

A meeting of the Town of Moreau Planning Board was held on July 17, 2017 at 7:00 p.m. in the Town of Moreau Office Building, 351 Reynolds Road, Moreau, New York.

Present:

Jerry Bouchard	Planning Board Member
Reed Antis	Planning Board Member
Erik Bergman	Planning Board Member
G. Peter Jensen	Planning Board Member
Mike Shaver	Planning Board Member

Also present: Jim Martin, Zoning Administrator

Planning Board Members absent: Ron Zimmerman, John Arnold

In the absence of Mr. Zimmerman, the board chose to have Mr. Bergman acting chair. The Board reviewed the minutes of the May 2017 meeting and noted that Mr. Shaver was present for the meeting. Mr. Jensen motioned to accept the minutes of the May 15, 2017 meeting with that correction and Mr. Bouchard seconded. Motion passed unanimously with Mr. Bergman abstaining.

**#1 McKenna, Shawn
Gansevoort Road
Sketch Plan Review**

Applicant not present.

**#2 Snyder, Scott
Snyder Drywall
Route 9
Site Plan Review**

Applicant not present.

**#3 McCarvill, John and Patricia
Fortsville Road
Sketch Plan Review**

Mr. McCarvill didn't realize he was supposed to be present at the last meeting and is on vacation this week, so he asked Mr. Martin to present briefly to the Board and get an idea of feedback then he will pursue it more formally next month.

Bouchard asked for clarification of the lots and the map.

Mr. Martin said that it's the large rectangle at the back.

Mr. Bouchard: Where the shed is now is that a separate lot?

Mr. Martin: This is all one lot per the tax map numbers, 30.1

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Mr. Antis: Areas to be attached become 13.97,.. for Lot 1?

Mr. Martin demonstrated on the map that one lot is all the way out and then another part that is currently a separate lot, landlocked, with a private easement. This will not correct the landlock, it will make it larger but not provide frontage.

Mr. Bouchard: On the Zoning map, I see this narrow, deep lot and I see three of them. That shows as a separate lot on the Zoning.

Mr. Antis: He's buying two and making 3.

Mr. Bouchard: Triangle, narrow rectangle, and the deep one he's splitting into two (demonstrated on map).

Mr. Bergman: Either this is erroneous, or they missed a line here.

Mr. Bouchard: I guess it doesn't matter, because I was wondering if they had frontage.

Mr. Antis: Lot 1= 2.97 acres. Lot 2

Mr. Bouchard: There are three separate lots on the tax map. 31, 30.1, 30.2 - They are adding to a landlocked lot, and taking a portion of it and putting it with one that has road frontage. The application is in correct.

Mr. Martin: They have taken off 77-4-31 and they don't tell you that. It's at the road front. Where it says John and Darlene Benoit- there should be a lot next to that providing the frontage. That should be indicated with a dashed line and tax map number, that it's going to be eliminated.

Mr. Bouchard: I read that bit in the Code that says we can waive separation if it's not environmentally sensitive or controversial.

Mr. Jensen: Historically we have not done it for anything larger than 5 lots, but it is at the Board's discretion. We usually don't do that until after we have granted preliminary approval and we have gone through it all, then we know there are no monstrous red flags. We aren't well served to give them carte blanche ahead of time.

Mr. Bouchard: Without SEQR, we have nothing on which to make a decision that it's not sensitive.

Mr. Jensen: Not just see SEQR, but go through SEQR.

Mr. Bergman: We also need to see at least contours or spot elevations.

Mr. Antis: I wrestle with making a larger land lock.

Mr. Martin: And we need to see that the easement exists in perpetuity.

Mr. Jensen: This will have to go to Saratoga County.

Mr. Bouchard: Are we allowed to expand a non-conforming lot?

Mr. Martin: Yes.

Mr. Bouchard: Where do we get the permission? It's pre-existing non-conforming. There's no prohibition against expanding it, only decreasing it. There are minimum lot sizes. What you can't do is make the non-conformity worse. If it's too small but they make it bigger, but still too small, not a problem.

Mr. Bouchard: I couldn't find it in the Code.

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Mr. Martin: I can show you two places, subdivision regulations, and the definitions. It causes great problems when lots are created with no road frontage. I think they need a second easement created over 2 or 3 to service lot 1.

Mr. Antis: How do they get through it, if there's a house in the way?

Mr. Martin: You plan now so that a house doesn't get put there.

Mr. Jensen: What is this applicant's actual address?

Mr. Martin: 442 Fortsville Road is on the letter they sent. Their house is back here on the landlocked portion. The deed does say that the easement runs with the land, not the owners.

Mr. Bergman: In the past when there's a utility involved, do we need something from the utility? They've got lands of – all kinds of right of ways on here should we ask for the document from the utility.

Mr. Martin: Yes. Anything he has to cross he needs permission from that property owner. You have one right of way that requires easements from two different owners.

Mr. Antis: The utility doesn't own this land they have an easement.

Mr. Martin: On the tax maps it's a separate lot. It says gas line easement. It is indicated as separate.

Mr. Antis: At the very least we need cleaner language there.

Mr. Martin: It's probably a dead spot.

Mr. Antis: Probably.

Mr. Bergman: Ask them to clarify who owns what.

Mr. Martin: Sounds like we need Bill Rourke to be present.

Mr. Jensen: If we submit it to the County, that should take care of our concerns.

Mr. Bouchard: There is a development just north of the easement. Shouldn't all those lots be notified?

Mr. Jensen: They will get notice of a public hearing.

Mr. Bergman: Adjacent property owners should be shown.

Mr. Martin: So nine items for starters.

Mr. Bouchard: They will need to update the application and update it when they change the maps.

Mr. Martin: I don't think we have to table this since it's an informal discussion.

Mr. Antis: From what I gather at the Town Board Meetings, can't the Town's attorney come here at no additional cost to the Town?

Mr. Martin: They can by request.

Mr. Antis: They've let it slide and we've accepted it. But if we want one we can, so we should think about that. In general.

A complete revision of the draft comprehensive plan will be ready in August, reviewed and presented to the Town Board. The next edition will have planned improvements by location rather than by topic as it has been so far. It's a divided map with plan areas where we talk about the existing conditions and planned improvements.

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Mr. Jensen asked about the application for Snyder Drywall. Part of the building is not on the lot. It's not on the part the Board is asked to look at, but it's still a red flag.

Mr. Martin: That might be a good question for the attorney, as it's on someone else's property.

Mr. Antis: When was that built?

Mr. Martin: I can look. I will mention it to the attorney tomorrow. I brought it up with Mr. Rourke, too.

Motion to adjourn was made at 7:51 pm by Mr. Antis and seconded by Mr. Bergman. All in favor, motion carried with no roll call.

Respectfully Submitted,

Tricia S. Andrews