

## **MINUTES OF MEETING ~ DECEMBER 20, 2010**

**ATTENDANCE:** Rick Bump, Eugene Dutcher, Suzanne Robbins, Ken Raisner, Paul Little, George Hilton, and Secretary, Pat Smith. Also in attendance, Zoning Administrator, Walt Tennyson. Absent were Bob Thurling and Harold Ellsworth.

**MINUTES:** On a motion by Mr. Dutcher, seconded by Mr. Hilton, the Minutes of the November 15<sup>th</sup>, 2010 meeting were accepted, as presented. Motion carried 6/0.

**CORRESPONDENCE:** Zoning Office Activity for November, 2010; and letter from APA regarding the Taylor subdivision.

**PUBLIC HEARINGS:** Having been duly advertised, Chairman Raisner opened the public hearings at 7:00 p.m.

#SD2010-08 ~ Greg Taylor proposed 4-lot subdivision. Attorney Frank DeSantis was in attendance to represent the applicant. Proposed project is located on McPhillips Woods Road, off of Hill Park Road. Applicants are owners of 70+/- acres west of Hill Park Road, in a Moderate Intensity Land Use Area. Applicant proposes creation of three new lots, #2-A, 2-B, and 2-C, retaining the balance of property containing the wetlands.

Attorney DeSantis explained that they had requested a non-jurisdictional letter from the Park Agency on November 15<sup>th</sup>. Mary O'Dell from the Park Agency came to flag the wetlands, which had been delineated based on GIS mapping on the original subdivision plan. Based on the results, the wetlands were deemed to be closer to the proposed new lots than originally plotted. Re-mapping was done, and lot sizes were changed on proposed parcels #2-A from 5 acres to 3.68 acres, and parcel #2-B from 5 acres to 4.69 acres, in order to maintain a 200 foot setback from the wetlands. Lot #2-C remains unchanged at 7.53 acres, and applicant will retain the 54.74+/- acre remaining property.

Al Muench and Bill Oliver, attendees, had concerns over these new properties having deeded rights to access or use of Friends Lake, and that they not be granted any deeded rights to access or use the Friendly Acres Beach property. Attorney DeSantis stated that there would be no deeded Lake rights for these lots, and that they would have it so stated on the maps. Following discussion, motion was made by Mr. Bump to close the public hearing at 7:15 p.m. Motion was seconded by Mr. Dutcher, and carried 4/0.

Mr. Little then made a motion to approve application #SD2010-08 for a 4-lot subdivision, as proposed, with a negative declaration, and the restriction that there be no lake rights given. Motion was seconded by Mrs. Robbins and carried 6/0.

#SD2010-09 ~ Rich Greco ~ proposed 3-lot subdivision. Applicant was not present and there was no representation.

#SD2010-10 ~ Rich Greco ~ proposed 2-lot subdivision. Applicant was not present and

there was no representation.

On a motion by Mr. Dutcher, #SD2010-09 and #SD2010-10 were tabled. Motion was seconded by Mr. Bump, and carried 6/0.

#### NEW BUSINESS:

Dorothy Sisto proposed gifted lots. Applicant represented by Attorney Dan Smith. Applicant owner of property fronting on Kingsley Lane, purchased in 1972. Applicant and her husband Frank were tenants in common, but when he passed away, his half of the estate did not pass to her. As executor of her husband's 1/2 interest, she wishes to convey two gifted lots to her children, Frances Gabrielle and Daniel Sisto. Lot #1 will be conveyed to Daniel Sisto and his spouse, at 1.49 acres, and Lot #2, at 1.35 acres, will be conveyed to Frances Gabriel and her spouse. Pursuant to the Park Agency and the Town of Chester Zoning Ordinance on Subdivision Regulations, she is entitled to make a gift of substandard lots to members of her family. Lot #1 has 94' on Kingsley Lane, and 134' of lakefront. Lot #2 has 100' of road frontage, and 89' along the lake. Following discussion, motion was made by Mr. Bump, seconded by Mrs. Robbins, to authorize the 2 gifted lots, as proposed. Motion carried 6/0.

Davis, Troutman and Wamser and Yvonne Doberman, map correction. Applicants also represented by Attorney Dan Smith. In 2007 there was a lot line adjustment between Doberman to the South, and Davis, et al to the North. Doberman parcel is located at 709 Atateka Drive, and Davis, et al, at 713 Atateka. Both parties have agreed to a map revision of 67+/- square feet. Lands of Doberman to be conveyed to and merged with lands of Davis, et al, 67+/- square feet. Lands of Davis, et al, to be conveyed to and merged with lands of Doberman, 67+/- square feet. Following very brief discussion, motion was made by Mrs. Robbins, seconded by Mr. Hilton, to approve this non-jurisdictional map revision. Motion carried 6/0.

Mildred West map survey correction. Attorney Dan Smith representing applicant. Applicant, Mildred West, had created a 5+/- acre lot on East Shore Drive; survey being done by Agard & LaPan, PLLC. Project was approved by the Planning Board and filed in the Warren County Clerk's Office. Property was conveyed to Carol & William Charping, the map, unfortunately, extending the property line out to East Shore Drive. The only change to the map would be to correct the line on the Charping parcel. On a motion by Mr. Dutcher, seconded by Mr. Little, the map correction was approved, as presented. Motion carried 6/0.

Schroon Lake Park District map correction. Attorney Dan Smith representing applicant. Schroon Lake Park District owns 59.75+/- acres of land. On Chester Creek, there is a parcel of 0.22 +/- acres. Diligent search by James Nestor and Atty. Smith revealed this parcel was not deeded to anyone. The district has maintained this parcel since its formation, and it is now the intent to do a deed from the District to the District to establish a title to this property.

Additionally, at the intersection between Schroon River Road and Carl Turner Road, there is a parcel of 0.078 +/- acres, about 50 x 36 ft. The westerly boundary is land of

R.K.J.L.K.J. Carting Co., Inc. , and this parcel will be conveyed to and merged with the lands of the Carting Co.

Three commissioners of the District, one from Schroon Lake, one from Horicon, and the other from the Town of Chester have all agreed to the correction, and where the line actually is.

Following brief discussion, motion was made by Mr. Bump, seconded by Mr. Dutcher, to approve the survey adjustment, as presented. Motion carried 6/0.

At this time, on a motion by Mr. Dutcher, seconded by Mr. Hilton, application and public hearings for the Greco subdivision, #SD2010-09 and #2010-10, were tabled until the January 24<sup>th</sup>, 2011 meeting. The public hearing had been held open until 7:45 p.m., but no one came to present the project. Motion carried 6/0.

ADJOURNMENT: On a motion by Mr. Hilton, the meeting adjourned at 7:50 p.m.

Respectfully submitted,

Patricia M. Smith  
Secretary