

Final Minutes
PLANNING BOARD MEETING
FORT ANN, NEW YORK
July 28, 2014

1.0 recording begins

Call to order, (7:00 PM)

Pledge of Allegiance led by Chairman Donald Bedeaux

2.0 **Roll Call**

a) Roll call, Board members present:

- Donald Bedeaux, Chairman
- William Hohmann, Vice Chairman
- Chad Wilson
- Brian Mattison
- Curt Rehm
- Lewis Barrett
- Vacant seat

Staff:

- Secretary: Leslie Barker
- Temporary Secretary:

b) Others:

- Matt Fuller, Esq., Meyer & Fuller PLLC
- Jeff Meyer, Esq., Meyer & Fuller PLLC
- Mary-Ellen Stockwell, Meyer & Fuller PLLC

3.0 **Open Regular Meeting**

3.1 **Organizational Meeting.**

Chairman Donald Bedeaux stated there would be no organizational meeting and tabled it.

Motion made to close the Organizational Meeting.

Tabled

Motion	<u>Bill Hohmann</u>	Second	<u>Chad Wilson</u>
Vote:	<input checked="" type="checkbox"/> All Ayes	<input type="checkbox"/> All Nays	<input type="checkbox"/> Abstentions
	<input type="checkbox"/> Bedeaux	<input type="checkbox"/> Hohmann	<input type="checkbox"/> Wilson
	<input type="checkbox"/> Mattison	<input type="checkbox"/> Rehm	<input type="checkbox"/> Barrett
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

3.2 **Review, correct and or approve Minutes of the Last Planning Board Meeting 6/23/2014.** The Chair asked for corrections or questions. As information, a Planning Board member pointed out that (page 3, section 8.1 **John Grady** for Martin Graves, subdivision, 7387 Rte 4, tax map #95.-1-7.4) Weller Road does, in fact, traverse under the power line and should be noted in the Minutes. The secretary advised that she could not change Mr. Grady's statement, but that it will be noted in brackets for the record.

Motion made to approve the minutes as corrected.

Tabled

Motion	<u>Bill Hohmann</u>	Second	<u>Lewis Barrett</u>
Vote:	<input type="checkbox"/> All Ayes	<input type="checkbox"/> All Nays	<input checked="" type="checkbox"/> Abstentions: Rehm, Bedeaux
	<input type="checkbox"/> Bedeaux	<input checked="" type="checkbox"/> Hohmann	<input checked="" type="checkbox"/> Wilson
	<input checked="" type="checkbox"/> Mattison	<input type="checkbox"/> Rehm	<input checked="" type="checkbox"/> Barrett
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

4.0 **Public Hearing: Tom Hutchins/ Hutchins Engineering for Jenkinsville Sand and Gravel, LLC Site Plan Review.**

Mr. Hutchins used a presentation board showing the site plan to summarize what transpired at the June Planning Board meeting and updated the application for board members. After completing his research, Mr. Hutchins confirmed the property falls within the county "ag" district and that as a "non-agricultural use" in this district, it requires a Type I SEQR review. The longer form and a notification process are required for a type I SEQR project. On July 18th, Hutchins Engineering submitted a revised SEQR application form with an updated set of plans which included additional information such as a table of disturbance for Planning Board review. He stated the scope of the project remained the same. He asked for the Planning Board's feedback and/or questions. There were no Planning Board questions or comments.

Mr. Bedeaux asked if the public had any questions for comments. There were no public questions or comments.

Motion made to close the public hearing.

Tabled Motion	Bill Hohmann	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	<input type="checkbox"/> Wilson
	<input type="checkbox"/> Mattison	<input type="checkbox"/> Rehm	<input type="checkbox"/> Barrett

Mr. Hutchins continued his dialogue pointing out the next County meeting is August 12. Mr. Hutchins requested an updated Planning Board referral form. Ms. Stockwell commented that the storm water report was included on the SEQR form, but DEC was not listed as an agency. She felt DEC should also be listed and be classified as an “involved” agency. The secretary provided a pre-printed Planning Board signed referral form, which she briefly reviewed with Planning Board legal counsel to make sure it was current as of this meeting and Public Hearing. Mr. Hutchins advised the Planning Board that he had been told verbally that the DOT permit was ready. Mr. Hutchins asked if the Town has to notify the involved agencies and Mr. Stockwell confirmed. She summarized the project, saying it will be referred to the County designating the Town of Fort Ann Planning Board as the lead agency for SEQR and that they authorize her office to notify the other involved agencies, which are the County, the DEC and the DOT. The secretary asked Ms. Stockwell if the secretary is responsible for notifying DEC and DOT. The Meyer & Fuller office will put the involved agencies on notice. Ms. Stockwell read the Planning Board resolution.

