

Town of Fort Ann
Final Planning Board Regular Meeting Minutes
Fort Ann Town Hall
Fort Ann, NY
September 23, 2013 7:00P.M.

(Recorder begins 6:56 P.M.)

1. **Call to order.** 7:00 P.M. by Chair Don Bedeaux

Pledge of Allegiance

- | | |
|--|---|
| <p>a) Roll call, Board members present:</p> <p>✓ _____ Donald Bedeaux, Chairman
_____ William Hohmann, Vice Chairman</p> <p>✓ _____ Sally Walker
✓ _____ Chad Wilson
✓ _____ Brian Mattison
✓ _____ Curt Rehm
✓ _____ Howard Denison</p> <p>b) Others:</p> <p>✓ _____ Matt Fuller, Esq., Meyer & Fuller PLLC
_____ Jeff Meyer, Esq., Meyer & Fuller PLLC</p> | <p>Staff:</p> <p>✓ _____ Secretary: Leslie Barker
_____ Temporary
Secretary: _____</p> |
|--|---|

2. **Public Hearing- Marc J. Brown, Mobile Home Application, 1175 County Route 17, Fort Ann, NY 12827, Tax Map Number 105.-1-11.2 (Public Hearing format)**

The public hearing opened. Mr. Brown explained to the board, he had received approval from the Fort Ann Town Planning Board to put a new mobile home at the same location as the old one. He spoke with the Department of Health who told him to print out the information online showing the minimum distance from well to septic, which was 50 feet. Mr. Brown had his property surveyed and the distance from his well to septic was 51 feet. He showed the board members the printed Department of Health material and survey. The board asked where his leech field was located and advised that the distribution box has to be 100 feet. Mr. Brown had not dug up the leech field. The county code enforcement advised Mr. Brown that 'if it is working, you don't dig it up'. The Planning Board discussed the presented material and required distances for the Town of Fort Ann. Mr. Brown then turned to the audience and described the scope of his project, which is to put a new mobile home in the same location as the old abandoned one that was removed from the property. The Planning Board's concern was the distance from the well to the septic tank was not the required 100'. Mr. Brown's new survey measured the separating distance from well to septic as 51 feet. Public was asked if they had comments and there were no comments or questions.

The Planning Board discussed the continuing concern about the well not being 100' from the septic. Howard Denison pointed out that the printed information Mr. Brown gave the board to review states a required 100' separation. The Board clarified that the 100' is the required distance from the well to the leech field and that the leech field and septic tank are part of septic system. Mr. Brown asked if the board wanted him to drill a new well or put in a new the septic system. The Board advised Mr. Brown to find which direction the leech field travels from the tank to know the existing distance from his well to his leech field and that he may try to get a variance from the Department of Health if he wishes. The Planning Board needs to know the distance from the leech field to the well. One option for Mr. Brown would be to get a septic system installer to find the leech field by using a poker rather than dig the system up. Sally Walker brought up the soil condition at the location is clay. Matt Fuller asked the Planning Board if they would be comfortable putting an approval conditioned on Department of Health approval, that the Town Planning Board issued the setback waiver and that getting a permit could be a pre-requisite to getting the final seal. Mr. Brown would not need to return to the Planning Board, just provide a letter from the Department of Health stating they approve.

Motion made to close the **Public Hearing** on this issue.

Tabled _____
Motion Sally Walker Second Howard Denison

2. Public Hearing- Marc J. Brown, Mobile Home Application, 1175 County Route 17, Fort Ann, NY 12827, Tax Map Number 105.-1-11.2 (Public Hearing format) continued

Vote: All Ayes ___ All Nays ___ Abstentions
 ___ Bedeaux ___ Hohmann-absent ___ Walker ___ Wilson
 ___ Mattison ___ Rehm ___ Denison ___

Public Hearing closed.

Motion made to approve the application contingent upon New York State Department of Health verifying that the property meets the required setbacks for variances obtained.

Tabled

Motion Howard Denison Second Chad Wilson
Vote: All Ayes ___ All Nays ___ Abstentions
 ___ Bedeaux ___ Hohmann-absent ___ Walker ___ Wilson
 ___ Mattison ___ Rehm ___ Denison ___

Mr. Brown confirmed he needs to send this to the Department of Health and send the Planning Board a letter from the Department of Health stating it was approved. Matt Fuller: the county's final seal won't get issued until the Town has the approval letter. A certificate needs to be signed before the county will issue the seal and Mr. Brown will need that to be released. Planning Board suggested Matt Fuller send a note to Darlene (Dumas), the Fort Ann code enforcement officer, so she is aware of the conditional approval before she signs the permit.

