

MINUTES OF MEETING ~ MAY 18, 2009

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

CORRESPONDENCE: Zoning Administrator's Activity Report for April 2009.

MINUTES: On a motion by Mr. Dutcher, seconded by Mrs. Robbins, the Minutes of the April 20th, 2009 meeting were accepted, as presented. Motion carried 6/0.

OLD BUSINESS: #SD2008-07 ~ William Murphy proposed two-lot subdivision. (Continues to be tabled ... pending with APA).

NEW BUSINESS: Al & Mary Matrose ~ proposed boundary line adjustment. Applicants are owners of adjoining properties on Park Lane, within the Jovic Development subdivision, on tax map parcels #137.14-1-5 and #137.14-1-18.3. The requested amendment involves the reconfiguration of a common lot line between Tax Map Parcels 137.14-1-5 (Parcel 5), and 137.14-1-18.3 (Parcel 18.3). Properties total 3.389+/- acres. The proposed reconfiguration will change Parcel 5 from 2.71 +/- acres to 0.55+/- acres (the resulting Parcel 5), and Parcel 18.3 from 0.69+/- acres to 2.85+/- acres (the resulting Parcel 18.3). The resulting Parcel 5 will include all existing development on the project site, including the single family dwelling constructed since 1988, existing driveway, existing on-site wastewater treatment system, and space for the proper placement of a well. No development is currently proposed for the resulting Parcel 18.3. Applicants had needed to amend and modify the original Jovic permit that had been issued by the Adirondack Park Agency when the project was first initiated, due to the fact that they were modifying a lot within the Association, and did so successfully.

Applicant explained that the property has a replacement area designated for a septic system, and would have a 140' separation from the well. There are no significant changes to the parcel, and a long discussion ensued. Although it has been approved by the Park Agency as a boundary line adjustment, board wished to be sure that approving a substandard lot would be alright. Basically the project involves the moving of a substandard lot to another area within the same two parcels. Mr. Tennyson stated that he would check with legal counsel and get a determination. Following this, motion was made by Mr. Little, seconded by Mr. Dutcher to approve boundary line adjustment, as presented, pending legal determination. Motion carried 6/0.

(Determination of above project, per inquiries by Mr. Tennyson: taking one small lot and one large lot, making the large lot small, and the small lot large is not at issue in the simple boundary line adjustment on this property that was pre-zoning and pre-APA, since no new lots or building rights have been created. The former lots each had one principal building right, and the proposed lots remain with each having just one principal building right. All conditions in the original Permit remain in full force and effect unless the Park Agency had specifically amended them in Permit #71-A. Originally an Interim Permit 71 had been issued on December 19, 1972, which authorized a 70-lot subdivision. In October of 1980, Permit 80-33 was issued by the

Agency, amending Interim Permit 71 to authorize the creation of 64 lots, rather than the original 70 lots, with the readjustment of boundary lines, and the reallocation of principal building privileges within the subdivision property. These conditions prevail).

SPR2009-03 ~ Rich Greco ~ proposed addition to Fitness Center in excess of 25%. Applicant wishes to expand the building located off State Route 9, behind the Liquor Store, which houses the Fitness Center/Massage/Hair & Nail facility. He wishes to add a 20'x 45' addition for classes of Dance, Aerobics, Yoga and Exercise classes. Property is located in the hamlet, and has parking area for approximately 40 cars. Project can fit well within the required setback areas of the parcel. Following discussion, motion was made by Mr. Dutcher, seconded by Mr. Ellsworth, to approve application #SPR2009-03, as proposed. Motion carried 6/0.

Warren County/Inergy Corp. d/b/a Pyrofax Energy. In June of 1960, Warren County was conveyed a highway taking by Kenneth Murphy for the construction of Road #65, currently Knapp Hill Road. Inergy Corp. is located at 12 Knapp Hill Road, and is in the process of constructing a Retaining Wall for their secondary containment of fuel storage tanks. The retaining wall encroaches on the County R.O.W., and the County wants to convey 388 square feet to Inergy Corp. so that their retaining wall is on their own property. Following a brief discussion, motion was made by Mr. Ellsworth to approve the lot line adjustment, as proposed. Motion seconded by Mr. Little, and carried 6/0.

BOARD PRIVILEGE: Mr. Hilton inquired about the lighting at the Coke distribution center on State Route 8, and Mr. Tennyson explained that he had spoken with the owner of the property who was going to have it taken care of within a week. Additionally, the board inquired as to when the vegetative plantings would be in place around the fence. Mr. Tennyson assured them that he would find out.

ADJOURNMENT: On a motion by Mrs. Robbins, seconded by Mr. Little, meeting adjourned at 7:45 p.m.

Respectfully submitted,

Patricia M. Smith ~ Secretary