Motion made to accept the project as a Type I action under SEQR, to name the Fort Agency Planning Board as the lead agency and to set a Public Hearing for final approval on August 25, 2014.

Tabled Motion	Bill Hohmann	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	<input type="checkbox"/> Wilson
	<input type="checkbox"/> Mattison	<input type="checkbox"/> Rehm	<input type="checkbox"/> Barrett

The secretary asked Mr. Hutchins if the applicants still wished to be responsible for project delivery to Washington County Planning Board and they responded yes. She reviewed the county submission requirements with Mr. Hutchins. Ms. Stockwell reminded Mr. Hutchins to include an amended EAF form that lists DEC with their county submission. Mr. Hutchins asked if the form is included with the notification when sent to involved agencies and Ms. Stockwell replied they are just put on notice. The secretary asked the Planning Board legal counsel if she should make the necessary changes to the Resolution. Ms. Stockwell advised Meyer & Fuller will do that and provide the secretary with a copy. A copy of the updated resolution is attached to the end of these minutes for the record.

The Chairman asked if there was any additional discussion. There was no additional discussion.

5.0 Public Comment

5.1 There were no public comments.

6.0 Reports from Committees

6.1 Mr. Bedeaux stated there were no committee reports.

7.0 Old Business

7.1 Mr. Bedeaux asked if there was any old business. There was none.

8.0 New Business

8.1 **Mike Varga**, subdivision or boundary line adjustment (is not sure what app), tax map #s 57-1-6.1/6.2/6.3
 The secretary advised the Planning Board that Mr. Varga asked that his project to be moved to the August 2014 meeting.

9.0 Information

Mr. Bedeaux asked for new information. There was no new information.

10.0 Correspondence and Miscellaneous.

10.1 FA Planning Board Secretary, Questions/Comments/Answers from the Planning Board

Mark Miller informed the board he spoke with Ed Dotter (present the meeting) today and recommended Mr. Dotter attend this meeting. Mr. Dotter is considering putting a microbrewery in the Portage building and wanted to know if he has to go

10.0 Correspondence and Miscellaneous continued.

(Mark Miller continued)

through a Planning Board site plan review. The Planning Board responded it is not necessary; the site is located in the village of Fort Ann and that Mr. Dotter should speak with the Mayor of the Village of Fort Ann, Richard Forran. Mr. Dotter asked if there was a sign ordinance (on Route 4) was told that unless there is a DOT restriction, there is no Fort Ann sign ordinance. He should check with the Village Mayor for things like setback restrictions, flashing lights/red flashing lights. Mr. Miller suggested contacting Chris Rowe, the project engineer for the Village street improvement project in their office located in the Portage building. Mr. Dotter discussed his interest in this location and felt it would work well for them. The secretary asked Mr. Dotter to sign the meeting sign-in sheet so there is a record he spoke with the Planning Board.

Mr. Miller continued to update the Planning Board, discussing a diner located on Route 149 past Tripoli. The owner passed away. He said Mary Ellen Pierce raised the question whether a mobile home, which is located on the property, had a timeframe 'until his death'. The Planning Board felt there was no time restriction they were aware of and that the secretary could look up the project application. The secretary asked for the application name and year. [Secretary note: after the meeting, Chad Wilson looked up on an old list of Planning Board applications and felt it would be under Barbieri, 5/2006]. The diner was known as Webby's. The secretary recommended she wait to see if the project file was needed before spending the time to locate it. She asked Mr. Miller to update her on the possible Dacker Boat application and he felt Dacker Boats are not at a stage to submit yet.

The secretary updated the Planning Board with items that were not included in their packets. At the beginning of the meeting, she distributed a copy of the 7/28/2014 APA response to the Boats by George application emailed by Tom Jarrett. The board was notified that Town Supervisor, Darlene Dumas and the webmaster, Brian Straub, requested 2013 and 2014 approved Planning Board minutes and agendas. She felt board approval was necessary to release those for use on the fortannfornow website. The board and secretary discussed the topic and the board granted informal approval of these documents for that specific use.

The Planning Board asked for an update on the AT&T Pilot Knob cell tower Storm water progress. Ms. Stockwell ran through what has transpired since the June meeting, advising that Chris Navitsky had allegedly approved the work done [the secretary provided the board with his email in their packets] and that Jeff [Meyer] is waiting to have Mr. Navitsky return his call. The applicant's attorney, Mr. Puchner/Phillips Lytle, is waiting for a confirmation email from Mr. Navitsky.