3. Approve Agenda-Items Added/Deleted: The agenda was not discussed; the Planning Board moved to New Business.

4. New Business:

- a. **Scott Reese For Lee Harris, Minor Subdivision-3 lots Application**, construction of 2 residences and a shared driveway, 1468 Pilot Knob Rd, Kattskill Bay, NY. Mr. Reese presented the board with 12/27/2010 Fort Ann Planning Board minutes; a 9/11/2013 letter with permits for Lot 1, 3 and 4 from New York State DEC permit #5-5328-00183/00002 & , 5328-00183/00003; a 7/10/2013 letter from Adirondack Park Agency regarding his APA Permit 2009-0134; a Lake George Park Commission letter dated 2/29/2012 with LGPC Permit No. 5328-9-09 attached; a copy of a Jarrett Engineers Memorandum dated 11/19, 2010 and a 12/22/2010 response letter from Mr. Reese to Thomas Jarrett, PE. Mr. Reese explained the paperwork to the board. He reviewed his project from the 12/27/2010 meeting with the Fort Ann Planning Board, stating the project was granted subdivision approval upon 4 conditions. Included in the conditions were the approval of APA, DEC and Lake George Park Commission, all of which he received. He presented and explained the project site map mentioning its proximity to the Post Office and that Mr. Harris' home is on an existing lot or it will be a subdivided lot into 2 future proposed residential lots with a shared drive access up to the top of those lots. He worked with the Lake George Park Commission on storm water and maintenance, APA on home locations and septic locations, and DEC on the watershed since the property is on a steep slope. DEC granted SPDES permits for each lot. The town wanted the applicant to get the final Okays by the agencies so the plans could be filed with the county for the subdivision.

Board discussion: questions about the sharp driveway turn. Applicant response: the fire department looked at both sharp turns; the whole layout had been looked at and approved. Board question: has the road configuration changed since the last board approval? Applicant response: only the house location has changed to where the APA preferred and modifications since the last Planning Board meeting consisted of adding some infiltration devices to several locations. PB: is a letter on file with the fire department stating they are Okay with the road configuration? Reese: the road configuration was changed to meet the concerns of the fire department, but he is not aware of an exact letter. PB: what was changed was runoff mitigation? Reese: wet swails were added to driveway, a slight modification to the basins and added infiltration devices will treat the development of each home and driveway. PB: is any wet infiltration for fire department use? Reese: they are not designed to hold water for long periods of time. Sally Walker: the board needs the letter from the fire department. PB to secretary: can the old files be located? Secretary: believed someone at the Town Hall already searched the basement. Matt Fuller: the old files need to be found. Planning Board discussion about locating the original project file ensued.

Fuller: at this time, project has to be a re-approval unless applicant extended twice (270 days) and brought up if material submitted was the full APA permit. Reese: no the APA material just touched base on main

4. New Business continued:

a. **Scott Reese For Lee Harris, Minor Subdivision-3 lots Application continued**

items. The Planning Board & PB legal counsel reaffirmed that having the fire department approval was important. Denison: the PB cannot do anything but ask the applicant to return or a new permit.

The Planning Board discussed the application fees and waiver of fees: \$25.00 application, \$50.00 review and engineering fees were discussed and it was decided there would be no engineering fees/already done. Secretary asked about applied conditions and was told the conditions remain from the past review process.

Fuller to Reese question: time requirements are a straight 90 days to approval including any contingent approvals/conditions. This application is past the 90 days plus 2 extensions allowed (270 days). The fire department letter of approval needs to be verified. Previous conditions should be recorded in the (2010) minutes. Denison to Reese: provide minutes approved by the board that just had minor changes to the project, so the Planning Board has both the original approval and what was approved the second time to document both. Sally Walker asked Matt Fuller if fees can be waived and was told yes.

Motion made to waive fees.

Tabled _____
Motion Sally Walker Second _____

Board discussion about the need for a public hearing and whether to combine approval in one meeting. Mr. Fuller advised applicant he would need a dated application and to file that application. The Planning Board could set the public hearing at this meeting and allow the project to be concluded in 30 days rather than 60 days on the condition the project be submitted 10 days prior to the next meeting. Applicant must have the driveway and storm water easement agreement.

