

Present at Meeting: Bill McGhie, Vice-Chair
Teri Schuerlein, Member
Mike Raymond, Member
William Siegle, Member

Michael Hill, Esq.-Town Counsel

Also Present: Alyssa and Scott Hayes
Frank Yunker
Joyce Greenidge

Vice-Chair Bill McGhie called the meeting to order at 7:00 PM

Pledge

Agenda Items: File # 2014-05U Tax Map 88.10-1-8.2 Scott Hayes/SFH Enterprises
File# 2014-06CU Tax Map 38.15-1-35 Clearwater Lake Restoration Assoc.

Approval of minutes: Teri Schuerlein made a motion to table the approval of minutes until the August Planning Board meeting. 2nd by Bill McGhie. ALL AYES.

Communications: NONE

Public Hearing: NONE

NEW BUSINESS: File#2014-05CU
Tax map: 88.10-1-8.2
SFH Enterprises, LLC
6537 State Route 8
Conditional Use to operate a retail business

Applicant Scott Hayes appeared before the Board to present an application for a conditional use to operate a retail business for woodcutting, landscaping and wood sales service.

Mike Raymond questioned the reasoning and section of the zoning law requiring the applicant to apply for a conditional use permit to sell firewood from his commercially zoned property.

Attorney Michael Hill responded by stating that it was not in the Planning Board's jurisdiction to determine whether the conditional use permit is required but to review this application

with the perspective that the Zoning Administrator deemed that the conditional use permit application is legitimate and necessary, and since the ZA was not immediately available to answer any questions regarding the necessity the Planning Board could deem the application complete and wait to the public hearing to question Jim Steen, Zoning Administrator.

Attorney Michael Hill stated when reviewing the application he had noticed that a SEQRA form was not included and asked the applicant to provide one before the public hearing and suggested to include that condition in the motion.

Being no further questions or comments Mike Raymond made a motion to deem the application complete and schedule a public hearing for August 20, 2014 contingent upon receipt of the SEQRA review form. 2nd by Bill Siegle. ALL AYES.

NEW BUSINESS: File #2014-06CU
Tax Map 38.15-1-35
Clearwater Lake Restoration Association
P.O. Box 338
Conditional Use to replace dam and rehabilitate Clearwater Lake

Association President, Frank Yunker appeared before the Planning Board to present the Dam Restoration application he stated that they were approaching the tenth anniversary of the Dam release. In 2009 the Association had applied to the DEC, APA and the Army Corps of Engineers. It has been a long process for the Association to get the dam back.

Teri Schuerlein asked who is the owner of the dam and was responded by Frank Yunker that the Association, was they had a deeded obligation to maintain the dam.

Bill McGhie asked if the dam location would be the same and was answered by Frank Yunker that there would be a slight change that the replacement could not be exact.

Mike Raymond asked what the next step would be if the Association received Planning Board approval and was answered by Frank Yunker that the Association would put the project out for bid costs and hire an engineering firm that would be able to be on site to approve every step of the restoration. The present Engineer who has been helping the Association for 5 years is located in Saranac Lake and they are not sure whether they will be able to be on site as needed.

Frank Yunker stated that the process to restore the dam would start by clearing the lake bed of cedar logs and organic material and removing the old dam. The new dam would be

constructed out of concrete with a 36' wide spillway that will eliminate problems of jams and will control the lake levels. The construction costs will be shared by the Homeowners of the Association

Bill Siegle asked how deep the lake was and was answered that the average depth was 9' but by the dam 15' and the lake size perimeter was 6 acres.

Being no further questions or comments Mike Raymond made a motion to deem the application complete and schedule a public hearing for August 20, 2014. 2nd by Bill Siegle. ALL AYES.

Public Comments: None

Board Comments: Attorney Michael Hill suggested to the Planning Board that they make a motion to rescind the Condition Use permit for File# 2011-06CU for the Higgins' to operate selling firewood because the permit would not simply expire on its own accord. Robert and Charles Higgins were not present at the meeting to object to the decision or have not responded to the Zoning Office by the required date if they were not agreeable of this rescission. Attorney Michael Hill read the letter prepared by his firm notifying the Higgins' of such intent to rescind the conditional use permit and added that it had been received by the Higgins' as it was sent certified mail.

Mike Raymond made a motion to rescind Conditional Use permit File# 2011-06CU to operate firewood sales effective immediately. 2nd by Teri Schuerlein. ALL AYES

Next Meeting: August 20, 2014

Being no further business before the board Mike Raymond made a motion to adjourn the July meeting 2nd by Teri Schuerlein. ALL AYES

Respectfully submitted

Dorothy Johnson, Secretary