

MINUTES OF THE PLANNING BOARD 10-23-13

Members Present: Jim Harris, Tim Coyne, Maureen Knapp and Jim Seamon. Barb Albro is absent. Also present: Don Armstrong, Paul Sheneman, Dave Ames, Nate Shirley, Joe Heath, Jan Kublick, Nate Shirley, Al Socha, Ken Brock, Deb Brock, Jim Doring, Terry Orr and Louis Currie.

The meeting opened at 7:05 PM with the Pledge of Allegiance. The first order of business was approval of the minutes of 9-25-13. Maureen Knapp had some questions concerning the minutes which will be addressed. Motion to approve the minutes with changes, made by Jim Seamon, seconded by Tim Coyne, all in favor, the motion carried. Discussion then ensued about changing the dates for the November and December meeting. The November meeting will be held on November 20th and the December meeting on December 18th. A notice will be published in the paper and on the website.

NEW BUSINESS: application of Louis Currie. Mr. Currie spoke to the Board regarding the reason for the subdivision request. To summarize, the property is located on Dawson Road, off of E. Hill Road. The property (93 acres) was deeded to Mr. Currie and his brother Joseph H. Currie in 1984. Joseph has passed away and his wife, Nancy has been appointed as Administrator of his estate. Nancy and Louis have discussed splitting the property rather than remaining tenants in common. She resides in Florida and has no children living in New York State. The solution they propose is that each retain approximately 46 acres to be held separately rather than in joint ownership. Mr. Currie stated there is 1830 feet of road frontage so each would have approximately 900 feet of frontage. The property has not yet been surveyed as they are waiting for approval from the Town. Don Armstrong noted there are no other concerns as there is adequate size and frontage. He noted however that the Board will need a survey before giving final approval, and the map would be filed with the County Clerk's office and the Town's approval noted on the map. The Board will treat this as an incomplete pre-application now, and Mr. Currie will arrange for the survey and then come back before the board.

The next order of business is the Edinger (Foley Estate) application for a subdivision. Dave Ames provided the Board members with a survey map and noted the GML approval by County Planning. Jim Harris noted the land is zoned agricultural and inquired if the applicant is requesting any changes. Mr. Ames stated no. Don Armstrong stated the Board could go on to its short form assessment form. Jim Seamon asked how three parcels were being created and Mr. Ames stated it is because it is coming out of the middle of the 240 acre farm parcel. The Board then began its Part II Impact assessment, reviewing and discussing the criteria, finding that the project will not have an impact on the environmental characteristics, as presented, and further finding there is not likely to be any controversy related to potential adverse impacts, if the land stays zoned agricultural. Part III was discussed with the finding that the proposed

action will not result in any significant adverse environmental impacts, if the land stays agricultural. Motion to make a negative declaration, made by Tim Coyne, seconded by Maureen Knapp, all in favor, the motion carried. Jim Seaman inquired if the board could condition approval on the land remaining zoned agricultural, and was advised by Don Armstrong that the board can only act on what is before it, noting any requested zone change would need ZBA approval.

The next order of business in the Song Lake View application. Nate Shirley stated to the Board that all pages of the map are now updated as of October 18th, with a few revisions. Page (1) contained a typo and is changed to (11) lots. Mike Ryan of County Health revised his conditions slightly such that individual wells be cased at 40 feet instead of 50 ft. This was based on information from the test wells. Page (2) well detail, is also changed to reflect that revision. Nate stated those are the only changes from the last meeting. Jan Kublick noted that the condition that the Town must approve within 90 days was also eliminated as they advised Mr. Ryan that it could not happen that quickly. Paul Shenemen then spoke of his comparison from the maps used for the SEQR on 4-27-11 to the current maps. Don Armstrong stated he spoke to Mike Ryan and invited him to the meeting but he was not available, however, they discussed that the change from 50 ft. to 40 ft. was made based on the water level in the strata and that 50 ft would be beyond the depth of the water table. Paul noted the dates of the map used for SEQR. Page (1) was the map dated 4-20-11; page (2) was the map dated 4-14-11; and page (3) was dated 11-15-10. Nate Shirley stated he is comfortable using Paul's comparisons. Paul stated he went through the maps, lot by lot, and noted the biggest change was on lot 3. He said wells and septic systems were moved further away from the road. It is his understanding this was done to get everyone's wells away from septic systems on the other side of the road, as it was impossible to identify with certainty the location of the existing wells and septic systems. Paul then reviewed each change listed on his comparison, lot by lot.

Jim Harris stated that the Board has received all of this information tonight on the map comparisons. Does the Board want to address positive vs. negative changes since SEQR or take time to digest the information received, as well as public comments through the process, as well as outside data received. The Board will be provided copies of the completed SEQR to review prior to the next meeting. Jan Kublick noted that the application has received a long and detailed review by the Health Department, has undergone a lot of engineering to move the wells and septic systems away from the road, and questions raised about drainage have been reviewed by County Soil and Water, with input to design detail. He further noted that as a result of concerns raised a cultural resources survey was undertaken, there are 15% fewer lots and he believes the Board would be hard pressed to find any change which would increase Mr. Shirley's rate of investment, noting it was a better project than presented two years ago. Further, all changes made, as identified by Paul Sheneman have resulted in lessening the

impact as reviewed in April of 2011. Mr. Kublick stated he is not aware of a more engineered project in the history of Preble, noting the application has been thoroughly studied. Jim Seamon asked Paul if he agreed with that statement, and Paul stated yes, the project has less potential for adverse impacts. Jim Harris then asked if the Board had any other questions. Tim Coyne noted that Barb Albro should be present to offer her opinion and determine the next step. Jim Harris said it was agreed the board will study the maps and wait until the next meeting before taking any action. Jim Seamon stated it would also be helpful to have Paul Shenemen back for the next meeting and Mike Ryan from County Health will also be invited to attend.

Public Comment: Deb Brock said Joe Heath has received a response from his FOIL request to County IDA and asked that it be published, as concerns the proposed propane facility.

Motion to adjourn made by Maureen Knapp, seconded by Tim Coyne, all in favor, the motion carried and the meeting adjourned at 9:20 PM.

Respectfully submitted,

Mary Anne McCloskey, Secretary