

Regular Planning Board Meeting

Town of Fort Ann, NY

April 27, 2015

A regular meeting of the Town Planning Board of the town of Fort Ann, County of Washington, and the state of New York was held at the Town Hall, 80 George St Fort Ann, NY on the 27th day of April 2015 at 7 pm.

PRESENT: Donald Bedeaux Chariman
William Hohmann Vice Chairman
Chad Wilson
Brian Mattison
Butch (Lewis) Barrett
Curt Rehm
Mary-Ellen Stockwell, Esq Attorney
Anne Wilcox Secretary

ABSENT: Charles Sellitti

OTHERS PRESENT:

Mark Miller – Code Enforcement Officer

Michael Gustke, with Champlain Stone regarding boundary line adjustment application

Champlain Stone, Ltd – Lot Line Adjustment application

Sherry LaPan – Lot Line Adjustment application

John Heath – Sketch review for diner being planned for Rt 22

Robert Dutcher – Lot Line Adjustment

Patrick Brewer – Lot Line Adjustment

Douglas Fuller – Subdivision Application

Michael Muller, Esq

Matthew Baker

Richie Moore

Open Regular Meeting:

Chairman, Donald Bedeaux called the meeting to order at 7:00 PM with the Pledge of Allegiance.

APPROVAL OF MINUTES:

- Reviewed 3/23/15 Planning Board Meeting minutes.
- Motion made by Bill Hohmann to accept the 3/23/15 meeting minutes.

Motion seconded by Chad Wilson.

- Ayes: 6 Abstain: 0 Nays: 0

March 23, 2015 meeting minutes were approved and accepted.

ORGANIZATIONAL MEETING: No organizational meeting agenda items noted.

ORGANIZATIONAL MEETING: Closed

PUBLIC COMMENTS: No Public comments.

REPORTS FROM COMMITTEES: No reports

OLD BUSINESS: None

NEW BUSINESS:

Clifford/Robert Dutcher – Lot Line Adjustment – Bethel Lane .17 Acres.

Map presented transferring from Brewer to Dutcher.

Reason for adjustment? An addition is being considered for the existing Dutcher home.

Attorney Stockwell asked if there was a proposed boundary line agreement form submitted to the board. No agreement form was received by the board, only the boundary line application and survey map.

In review of the map submitted, the board determined this would be 2 separate boundary line adjustments. The board advised the applicant that a deed conveyance would be required for both boundary line adjustments. The board also advised the applicant that the language on the Mylar map and conveyance agreement would need to include the recommended language, "No new parcels have been created as a result of this conveyance and this parcel may not be conveyed separately without subdivision approval from the Town of Fort Ann Planning Board".

In addition to the survey map it is necessary to have a conveyance agreement for both boundary line adjustments as they will be recorded and filed with the county clerk's office as a schedule B to the deeds.

Planning board secretary agreed to email the language to Mr Dutcher at cdutch77@gmail.com.

Sherry LaPan – Lot Line Adjustment – Farley Rd.

Map presented to the board for a Lot Line Adjustment, along with a Lot line adjustment application. A lot line agreement was not presented to the board, a notarized letter between Mother and daughter (applicant) was presented to the board.

The board advised the applicant that a Lot agreement is needed which would reflect the parcel being conveyed, and the language on both the agreement and the Mylar Map would need to include. "No new parcels have been created as a result of this conveyance and this parcel may not be conveyed separately without subdivision approval from the Town of Fort Ann Planning Board".

A portion of the parcel is within the APA. Board advised APA must be notified of this boundary line agreement application. The board also suggested the applicant contact their attorney for notifying the APA and suggest their attorney contact the municipality's (Fort Ann) attorney to discuss the specific language required.

Champlain Stone – Lot Line Adjustment Application.

Carrie Black presented to the Planning Board a Mylar survey map for review. The Board requested a copy of the agreement between both parties for the 4.932 acres being conveyed, and the wording on the Mylar map to include the wording: "No new parcels have been created as a result of this conveyance and this parcel may not be conveyed separately without subdivision approval from the Town of Fort Ann Planning Board".