Second Chad Wilson
Vote: All Ayes _____ All Nays _____ Abstentions _____
 Bedeaux _____ Hohmann-absent _____ Walker _____ Wilson
 Mattison _____ Rehm _____ Denison _____

Motion made to set the **Public Hearing** for the next meeting, October 28, 2013 for the Lee Harris project.

Tabled _____
Motion Sally Walker Second Howard Denison
Vote: All Ayes _____ All Nays _____ Abstentions _____
 Bedeaux _____ Hohmann-absent _____ Walker _____ Wilson
 Mattison _____ Rehm _____ Denison _____

Reese to the Planning Board: want the application 10 days before? Planning Board: yes. Secretary: should I try to find the (old) files? Planning Board: try. Discussion closed. Application documents submitted will filed in the Lee Harris file and be a part of the official record.

b. Chairman calls **Elan Cherney Esq. for Rebecca Parrott**, line adjustment. Secretary updates the board that Mr. Cherney was not able to make the meeting due to a conflict of schedule and will try for the October 2013 agenda. Discussion closed.

5. Review and Approve Proposed Planning Board regular Minutes of June 24, 2013, July 24, 2013 & August 26, 2013. Sally Walker was not present at either July or August 2013 meeting and stated she will have to abstain from both of them.

Motion made to accept the June 24, 2013 minutes as corrected.

Tabled _____
Motion Howard Denison Second Sally Walker
Vote: All Ayes _____ All Nays _____ Abstentions-
 Bedeaux _____ Hohmann-absent _____ Walker _____ Wilson
 Mattison _____ Rehm _____ Denison _____

Board discussion about the June 24, 2013 minutes already being accepted as corrected.

5. Review and Approve Proposed Planning Board regular Minutes of June 24, 2013, July 24, 2013 & August 26, 2013 continued.

August 26, 2013 minutes: Sally Walker pointed out August 2013 minutes, item 4b, line 5 "Brown" should be corrected to read "McMurry".

Motion made to accept the August 23, 2013 as corrected. July 24, 2013 minutes tabled for lack of a quorum.

Tabled July 24, 2013 minutes until October 2013 meeting due to lack of quorum

Motion Chad Wilson Second Brian Mattison

Vote:	<u> </u> All Ayes	<u> </u> All Nays	<u> ✓ </u> Abstentions-Walker, Rehm
	<u> ✓ </u> Bedeaux	<u> </u> Hohmann-absent	<u> </u> Walker <u> ✓ </u> Wilson
	<u> ✓ </u> Mattison	<u> </u> Rehm	<u> ✓ </u> Denison

The corrected/final June & August 2013 minutes will be filed in the 2013 minutes folder.

6. Old/Other Business

a. **Marc J. Brown's** project was closed and did not need further Planning Board attention.

b. **Jon Lapper for County Waste & Recycling Service Inc. d/b/a Ace Carting, 10913 Rte 149, Fort Ann, NY.** Jon Lapper started by introducing himself to the board. Also present for this application: Stefanie DiLallo Bitter, John Wright, Eric Steinhauer, Jason Craft & Kurt Shaner. Mr. Lapper recapped where the application now stands, the project scope and known issues for the board. John Wright, facility operator, approached the board. He stated they will immediately add 1 full time position, have addressed the concerns of an open building and the winds and proposed to pave the road eliminating dust problems.

Planning Board discussion opened with the concern of odor. Mr. Wright responded by pointing out they will use deodorizers/foggers, that this is a transfer station not a landfill and that material will be loaded into tractor-trailers and immediately hauled out; will not remain on the floor or in the building. He used the site plan to explain the process of collection trucks backing into the building and a scale, the doors will face Rte. 149, the building will be completely enclosed and a trailer will be available in the back section. Vehicles will dump on the tipping floor and that water will be drained and collected in holding tanks. Material will be loaded in waiting tractor-trailers immediately. The trailers will be inside and tarped before leaving the building, go on the scale and exit. He felt this process would address odor concerns.

