

Minutes
Warrensburg Planning Board
January 18, 2011

Board Members Present: David Spatz, Danielle Robichaud (Alternate), Shale Miller

Board Members Absent: Laura Moore, Art Healy, Lynn Smith (Alternate)

Others Present: Penny Gray, Paula Casey, Attorney Dan Smith, Patti Corlew

Meeting Commenced at 7:00 p.m.

Mr. Miller - Call this meeting to order. It's January 18th. We have quorum. Let's see. We've got approval for previous meeting minutes. I had no issues with it. Does anybody have any..? Can I get a motion on that?

Mrs. Robichaud - I make the motion to accept the minutes of December.

Mr. Miller - December 21st.

Mrs. Robichaud - 21st. Make a motion to accept December 21st minutes.

Mr. Miller - Second?

Mr. Spatz - I'll second.

Mr. Miller - Okay. All those in favor. Aye.

RESOLUTION #2011-1

Motion by: Danielle Robichaud

Second by: David Spatz

RESOLVED, to approve Planning Board minutes of December 21, 2010 (without correction).

DULY ADOPTED ON THIS 18TH DAY OF JANUARY, 2011 BY THE FOLLOWING VOTE:

Ayes: David Spatz, Danielle Robichaud, Shale Miller

Nays: None

Mr. Miller - Old business, we have a public hearing. I'm going to open that up right now for Subdivision 2010-3, tax map #210.16-1-3, it is 119 Hudson Street. The applicant is Sherry Davis, and it's to allow a two lot subdivision in a piece of property that was originally subdivided, joined together and now they wish to subdivide it back to its original form, pretty much. Okay. I don't think we've got a lot of public outcry on this one. So..

Ms. Casey - Is everybody okay with it?

Mr. Miller - Apparently.

Ms. Casey - Oh, okay.

Mr. Miller - Or they're snowbound. One or the other. But I guess we had one person who came in and asked Patti a question and had no problem with it.

Mrs. Gray - Oh, okay.

Mr. Miller - Do you have the, a map?

Mrs. Gray - No.

Mr. Miller - No? Okay. Do you have a copy of the map that she had or? I don't have it.

Mrs. Robichaud - It's right...

Mrs. Corlew - We have it.

Mr. Miller - Upside down. My only thing on this, and I, I mentioned it to Sherry the last time she was here that, to just try to distinguish that the driveway be on Orton Drive, and I think she said that was the intention. So I think we'll just put that into the, into the subdivision approval.

Mr. Spatz - Is the front of the house going to be on Orton Drive also?

(Mrs. Casey and Mrs. Gray nodded in the affirmative.)

Mr. Spatz - Will there be any windows on, like on Hudson Street side?

Mr. Miller - You don't, you don't know, right?

Mrs. Casey - I don't know.

Mr. Miller - There's no house design yet.

Mrs. Gray - She hasn't really decided...

Mr. Miller - Oh, okay. Yeah. We, we got to keep it open for five or minutes or not?

Mrs. Corlew - No, there is no requisite time.

Mr. Miller - Okay. Alright, can I get a motion to close the public hearing.

Mrs. Robichaud - Make the motion to close the public hearing.

Mr. Spatz - I'll second.

Mr. Miller - All those in favor. Aye.

RESOLUTION #2011-2

Motion by: Danielle Robichaud

Second by: David Spatz

RESOLVED, to close the public hearing for application #SUB 2010-3 by Sherry Davis for tax map #210.16-1-3, located at 119 Hudson Street, for a two lot subdivision.

DULY ADOPTED ON THIS 18TH DAY OF JANUARY, 2011 BY THE FOLLOWING VOTE:

Ayes: David Spatz, Danielle Robichaud, Shale Miller

Nays: None

Mr. Miller - Okay. Anybody have any comments or questions?
(Tape inaudible).

Mr. Miller - Can I get a second, or can I get a motion to approve (inaudible) with the condition that the driveway be on Orton Drive and meet all the proper setbacks.

Mr. Spatz - Make a motion that we accept Subdivision 2010-3, tax map 210.16-1-3 at 119 Hudson Street, for Sherry Davis.

Mr. Miller - Second?

Mrs. Robichaud - I'll second.

Mr. Miller - All those in favor.

Mrs. Robichaud - Aye.

Mr. Miller - Aye. Gotta say it.

Mrs. Robichaud - Aye.

Mr. Spatz - Aye.

RESOLUTION #2011-3

Motion by: Danielle Robichaud

Second by: David Spatz

RESOLVED, to approve application #SUB 2010-3 by Sherry Davis for tax map #210.16-1-3, located at 119 Hudson Street, to allow a two lot subdivision with that condition that the driveway be located off Orton Drive.