The applicant provided the proposed description of the agreement, however Ms Stockwell recommended the approval be conditional upon the submission of the language and the deed. Attorney Stockwell advised the applicant the above can be submitted to her via a PDF file. The applicant's attorney would be able to reference that language which would be included on the new deed. As the description is already available, only the cover page of the deed with the language included would be needed.

A motion was made by Bill Hohmann, seconded by Brian Mattison to approve the Boundary Line Adjustment, however, the motion is condition upon submission of the proposed transfer documents to be approved by the Town Planning Board attorney to include language which includes the no merger language. Ayes: 6 Nays: 0 Abstain: 0

The mylar survey map did reflect the no merger language and was accepted with the above condition.

John Heath – Sketch Plan Review for proposed diner on St Route 22

An aerial map of the parcel was presented to the Planning Board. Applicant is proposing the building of a diner which would serve breakfast and lunch. Seating to be approximately 34 – 36 customers.

Proposed building is 28' x 40'. A new septic is being installed, water source would be same well as applicants home which is located on the same property.

A building sketch was presented to the board. Applicant was advised a full survey is required, along with a completed Site Plan packet. It was also suggested the applicant contact his engineer or architect for specific plans for the next meeting. Planning Board secretary provided applicant with her business card, and advised him to feel free to contact her regarding Site Plan Application process.

The Planning Board suggested the applicant speak to the Department of Health regarding the questions of the well capacity as the applicant is proposing that the existing well would be shared between the house he resides in and is currently on the property & the new proposed diner.

Boats by George – APA approval received by Planning Board secretary. Copy of said approval is on record with Town Planning Board. No further action is needed by the Fort Ann Planning Board as the APA was lead agency for the project.

Douglas Fuller – Subdivision Application Request – 10 acres on County Rte 16.

A Subdivision Application packet was provided to applicant, a fee of \$25 was collected by Planning Board Secretary.

Applicant was advised that in addition to completing the subdivision application, a survey is necessary reflecting the 10 acres which are being sold, also, a proposed deed conveying the property being sold is required. Once this information is received, the application will be reviewed by the board as a complete sub division application. The applicant was advised that all of this information is needed 10 days prior to the next upcoming meeting. -

Mike Muller – Representing Matthew J Baker - Responding to a letter received by the Planning Board regarding the creation of a new tax parcel in the town of Fort Ann without proper town subdivision approval and associated map being filed by the County Clerk.

Deed document conveys property from Preston M DeLorica to Matthew J Baker via a Lot Line Agreement and was recorded in the Washington County Clerk's office on January 6, 2015 at Book 3485 and Page 132.

Mr. Muller advised the Planning Board his client would complete a Lot Line Agreement Form, obtained from the Website. The board agreed to accept the completed Lot Line Agreement form.

Correspondence/Misc:

Board secretary made a proposal to the board that all materials (applications, Planning correspondence, questions etc.) pertinent to Planning Board be submitted to the secretary 10 days prior to that months' meeting. Any submissions received after the 10 day cut off will be placed on the following months meeting agenda. Copies of all correspondence, applications etc., will be mailed to each planning board member so that review of said material can be completed prior to meeting.

Planning Board secretary advised board that the May meeting is scheduled for the 18th in lieu of the fourth Monday of the month due to the Memorial Day holiday. A motion was made by Brian Mattison, seconded by Chad Wilson to set the date of the next meeting for 5/18/2015 in lieu of the fourth Monday of the month due to the Memorial Day holiday. Planning Board secretary will notify the Post Star of this date change. Ayes: 6 Nays: 0

Adjourn:

A motion was made by Bill Hohmann, seconded by Brian Mattison to adjourn the meeting at 8:15 pm. Ayes: 6 Nays: 0

Anne S Wilcox
Secretary