is supposed to be like a life long lease there where...

Mr. Rehm - He owns it. No, he owns it. He retains lot C2.

(Unknown Speaker) - Until...

Mr. Rehm - Until he decides to do whatever he wants to.

Unknown Speaker - Either death or if he sells it, yeah.

Mr. Rehm - Correct. Yep. Yeah. So that's his. He owns that. He just sold C1, which is across the way.

Unknown Speaker - I have a question with that map.

Mr. Rehm - Hm hm.

Unknown Speaker - He came up and I don't know if he had a surveyor with him or whatever, he looked at the line right here. This is basically where the driveway is. His property's right here. There is a concrete border right here (inaudible).

Mr. Rehm - Hm hm.

Unknown Speaker - It kind of looks like it goes straight, but when he came in, (inaudible) right here, he's got (inaudible), little ribbons and everything where he roped it up.

Mr. Rehm - Okay...

Unknown Speaker - I'm actually going to be hiring a surveyor just to double-check it myself, but if so, 'cause he was talking about

logging the land and if so, he's going to come right into our property.

Mr. Rehm - Well, and again, I'd recommend that you do get a surveyor because when the lot was conveyed, this lot C1, it's using the description as is defined on this map which, ya know, where it's marked, I certainly don't have control over.

Unknown Speaker - That's fine. I just...

Mr. Rehm - (Inaudible) the sale, it references an intent to convey the lot that was part of this map. So if there is any, ya know, if you do find any discrepancy...

(Tape inaudible; people talking at once).

Unknown Speaker - ...looking out my windows, seeing blue ribbons going up the mountain that I thought was pretty like our land 'cause I know we own 8.5 acres. Only two acres of it, if everybody here knows where we live pretty much. I know Chris does.

(Tape inaudible).

Unknown Speaker - Two, only basically two acres of that is actually usable. Right now we have so much ice out here from the mountain draining, it's ridiculous.

Other Unknown Speaker - So (inaudible) right now is, wanted to do is just divide the property.

Unknown Speaker - He just wants this.

Other Unknown Speaker - He wants the property.

Mr. Rehm - To confirm that those are two separate pieces of property.

Other Unknown Speaker - Okay. To confirm...

Mr. Rehm - To keep C1 as defined on this map will be, ya know, separated. He's already conveyed out C1 to Mr. Peterson and Ms. Crusius.

Unknown Speaker - Yeah, I know what you're saying there.

Mr. Rehm - Okay. It's based on this map, so anything on, ya know, as to where the lines are based on this map here, so, ya know, I would certainly, those blue ribbons or whatever the ribbons are meant to be, should match what's on this map here. You may want to call Van Dusen and Steves who did this map (inaudible). I have some maps here for you as well.

Mr. Belden - Okay.

Mr. Rehm - The, ya know, maybe you should call them to have them remark it because they did the underlying map. That's who I'd suggest, and, and again...

Unknown Speaker - Like I said, it's just basically taking up our back yard and not, leaving us nothing with (inaudible) for land. That's how I'm looking at it.

(Tape inaudible).

Mr. Rehm - Why don't you take that. That's an extra copy that I have.

Other Unknown Speaker - What's he planning on putting on the property?

Mr. Rehm - Nothing at this point. He would have to come before this, ya know, he would have to come before this Board in order to apply for (inaudible).

Unknown Speaker - Yes.

Mr. Miller - And also the APA.

Mr. Rehm - And the APA.

Unknown Speaker - My question is, does he need to get approval to log the land and all that?

Mr. Belden - Not from the Town.

Unknown Speaker - Okay.

Mr. Rehm - Not from the Town. There is a timbering regulation from the Adirondack Park Agency, but whoever, ya know, you would have to get a reputable logger who is familiar with those rules, because...

Mr. Miller - Yeah, that's who usually applies for those, is the actual logger.

Unknown Speaker - I was just wondering. And I, my other question is, if he decides to log it, are we going to have to give our driveway as access?

Mr. Rehm - Absolutely not.

Unknown Speaker - Okay. That's...

Mr. Rehm - This map doesn't seek... We don't have an easement a, to cross your property.

Unknown Speaker - Okay.

(Tape inaudible).

Mr. Rehm - ...understand that. And they'd have to gain separate access.

Unknown Speaker - Okay. Thank you. Those were questions we basically had, so, I mean.

Mr. Miller - We don't have a time limit on a public hearing, do we? (Inaudible) satisfied? Okay. Alright.

Unknown Speaker - Oh come on, it's supposed to be four hours guys. Come on.

Mr. Miller - I'm not staying here four hours.

(Tape inaudible).

Mr. Miller - Can I get a motion to close the public hearing for subdivision 2014-1.

Mrs. Moore - I'll make a motion to close the public hearing.

Mr. Spatz - I'll second it.

Mr. Miller - All those in favor.

RESOLUTION #2014-6

Motion by: Laura Moore

Second by: David Spatz

RESOLVED, to close the public hearing for application #SUB 2014-1 by Walter Peterson, III & Elsbeth Crusius, for tax map #167.-1-1.3.

DULY ADOPTED ON THIS 4TH DAY OF MARCH, 2014 BY THE FOLLOWING VOTE:

Ayes: David Spatz, Shale Miller, Laura Moore, John Franchini
 Nays: None

Mr. Miller - Alright.

Unknown Speaker - Does that mean he's approved?

Mr. Miller - Nope, not yet. Okay. Does anybody else on the Board have any questions about this? Can I get a motion to approve subdivision 2014-1?

Mr. Spatz - I make a motion we approve subdivision 2014-1.

Mr. Miller - Seconded?

Mrs. Moore - I'll second that.

Mr. Miller - All those in favor.

RESOLUTION #2014-7

Motion by: David Spatz

Second by: Laura Moore

RESOLVED, to approve application SUB #2014-1 by Walter Peterson, III & Elsbeth Crusius, for tax map #167.-1-1.3, located at 839 Route 28, for a two lot subdivision.

DULY ADOPTED ON THIS 4TH DAY OF MARCH, 2014 BY THE FOLLOWING VOTE:

Ayes: David Spatz, Shale Miller, Laura Moore, John Franchini
 Nays: None

Mr. Miller - You have current maps? Do you have a Mylar?

Mr. Rehm - I do. And I'll just show them to you. Really what it does is it takes away that land hook.

Mr. Belden - Okay. And then the (inaudible) at the top or?
 (Tape inaudible).

Mr. Rehm - They should've taken that note off. I'll have them take that note off.

(Recording ended).

Motion by David Spatz, second by Laura Moore and carried to adjourn the Warrensburg Planning Board meeting at 6:40 p.m.

Respectfully submitted,

Patti Corlew
 Recording Secretary

pb031714

RESOLUTION #2014-5

Motion by: David Spatz
Second by: John Franchini

RESOLVED, to approve Planning Board minutes of February 4, 2014
(without correction).

DULY ADOPTED ON THIS 4TH DAY OF MARCH, 2014 BY THE FOLLOWING VOTE:

Ayes: David Spatz, Shale Miller, Laura Moore, John Franchini
Nays: None

RESOLUTION #2014-6

Motion by: Laura Moore
Second by: David Spatz

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Walter Peterson, III & Elsbeth Crusius, for tax map #167.-1-1.3.

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Ayes: David Spatz, Shale Miller, Laura Moore, John Franchini
Nays: None

RESOLUTION #2014-7

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Second by: Laura Moore

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DULY ADOPTED ON THIS 4TH DAY OF MARCH, 2014 BY THE FOLLOWING VOTE:

Ayes: David Spatz, Shale Miller, Laura Moore, John Franchini
Nays: None