DULY ADOPTED ON THIS 18TH DAY OF JANUARY, 2011 BY THE FOLLOWING VOTE:

Ayes: David Spatz, Danielle Robichaud, Shale Miller

Nays: None

Mr. Miller - Okay. Alright. You're all set.

Ms. Casey - She's all set?

Mr. Miller - Yeah.

Mrs. Corlew - Yep.

Mr. Miller - She just has to come in and get the map signed, right?

Mrs. Corlew - Yes. She needs to bring a Mylar and two paper copies. Drop it off at our office and then we'll call Shale and when he gets a chance to come in, he'll sign it and then she can come pick it back up.

Mrs. Gray - Okay.

Mrs. Corlew - Okay? And you guys don't have to stay for the rest. You can... You're welcome to leave. You can... You're welcome to stay too, but...

(Tape inaudible).

Mrs. Corlew - You're welcome.

Mr. Spatz - Have a good night.

Mr. Miller - G'night.

Mr. Spatz - Safe trip home.

Mrs. Gray - Yes.

Mr. Miller - Okay. New business, Evergreen Townhouses, amendment of filed subdivision to accommodate porch additions and Attorney Dan Smith is representing.

Mr. Smith - (Inaudible) stuff first. Evergreen Townhouses was done in 1983 and was approved as a subdivision, a townhouse cluster subdivision and that was the map that was filed for the project. If you do your math real quick...

(Tape inaudible).

Mr. Smith - Pardon?

Mr. Miller - I said I lived somewhere in here. Is this the... Up at the...

Mr. Smith - This is the lake side.

Mr. Miller - Oh, so this is down in the... Okay, I didn't live down there.

Mr. Smith - These...

Mr. Miller - Yep.

Mr. Smith - What's shown is three are up on the ridge behind it.

Mr. Miller - Yep, okay.

Mr. Smith - So that's the map that we filed. Then what happened, as units were built, we filed as-builts for each one. Interestingly, number 14 had a porch built on and the line went around the porch. The rest of them didn't have, (inaudible) a porch and so we just every time we built a unit, we did a survey. We filed a survey and everyone now have porches.

Mr. Miller - In the drawings.

Mr. Smith - In the drawings... No, these are as-builts.

Mr. Miller - Oh, okay.

Mr. Smith - These are as-builts of the units as they went up. Now there, you're going... If you do some real quick math, there's five so to speak down here and there's three up here. He only built two. So there's only eight up here. So there's seven altogether. This one is not asking for anything. Whether they have a porch or don't want it, I don't know. But the bottom line is, a number of the others would like to add or confirm title to a porch. And so what we've done is we have done a map of the buildings. This happens to be 14. Remember on 14 I showed you that the one has a porch already on. That was this one. These people have built a porch on common property.

Mr. Miller - Cambria; that's my old landlord.

Mr. Smith - (Inaudible).

Mr. Miller - That is... Which one is that? Is that this one here?

Mr. Smith - 14. That would be this one.

Mr. Miller - Okay.

Mr. Smith - Then these are almost the same. Reading upside-down, this is 15. He has a porch (inaudible). He would like to build a

porch. And 16 ironically, which is right in the middle (inaudible) ironically has a porch on the original deed, but the other side doesn't, and he wants his full piece. They're all 5 foot by 10, by 25 or 20, as the case may be. Number 17, same thing. There's a porch there.

Mr. Spatz - This is all Green Mansion property?

Mr. Smith - It's the Green Mansions neighborhood, but there's 28 owners up there. Everybody owns their own place.

Mr. Spatz - Okay. So the point of this is that they don't own the property that that porch is on?

Mr. Smith - That's right.

Mrs. Corlew - So they want, they're trying to fix that.

Mr. Smith - They would like to fix it.

Mrs. Corlew - So that they own it, the property.

Mr. Smith - This guy would like to put a porch on and number 20 at the top, they both would like it. That's what happening here. So before I came here, I went to the County Center to talk with (inaudible) that does the tax maps. He says, you won't believe what I have. He says, let me tell you what I have. You know where Overlook is? It's a townhouse project in... It's at Highland Park but...

Mr. Miller - Okay.

Mr. Smith - Do you know where the Mormon Church is?

Mr. Miller - I think so.

Mr. Smith - Anyway, you go past the Mormon Church and it's, it's in there. This is the map that was filed for them, and this one got really silly because when they did the survey, I'll show you the most difficult one they had. They actually did a wall. Let me... Oh, here is, right here. There's a six inch wall. So when they did the correction deed, they came all around and then they went around the porch, back in like this, up along the wall, over six inches, back in and on to the next one. So that's what's been done in Queensbury. And you guys checked in Queensbury and the Planning Board just kind of signed off.