Planning Board asked about back-up beepers. Mr. Wright responded they would like to have sonar beepers and that the decimal level would vary depending on the distance from a source; it will be low until 15' away at which time it will increase in level and the buzzer would get stronger. All machinery used will be inside the building. Currently it is outside the building. Having machinery on the inside and the doors facing Rte 149 will shield the neighbors for a lot of the noise.

Planning Board brings up the proximity of the neighbors. Mr. Wright responded he went to the neighbors and addressed any concerns they might have and that he received a lot of positive feedback on the proposed improvements. Also discussed with the neighbors was pavement on the road and the dust from and potholes in the road. Planning Board commented they would not take to road (as it is). Mr. Wright noted they do not own the road/they have a right of way, but will make the investment to pave it. Planning Board thought the road was built to specs and that John might wish to speak with Paul, highway superintendent, to see if Paul is comfortable with the re-paving so that if there comes a point in the future applicant can turn it over to the town. Mr. Wright stated they intend to plow and maintain the road, do it now as a gravel road and will speak with Paul Winchell to make sure it is to the same specs. He said that right now the black top would go from Rte 149 down the road to the scales. The rest of the facility will remain gravel due to the cost and large area affected. Planning Board mentioned being gravel might be a benefit for runoff.

Mr. Wright pointed out where there will be a retention pond in the lower corner of the property for runoff and a dry fire hydrant for the fire department access 24/7 not only for their property but also for surrounding properties. Planning Board question: where is the retention area for the floor water after the floor is washed? Applicant response: not sure of the location, but it will be a holding tank that will be pumped out and the water taken off the property. The water will not be treated or released on site.

Planning Board question: will you pump it daily? Applicant response: no, it will be a big enough holding tank to pump weekly or bi-weekly. Another factor is the weather, if wet outside the garbage will come in a

6. Old/Other Business continued

b. John Lapper for County Waste & Recycling Service Inc. d/b/a Ace Carting continued.

little wetter. Pumping will be on an as needed basis. Planning Board question: will the tank be alarmed? Applicant response: yes, there will be no overflow issue. Planning Board comment: noise level on road now. Applicant response: paving will keep the noise down tremendously.

Planning Board question: will this facility be different than Hiram Hollow? Applicant response: can't speak on Hiram Hollow's behalf. Applicant pointed out the management differences such as not storing 'junk' (material to be sorted) outside, he did not believe the Hiram Hollow building doors close or the facility does not have doors. Their (County Waste) building will be completely enclosed, the doors will only be open as operationally needed, material will not be left in the building and aesthetically County Waste will be doing landscaping work, which will include new trees, shrubbery and berms. Planning Board question: what is Hiram Hollow? Applicant response: perceived description of that location and the perceived management style/practices.

Planning Board question: how many tons of household garbage are you handling today? Answer: 95 tons a day of construction debris. County Waste will start handling household garbage too. Planning Board question: haul out even on Saturday? Applicant response: absolutely. Material will be on a semi to go out Monday and not on the tipping floor. Planning Board question: will the floor be clean on Saturday afternoon? Applicant response: absolutely. Planning Board comment about logistics of doing that: there will be breakdowns etc. Planning Board question: what about washing down in the winter? Applicant response: some equipment has a squeegee or cutting edge to scrape the floor. In the wintertime, odors will not be the same as in the summer. Planning Board comment: the doors will be open most of the day with the trucks coming and going all day. The Board brought up the potential ice buildup after washing floors in cold weather concern and the possible icy, odor buildup in cold weather and the resulting potential lawsuits for the Town. Applicant response: scraping the floor thoroughly and if ice is present, re-scrape it again. A community hotline is planned and was brought up in the preliminary to handle complaints dealing with odor, so that if there is an issue there will be the ability to contact the applicant. Breakdowns are going to happen and there needs to be a way to handle these situations like back-up equipment etc. to mitigate the problems.

Planning Board question: how much garbage/ increase in traffic? Answer: 5-7%. Planning Board question: going from 95 tons a day to? Applicant response: 550. This is not all trash, they will be able to accept more demolition, more recycling and the trash. Planning Board question: is this a trash collection business? Applicant response: yes, they run route collection vehicles now. It is not only the CMD transfer station in Fort Ann, but also run their collection service from same location. They run route collection vehicles, which currently dump, in Hudson Falls at the trash plant; they come back and dump their recycling in Fort Ann. They currently run construction debris and recycling in their Fort Ann location. They are proposing to bring in the house trash so they do not have to dump it at the burn plant.