The Chairman asked for additional questions/comments. There was none.

11.0 Public Discussion

Public Discussion is subject to the Privilege of the Floor Parameters. Public Discussion was skipped; there was no public still present at the meeting.

12.0 Executive Session (skipped)

Executive Session was not required.

13.0 Adjourn.

Motion made to adjourn the meeting.

Tabled

Motion	<u>Bill Hohmann</u>	Second	<u>Brian Mattison</u>
Vote:	<input checked="" type="checkbox"/> All Ayes	<input type="checkbox"/> All Nays	<input type="checkbox"/> Abstentions
	<input type="checkbox"/> Bedeaux	<input type="checkbox"/> Hohmann	<input type="checkbox"/> Wilson-absent
	<input type="checkbox"/> Mattison	<input type="checkbox"/> Rehm	<input type="checkbox"/> Barrett

The meeting adjourned at 7:34 PM.

Secretary note: the Lavigne to Tyler Boundary Line Adjustment mylar was signed, stamped prior and turned over to the applicant's representative, VanDusen & Steves to the meeting opening. One print copy was retained for the project application file.

**PLANNING BOARD OF THE TOWN OF FORT ANN
COUNTY OF WASHINGTON, STATE OF NEW YORK**

Adopted, July 28, 2014

Introduced by William Hohmann
who moved its adoption
Seconded by Brian Mattison

**RESOLUTION ACCEPTING SITE PLAN APPLICATION
OF
JENKINSVILLE SAND & GRAVEL, LLC**

WHEREAS, pursuant to Local Law 4 of the year 1990, also known as the Town of Fort Ann Site Plan Review Law (hereafter the "Site Plan Review Law"), the Town of Fort Ann Planning Board (hereafter the "Planning Board") is authorized and empowered to review, approve, approve with modification, and disapprove all site plans in the Town of Fort Ann as required under said Site Plan Review Law; and

WHEREAS, Jenkinsville Sand & Gravel, LLC (hereafter the "Applicant"), has proposed a natural stone processing facility, office, and sales facility on their 210 +/- acre parcel located at 7306 State Route 4 in the Town of Fort Ann (hereafter the "Proposal"); and

WHEREAS, the Applicant has submitted a site plan review application; Site Plan Review Checklist; detailed site plans; detailed stormwater management report and stormwater pollution prevention plan narrative; Part 1 of a Full Environmental Assessment Form (EAF); and related materials (collectively hereafter the "Application"); and

WHEREAS, the Planning Board is prepared to review the application and make an initial determination in accordance with Section 6.1 (Sketch Plan) of the Site Plan Review Law.

NOW THEREFORE BE IT:

RESOLVED, the review of the Proposal as found in the Application by the Planning Board under the Site Plan Review Law and Subdivision Regulations is an Action under the State Environmental Quality Review Act (SEQRA). The Planning Board hereby finds that this Action is a Type I Action under SEQRA. Other involved agencies include the NYS Department of Environmental Conservation, the NYS Department of Transportation, and Washington County Planning Board as an interested Agency. The Planning Board determines that it will act as lead agency, and that the other involved agencies be notified of this designation with the right to contest same within 30 days of the receipt of said notice. The Planning Board attorney is directed to send such notice and materials to said agencies; and be it further

RESOLVED, the Planning Board and the Applicant have discussed the Proposal as found in the Application, and prior to the Planning Board considering the Application for final Site Plan approval, the Applicant is not required to submit any further documentation at this time; and be it further

RESOLVED, the Application is required to be submitted to the Washington County Planning Board, and the Planning Board Secretary is hereby instructed to forward a complete copy of the Application to the Washington County Planning Board for its review and comment in accordance with General Municipal Law § 239-m. The Applicant shall prepare such number of copies as may be required by the Washington County Planning board, and shall coordinate with the Planning Board Secretary for such submission to the Washington County Planning Board for consideration at a Washington County Planning Board meeting; and it is further,

RESOLVED, that a public hearing is set for the next meeting of the Planning Board on August 25, 2014 at 7:00 p.m.; and it is further

RESOLVED, that this resolution shall take effect immediately.

PRESENT: Donald Bedeaux, Chairman
William Hohmann, Vice Chairman
Chad Wilson
Brian Mattison
Curt Rehm
Lewis Barrett

AYES: 6
NAYES: 0
ABSENT: 0
ABSTAIN: 0