Mrs. Corlew - Yes. Chris checked it.

Mr. Miller - I, I don't have a problem with this other than the fact that to, Laura had asked if there was a...

Mrs. Corlew - Letter?

Mr. Miller - ...a letter of approval, consent from everybody.

Mrs. Corlew - From the Association.

Mr. Miller - Not just the people, not just the people wanting, but everybody.

Mr. Smith - I'm not sure if I have it with me, but I do...

Mr. Miller - Yeah, and I guess Green Mansions itself, right?

Mr. Smith - No, Jovic has nothing to do with this. This is... I don't have... I didn't bring that with me. I don't know what I did with it.

Mrs. Corlew - But you do have one?

Mr. Smith - I have one from them to the effect that..

Mrs. Corlew - Okay.

Mr. Spatz - (Inaudible) these porches were built, you have approval from (inaudible) the landowner?

Mr. Smith - Yeah. The landowner is the association actually.

Mr. Miller - They don't own the land immediately outside of the buildings?

Mr. Smith - Yeah.

Mr. Miller - Except...

Mr. Smith - You own the footprint.

Mr. Miller - Right. And the footprint... So right now the footprint is just going over into the publicly owned part of it.

Mr. Smith - So I'll get something from Sorrentino...

Mrs. Corlew - Okay.

Mr. Smith - ...that shows the association went along with this, and I think I've got eight or ten people who would like these, and some people don't, and I think others have porches but don't want to know about this as a problem. I guess we'll address that if they ever sell.

Mr. Spatz - As long as we have some type of...

Mr. Smith - Authorization.

Mr. Spatz - ...authorization from them, the landowners, then I don't see a problem with it.

Mr. Miller - They've been there forever, so...

Mrs. Corlew - Yeah, Chris doesn't have a problem with it either. He just...

Mr. Miller - Yeah.

Mrs. Corlew - ...wanted to get you guys' opinion.

Mr. Smith - Yeah, and I think it's because we had been here on the other townhouses and I think this is the right thing run it (inaudible). And if I can see this map, you can see those actually signed by the Planning Board also. That's the one in Queensbury. So generally speaking, on a lot line adjustment you guys don't have to sign off, but because this is so weird... It's a (inaudible) unit development. It's cluster development.

Mrs. Corlew - Yeah, Chris wasn't sure if he could.

Mr. Smith - Best to bring it in, take a look at it.

Mr. Miller - We'll have to sign off on a Mylar though right?

Mr. Smith - Oh yeah.

Mr. Miller - Yeah.

Mr. Smith - I didn't want to do a Mylar until I...

Mr. Miller - Right. Understood.

Mr. Smith - ...knew where I was.

Mr. Miller - Yep.

Mr. Smith - (Inaudible). Okay. So...

Mr. Miller - This isn't something we need...

Mrs. Corlew - You don't do an approval on it, no. No... Chris...

Mr. Smith - Well, no, you have to, because you have to sign the map. You approve, just authorized the Chairman to sign this...

Mrs. Corlew - You just approved the am...

Mr. Smith - ...as a...

Mrs. Corlew - ...amendment.

Mr. Smith - ...lot line adjustment.

Mr. Miller - Right.

Mr. Spatz - (Inaudible) letter.

Mr. Smith - Hah?

Mr. Spatz - After you get the letter?

Mrs. Corlew - You can do that as a condition.

Mr. Miller - Yeah.

Mr. Corlew - So yeah, it wouldn't hurt to do a motion.

Mr. Miller - Alright. Can I a motion to approve the amendment of filed subdivision to accommodate porch additions for Evergreen Townhouses, with the condition that a letter be provided that...

Mr. Smith - Board of Directors of the Association.

Mr. Miller - ...Board of Directions is, everybody is in agreement.

Mr. Spatz - Okay, as along as (inaudible).

Mr. Miller - Yeah, that's fine.

Mr. Spatz - I second.

Mr. Miller - All those... No, I need a motion.

Mr. Spatz - Oh, okay. I make a motion that we do that.

Mrs. Corlew - Very good.

Mr. Miller - You'll second it?

Mrs. Robichaud - I'll second it.

Mr. Miller - Okay. All those in favor.

RESOLUTION #2011-4

Motion by: David Spatz
 Second by: Danielle Robichaud

RESOLVED, to approve the amendment (lot line adjustments) of the filed subdivision to accommodate porch additions for Evergreen Townhouses, with the condition that a letter be provided by Board of Directors of the Association that they are in agreement.