Planning Board question: from there, where does it go to? Applicant response: they have a landfill in Colonie. Resulting discussion about the number of trucks. Applicant pointed out the separation or zones of the proposed building: recycling, construction debris and household trash or 3 different commodities in the new building. Recyclable material will be separated on site and loaded in trailers where it goes to Albany for sorting. Planning Board question: out of 79 trips, how many of those are your garbage trucks? Applicant response: do not know the exact answer, but will find out. They have 15 collection vehicles now; some are recycling, some construction debris, and some trash, some could be service vehicles, which are parked in the Fort Ann facility. Planning Board answer: 38 route trucks total. Answer: route trucks could be CMD, recycling, house trash, container delivery vehicles, service vehicles etc. Planning Board comment/question: you now have 15 garbage trucks and will add 5 more is 20 (vehicles). Do they only come once a day? Applicant response: yes, one load a day. Unless they are roll off trucks, which will be 7-8 trips a day; they are the large dumpsters. Sometimes they will not be construction debris but might haul trash from a store or business. Planning Board comment: traffic is not a concern because of location. Applicant comment: trucks are split down the middle, half recycling, and half trash. Trash is now dumped in Hudson Falls, the new arrangement will be to bring both back to Fort Ann facility. They are not increasing traffic from their vehicles, only possibly from 3rd parties.

6. b. **John Lapper for County Waste & Recycling Service Inc. d/b/a Ace Carting continued.**

Planning Board question: what controls will be in place over the public bringing in CMD materials? Applicant response: as far as? Planning Board comment: hazardous materials. Applicant response: same plan as is in place now. The operator of the transfer station has to watch for anything before they dump the load, they inspect the load as best they can. If it goes on the floor, it has to be taken out by the 3rd party or they have an unauthorized material dumpster if not caught in time before the 3rd party leaves. It is trucked out to the appropriate location. Planning Board comment: must keep a close eye on things, expensive to dispose of toxic materials. Applicant response: they try to keep a close eye on things before it is dumped out. If they see something, they will reject the whole load. If they see something on the floor, it will go back in that person's truck or the whole load will go back in the truck. Planning Board comment: always a concern with CMD facilities. Question: the proposed operation is for your household garbage trucks specifically? Applicant response: no.

Planning Board question: let the public in? Applicant response: yes, they let the public in now, but the public cannot dump house trash, but they will allow that. Planning Board question: you are separating the household from the CMD trash? Answer: (explains the divisions of dedicated space on the site plan). Planning Board question: push wall in the center (of the building)? Applicant response: no, for access of loaders and excavators to be able to move between the 2 piles. They want the machines to move within the building, not track debris out. They can use subdivision blocks if needed, which are flexible and provide some distinct sides. Applicants pointed out the finished floor is higher than the recyclable section with a 5' high wall separation (total of 7' difference), which will allow them to see inside the trailer when loading a trailer. Applicant reviewed where the trailers back in on site plan; 1 trailer will be in the building for each of the 3 sections (3 trailers).

Planning Board question: drains in the floor? Applicant response: yes, all going to the same holding tank. The trailers are enclosed. Trailers will back into building and the reason for the elevation change. Describes the location of back in process on site map. Planning Board question: Fill up back trailer first? Applicant response: front trailer would have to be full before the back trailer, will not be pulling trailers out and back in. Once they leave the building, they will be tarped and gone. Planning Board comment: any other questions? Will the Planning Board have specs for the decibel level? Applicant response: absolutely. Planning Board question: specs for the deodorizing system too? Answer: yes. Planning Board question: maintenance of road? Answer: that will be their ownership including plowing, salting, mowing the grass on the edge of the road; doing the same maintenance as now on pavement instead of gravel. Planning Board question: when this is sold, is the next owner going to maintain the road and can that be put in the stipulations? Whoever the owner is, maintains the road. It is not stated. Applicant response: it is already conditional. Planning Board question: technically who actually owns the operation? Applicant response: (discussion) as listed as the applicant, County Waste & Recycling Services doing business as Ace Carting. Planning Board question: no Ace Carting, just doing business as? Applicant response: right. Mr. Wright: a year and a half ago his father retired and sold the business. Wright was offered a position to stay on to operate it and has been doing so for the last year and a half, so County Waste & Recycling has to maintain the road currently.

