

## **PLANNING BOARD PUBLIC HEARING 4-20-11 NATE SHIRLEY – SONG LAKE VIEW**

### **Minutes of the meeting:**

The Public Hearing opened at 7:05 P.M. Members present: Donna Doody, Nate Currie, James Harris, Barbara Albro and James Seamon, together with Town attorney, Don Armstrong. Chairman James Harris stated that the purpose of the Hearing was to allow the public to comment on environmental issues and concerns regarding the proposed subdivision by applicant Nate Shirley, in advance of the Board beginning the SEQR process. Mr. Shirley addressed the Board and the audience stating to date, the biggest concern has been the location of the proposed septic and well locations. The applicant has been working with his engineer and County Health on those issues. Mr. Shirley stated that all septic systems are now located such that none would be in the 300 ft requirement from existing wells. It was further stated that whoever buys a lot would not have the ability to move the location of the septic from what has been required and is now shown on the updated subdivision map. The applicant also demonstrated that he has created a natural infiltration area on lot 3 and 4 across from his residence and that the area will not be disturbed. He has removed the lot 3 easement and it no longer exists on lot 3 but has moved to lot 5 to allow egress to the woods.

The meeting was opened to public comment and to review the updated maps at 7:20 PM. Al Socha asked about the 2.4 acre lot requirement by County Health. Jim Harris explained that if the Town approved the subdivision, the applicant can apply for a Health department variance from the 2.4 acre requirement and also commented that the Town lot size requirement is 2.0 acres. He further stated that County Health has been involved in every step of the process.

Joe Heath asked about Section 568 of the Town's zoning ordinance requiring a Special Permit for any use of property in the Aquifer Protection District. Don Armstrong said he did not know offhand if the subdivision fell in the Aquifer Protection District, but agreed that if so, the applicant would need to complete that process as outlined in Section 568. Tarki Heath asked about storm water management and asked if there would be deed restrictions and how that would be enforced. Mr. Harris stated that the code enforcement officer would be involved in the issuance of building permits and enforcement of the subdivision requirements. Discussion was had with Mr. Shirley who stated he had not planned any deed restrictions but was open to suggestions. It was again stated that compliance would come from the code enforcement officer to make sure that building code was met. Mr. Heath commented that he felt this was a very high density development and was problematic for the health of Song Lake, which is already experiencing phosphorous problems. He further stated that the developer's attorney has already stated he intends to attack the keyholing law which restricts lake access. Mr. Heath stated that he would much prefer to see larger lots of around 5 acres which he further believes would be more attractive to potential buyers. Tarki Heath echoes his comments.

There were no further public comments and a motion was made by Barbara Albro, seconded by James Seamon to close the public hearing at 7:45 P.M. All in favor the hearing adjourned.

**Respectfully submitted,**

**Mary Anne McCloskey, Secretary**