

Minutes
Warrensburg Planning Board
May 7, 2024

Board Members Present: Suzanne Tyler, Susan Hull, Sharon Sutphin, Tony Fortino

Board Member Absent: John Franchini

Others Present: Attorney Ryan Pezzulo, Charles Ligon, Nathan Daly, Jim Hull

Meeting Commenced at 6:58 p.m.

Mr. Fortino made a motion, Susan Hull seconded and all voted in favor to accept the Planning Board minutes of April 2, 2024.

RESOLUTION #2024-10

Motion by: Anthony Fortino
Second by: Susan Hull

RESOLVED, to accept the Planning Board minutes of April 2, 2024 (without correction).

DULY ADOPTED ON THIS 7TH DAY OF MAY, 2024 BY THE FOLLOWING VOTE:

Ayes: Suzanne Tyler, Susan Hull, Sharon Sutphin, Anthony Fortino
Nays: None

The Board then went on to the matter of a referral from the Town Board for an "Open Development Area". The referral was sent to the Planning Board in 2022 and the applicant is following through with it now. The location of the property is 9 Browns Court and the owner is Chip Ligon.

Mr. Ligon was present, along with his Attorney, Ryan Pezzulo.

Mr. Pezzulo explained that Mr. Ligon has to receive approval from the Town Board for the Open Development Area before he can apply for any permits to construct a single family residence on the property.

Mrs. Hull asked if the applicant has gotten approval from the Adirondack Park Agency yet. The owner and attorney indicated no.

Mr. Fortino asked about a warranty deed and what is the difference between a right-of-way and a deeded right-of-way and Attorney Pezzulo answered that there is no difference. They also discussed the difference between an easement and a right-of-way. Mr. Fortino asked what if someone from one of these other properties indicates they no longer want one to use this right-of-way to get to 9 Browns Court. The attorney indicated they could not do that as the deed for 9 Browns Court has the right-of-way stated in there. Mrs. Sutphin asked if Mrs. Whipple's deed has the right-of-way included in it. The attorney stated that he did have that information. The attorney can provide that. They went on to discuss it a little further.

The Board decided that they cannot make a recommendation before getting more information. They want to see that the right-of-way is mentioned in all the deeds of properties involved and they would like the applicant to get word from the APA about whether a structure can be built on this property.

Mr. Fortino asked who owns the properties that contain the right-of-way. Mrs. Corlew indicated that according to the tax map, it's Hoffman and Whipple.

Mrs. Tyler reiterated what the Board would like to see, 1) the deed of Whipple showing the right-of-way, 2) word from the APA and 3) a bigger plan for the Board to review.

Mrs. Sutphin asked what kind of improvements Mr. Ligon was going to make to the right-of-way. The attorney stated that Mr. Ligon cannot change the dimensions, and asked what would the Board like to see as far as improvements go and that he imagines the owners of the property would have to have a say in the matter.

Mr. Dally, a neighbor to the front of 9 Browns Court spoke. He stated he just came to listen to the meeting to see that things were going to be done right. He indicated that Mr. Ligon has installed a well at 9 Browns Court.

The matter of 9 Browns Court is tabled until the requested information is submitted.

Mr. Fortino motioned, Suzanne Tyler seconded and the motion carried to adjourn the Planning Board meeting.

Respectfully submitted,

Patti Corlew
Recording Secretary

Pb05072024

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Ayes: Suzanne Tyler, Susan Hull, Sharon Sutphin, Anthony
Fortino

Nays: None