Planning Board counsel to Planning Board: procedurally, they can set a public hearing date for the next meeting. Two questions (to applicant): you gave a long EAF form and (counsel) could not see how that would trip type 1; not more than 2.5 acres. Next meeting or whenever you go through the review, you will not have to coordinate the SEQR review with DEC or other involved agencies. Drawings: improvements on site, but one area had migrated off site (an area past the property boundary lines). Applicant response: when previously owned it was all one property when it migrated; as County Waste does this project, it will be pulled back into the County Waste's boundary.

Planning Board counsel: if it has to refer to County Planning Board, provide information, specs etc. Sally Walker: as an adjoining landowner, she should recused herself. Planning Board legal counsel: not automatically kicked out of a discussion, only if there is something that might influence a decision, it is the discretion of the board. Mrs. Walker: she should back off. Legal counsel: OKay. Planning Board discussion: she can voice her concerns as a member of the public at the public hearing. Applicant encourages her to voice her comments at the public hearing. Planning Board question: what is applicant's feeling of the tiny tributary that leads to the creek? Isn't that where the dry hydrant is going? Applicant response: the stream does not show on their topo, not sure (pointed out a larger one on site map); it is not wet all the time.

6. b. John Lapper for County Waste & Recycling Service Inc. d/b/a Ace Carting continued.

The storm water for this project: they will be retaining more water and letting it off slower so it is not impacting adversely and not making more water runoff. Applicant pointed out the storm water basin on site plan and where the majority of storm water will go. It was designed to NYS standards. Pointed out the dry hydrant in relation to the rest of the system and the size of the pond and that Tom Jarrett (Fort Ann town engineer) will review. Planning Board discussion about storm water after a heavy rain and the direction of the flow. Applicant response: discussed specifics about the depth and size of the pond. Planning Board discussion: should the town engineer review? Yes. Should the Planning Board limit the scope and input for the engineer to storm water? Legal Counsel runs through the rest of the process: to get a CO you have to get a final local compliance certificate. To get a building permit, applicant needs the first local compliance certificate (they are going through this process now). Once the Planning Board stamps and signs, project goes to county to get the building permit. Before the project gets the CO when done building, applicant goes back to the Town to get the bottom of the local compliance certificate signed, giving the Town an opportunity to have someone look at the project. If the Town board does not do that or have someone to do it, that is where a project falls through. The process was put in place at the county level as a safeguard against what was proposed and what was actually built. Applicant question: can inspection be done in phases? Planning Board counsel: up to the applicant, currently the project is scheduled for no phases and would be done at the end. Discussion between parties about inspection and phasing. An applicant can have whoever reviewed the plan visit the site to determine whether something was built with what the inspector commented on. Planning Board discussion about asking for as built plans on previous projects. Can put an 'as built' condition on the application that the project was built in compliance with the what the final site plan approval was. They asked the applicant if they would agree. Applicant answered: yes. Planning Board discussion: should an engineer look at the project for storm water or anything else? Planning decision: yes, just storm water. Discussion on which engineer to hire.

Motion made to hire an engineer to review the storm water plans for this project.

Tabled _____
 Motion Howard Denison Second Curt Rehm
 Board discussion continued briefly.

Vote:	All Ayes	All Nays	Abstentions- Walker	
	<input checked="" type="checkbox"/> Bedeaux	<input type="checkbox"/> Hohmann-absent	<input type="checkbox"/> Walker	<input checked="" type="checkbox"/> Wilson
	<input checked="" type="checkbox"/> Mattison	<input checked="" type="checkbox"/> Rehm	<input checked="" type="checkbox"/> Denison	

Mr. Fuller summarized what is left to go through in the project: SEQR, Public Hearing and County Planning Board referral. It is an unlisted action so the board could have one resolution to combine: as an unlisted action, set the Public Hearing and refer the application to the County Planning Board. Planning Board asked if they set the Public Hearing, can they keep the Public Hearing open if new questions come up and were advised by Mr. Fuller they could.

Motion made to set a **Public Hearing** for the next meeting on this project, deem it an unlisted action and have the Fort Ann Planning Board secretary refer it to the County Planning Board.

