

## **MINUTES OF THE PLANNING BOARD: July 27, 2011**

The meeting was called to order with the Pledge of Allegiance at 7:10 P.M. Members present: James Harris, James Seamon, Donna Doody. Members Absent: Nate Currie and Barbara Albro. Also present: Town Attorney, Donald Armstrong.

James Harris stated to those in attendance that the Board would take public comments at the end of the meeting. He asked the Board to review the minutes of the previous meeting. **Motion to approve** the minutes made by James Seamon, seconded by Donna Doody, all in favor, the motion carried.

With regard to the Song Lake View application, Chairman Harris stated that the Phase I Archeological study had been completed and will be submitted to the board. At the request of the applicant's attorney, the submission will be presented at the August meeting when the applicant, Nate Shirley will appear with his attorney. The applicant will not be present tonight. Jim Harris further stated that the Town Board was in the process of reviewing the Aquifer Protection plan and held a special meeting last night. James Seamon asked about the test wells. At this point, the Board has not been advised as to whether the test wells have been done or not. Mr. Shirley is working with the County in that regard.

**NEW BUSINESS:** James Harris asked if there was any new business and there was none. He opened the meeting to public comments at 7:20 P.M.

**PUBLIC COMMENTS:** Tony George asked to comment on the snowmobile trail. He asked specifically about the re-routing of the trail due to the proposed subdivision location and read from the minutes of the previous meeting. Mr. George stated that Nate Shirley had been working on the trail for the past (4) weeks and had a bulldozer and bobcat up there and was also cutting trees. Mr. George stated that the scope of the work he observed was vastly different than what was stated at the previous meeting. He stated that Mr. Shirley makes ridiculous statements that are not followed through. He also stated that the Board should continue to gather input from the DEC, Health Department, County Planning and ESF. He further suggested that a 4 x 8 sheet of plywood should be placed on each building site to that a potential buyer is aware of what restrictions are in place when viewing a lot.

Tarki Heath stated that the SEQR process did not address other comments, letters and concerns that have been raised. She asked how many letters had been received and Mr. Harris stated the Board had received (7) letters. Tarki asked how the concerns raised would be addressed. Mr. Harris stated he believed the main topics/concerns had been heard and stated that Joe Heath's letter addressed the major concerns of the Song Lake residents. He further stated that the Board members were provided with copies of all letters. Tarki asked about the Keyholing issues and asked about the easement Mr. Shirley had recorded before the law was passed. She feels there needs to be more discussion on the issue and believes it is a major concern. Al Socha noted his agreement and went on to comment that Mr. Shirley said his application dates back to 2009 however, some do not agree as his application was far from complete at that time, and that this discrepancy could result in potential litigation. He further stated that he does not believe Mr. Shirley is not being honest or forthcoming with the Board. He also commented that any potential buyer needs to be made aware of the keyholing law and

any other restrictions in place on the lots. He is concerned that the information will not be made known or over time will be forgotten.

Rhea Jezer commented on the need for due diligence so as to minimize any risk factors particularly as it might affect the quality of the lake. She is concerned about the amount of pesticides and chemicals that may enter the lake and damage the watershed as a result of the new development. She suggested consulting a geologist on the impact of the logging and its impact on the lake. She further stated that the DEC has been very disapproving of how Nate Shirley is conducting the logging but she does understand he has the right to do it any way he wants to. She thought a lot of trees were being cut as part of the snowmobile trail re-routing even though Mr. Shirley said there would be minimal cutting, other than brush. She further stated that many lake residents are very fearful of the risks to the lake's water quality and hopes the impact will be as minimal as possible. She stated that the run-off from the logging could lead to future mudslides, especially during storms and hopes this can be addressed.

Tarki Heath stated that the use of pesticides and herbicides could be a huge issue and a legitimate concern. She pointed out how 1/3 of the Chesapeake Bay is a dead zone and that we now know better when addressing the impact of urban growth. She further stated that Kim Schultz could be a great resource in addressing those impacts and might be willing to address the Board. Tarki stated the Lake is very unique and a rare treasure, requiring a higher level of protection.

James Harris thanked the audience for their comments and asked if the Board had any further comments. There were none.

Motion to adjourn made by Donna Doody, seconded by James Seamon, all in favor, the motion carried, and the meeting adjourned at 7:4 PM.

Respectfully submitted,

Mary Anne McCloskey, Secretary