DULY ADOPTED ON THIS 18TH DAY OF JANUARY, 2011 BY THE FOLLOWING VOTE:

Ayes: David Spatz, Danielle Robichaud, Shale Miller
 Nays: None

Mr. Miller - Okay.
 Mr. Smith - Alright. For your records, I'm going to leave the original (inaudible) small print. I'm going to leave also, in case anybody every wants, the Queensbury thing also. (Inaudible).

Mr. Miller - Yeah, that's crazy.

Mr. Smith - A retaining wall. But everybody wanted to retain ownership of their retaining, of their wall. (Inaudible). Alright, so I'll get the Mylar. How many above and beyond the Mylar do you need?

Mrs. Corlew - We just need one for our file.

Mr. Smith - Okay. I'll go home and... That's theirs.

Mr. Miller - Yeah.

Mr. Smith - I'll go home and blow snow.

Mr. Miller - Yeah.

Mr. Smith - (Inaudible) said don't plow.

Mr. Miller - Wait 'til it's all done.

Mr. Smith - No, (inaudible) was going to rain...

Mrs. Robichaud - Oh yeah.

Mr. Smith - Have ice on clean area (inaudible) ice on top of the snow is pretty easy to handle. (Inaudible) office. Thanks again.

Mr. Miller - Yep.

Mr. Smith - Goodnight.

Mr. Spatz - Thank you.

Mr. Miller - We don't have any communications or any other (inaudible). Anybody have anything else to bring up or talk about or?

Mrs. Corlew - No.

(Tape inaudible).

Mr. Miller - Our next meeting is February..?

Mrs. Corlew - February 15th.

Mr. Miller - 15th, okay. Everybody think they're going to be around or anybody on vacation or anything like that?

Mrs. Corlew - We do think we're going to get a couple things in.

Mr. Miller - Yeah.

Mrs. Corlew - So..

Mr. Miller - Yeah, seems to be some, some action around town.

Mrs. Corlew - A little bit, yeah.

Mr. Smith - Goodnight.

Mrs. Corlew - Goodnight.

Mrs. Robichaud - Goodnight.

Mr. Miller - Thanks. Okay, can we get a motion to adjourn.

Mr. Spatz - For the 15th?

Mrs. Corlew - Yep. Who's going to motion to adjourn?

Mr. Miller - Yes, motion to adjourn.

Mrs. Robichaud - I make a motion to adjourn.

Mr. Spatz - I'll second.

Mr. Miller - All those in favor.

Motion by Danielle Robichaud, second by David Spatz and carried to adjourn the Planning Board meeting at 7:15 p.m.

Respectfully submitted,

Patti Corlew
Recording Secretary

Pb01192011

RESOLUTION #2011-1

Motion by: Danielle Robichaud
Second by: David Spatz

RESOLVED, to approve Planning Board minutes of December 21, 2010 (without correction).

DULY ADOPTED ON THIS 18TH DAY OF JANUARY, 2011 BY THE FOLLOWING VOTE:

Ayes: David Spatz, Danielle Robichaud, Shale Miller
Nays: None

RESOLUTION #2011-2

Motion by: Danielle Robichaud
Second by: David Spatz

RESOLVED, to close the public hearing for application #SUB 2010-3 by Sherry Davis for tax map #210.16-1-3, located at 119 Hudson Street, for a two lot subdivision.

DULY ADOPTED ON THIS 18TH DAY OF JANUARY, 2011 BY THE FOLLOWING VOTE:

Ayes: David Spatz, Danielle Robichaud, Shale Miller
Nays: None

RESOLUTION #2011-3

Motion by: Danielle Robichaud
Second by: David Spatz

RESOLVED, to approve application #SUB 2010-3 by Sherry Davis for tax map #210.16-1-3, located at 119 Hudson Street, to allow a two lot subdivision with that condition that the driveway be located off Orton Drive.

DULY ADOPTED ON THIS 18TH DAY OF JANUARY, 2011 BY THE FOLLOWING VOTE:

Ayes: David Spatz, Danielle Robichaud, Shale Miller
Nays: None

RESOLUTION #2011-4

Motion by: David Spatz
Second by: Danielle Robichaud

RESOLVED, to approve the amendment (lot line adjustments) of the filed subdivision to accommodate porch additions for Evergreen Townhouses, with the condition that a letter be provided by Board of Directors of the Association that they are in agreement.

DULY ADOPTED ON THIS 18TH DAY OF JANUARY, 2011 BY THE FOLLOWING VOTE:

Ayes: David Spatz, Danielle Robichaud, Shale Miller
Nays: None