Tabled _____
 Motion Howard Denison Second Donald Bedeaux

Board discussion: asked applicant if 2 public notices could be posted one week apart from each other. Their concern was the public missing one notice. Due to the size of the project, they did not want the public to object after the fact. Applicant agrees to pay for the legal ad to run twice. Secretary asked for clarification or that the same exact Public Hearing notice would be run once 10 days prior to and once 15 days prior to the October 2013 meeting. That was correct.

Vote:	All Ayes	All Nays	Abstentions- Walker	
	<input checked="" type="checkbox"/> Bedeaux	<input type="checkbox"/> Hohmann-absent	<input type="checkbox"/> Walker	<input checked="" type="checkbox"/> Wilson
	<input checked="" type="checkbox"/> Mattison	<input checked="" type="checkbox"/> Rehm	<input checked="" type="checkbox"/> Denison	

Applicant asked who is responsible for placing the Public Hearing notice and was told the Planning Board secretary places the ad and the applicant pays for the ad. Secretary explained to the applicant that she emails the proof of the ad, which also lists the cost of the ad. Discussion closed.

6. Old/Other Business continued

- c. **Henry (Hank) Stone, Boundary Line Adjustment, 3048 Stone's Way, West Fort Ann, NY.** Mr. Stone introduced himself and his wife Judy to the board. A neighbor agreed to sell him a small piece of land, about 640 square feet. He provided his lawyer's drawn up deed and the Boundary Line Adjustment agreement. Matt Fuller reviewed the documents and determined it was done the correctly summarizing he had the deed that conveys the property and the boundary line agrees. Chairman asked for any discussion. The board reviewed their request from August 2013 that Mr. Stone bring in the deed, have the Planning Board legal counsel review it and if satisfactory agree. Mr. Fuller said it was satisfactory.

Motion made to approve the lot line adjustment

Tabled	_____					
Motion	Chad Wilson		Second	Brian Mattison	_____	
Vote:	<input checked="" type="checkbox"/> All Ayes	<input type="checkbox"/> All Nays		<input type="checkbox"/> Abstentions		
	<input type="checkbox"/> Bedeaux	<input type="checkbox"/> Hohmann-absent		<input type="checkbox"/> Walker	<input type="checkbox"/> Wilson	
	<input type="checkbox"/> Mattison	<input type="checkbox"/> Rehm		<input type="checkbox"/> Denison		

Mr. Stone asked if he needed a stamp on the mylar that goes to the county. Mr. Fuller advised they should not require a stamp, but recommended checking with the county. If the county wants it stamped, the Planning Board will stamp it. Discussion closed.

7. Old/Other Business

- a. Acting Chair requested any old or other business be presented to the Planning Board. No old business presented.
- b. FA PB Secretary requested any current comments or questions for the secretary from the board. The board requested the Secretary not email a photocopy of an applicant's check to all members for security and privacy purposes. The board had questions about the new cell tower application that just came in. Secretary informed the board that the application copies for the second cell tower application came in late & were sitting in the Planning Board office. The Chair asked those to be distributed in next month's packets when the secretary asked about distributing them at this meeting. Secretary reviewed the two sets of fees submitted thus far with the board. The board briefly discussed what fees apply to what cell tower upgrades. The Planning Board questioned why the \$25.00 check submitted for the Pilot Knob Rd cell tower was dated June 2013. Secretary responded she did not know why, but that it was pointed out to the applicant. Brief discussion about the cell towers and cell tower projects located in the Town of Fort Ann.

8. Motion made to adjourn, 8:55 p.m.

Tabled	_____					
Motion	Brian Mattison		Second	Sally Walker	_____	
	<input checked="" type="checkbox"/> All Ayes	<input type="checkbox"/> All Nays		<input type="checkbox"/> Abstentions		
	<input type="checkbox"/> Bedeaux	<input type="checkbox"/> Hohmann-absent		<input type="checkbox"/> Walker	<input type="checkbox"/> Wilson	
	<input type="checkbox"/> Mattison	<input type="checkbox"/> Rehm		<input type="checkbox"/> Denison		

- 9. Please note: the sign in sheet from this meeting will be filed under **Planning Board Regular Mtg, 9/23/2013.**
- 10. The next regular Planning Board meeting will be **October 28, 2013.** Public Hearing notice must be posted in the Post Star on or before **October 13** (for the notice that runs twice) and **October 18, 2013.** Notice to be tacked to Town Hall Bulletin board for inspection.

Leslie Barker, September 26, 2013
518 792-0879