

**Horicon Planning Board
Regular Meeting**

**December 19, 2012
7:00PM**

Present at meeting: Doug Paton Chairman
Harry Balz, Vice Chairman
Bill McGhie, Member
Mike Raymond, Member
Georgia McMeekin, 1st Alternate
Paul Holmes, 2nd Alternate

Also Present: Jim Steen, Zoning Administrator
Mike Hill, Esq. Town Attorney
Gary Frenz, ZBA Chairman
Bob Olson, Town Board Member

Ann Dingman, Jim Hughes, Tom Johansen, Charles and Brett Scudder, Gary McMeekin, David and Beverly Boucher.

Agenda Items: **File # 2012-22SD Tax Map 88.10.-1-21 Palermo and Doberman**
File # 2012-24CU Tax Map 72.-1-21.1 Boucher, Hidden Pond Campsites

Chairperson, Doug Paton called the meeting to order at 7:00 PM and stated that Georgia McMeekin will be a voting member in Jim Remington's absence.

Approval of Minutes: Bill McGhie made a motion to approve the November minutes, 2nd by Mike Raymond. All Ayes except Harry Balz abstained.

PUBLIC HEARING:

File # 20.12-24CU
Tax Map# 72.-1-21.1
Property Location: 389 Grassville Rd
Property Owner Boucher, Hidden Pond Campsites
Project: Add 12 lots to expand travel trailer camp

Harry Balz asked about having only one access to the sites where the code states two access's must be provided.

David Boucher stated that the plan presented to the board shows the one access but he and his wife are in the process of purchasing the home and there is an exit through the house driveway. Doug Paton asked if the turnaround is the appropriate width for emergency vehicles.

Gary Frenz stated that he is an RV'er and a ten foot wide road is more than enough clearance.

Mike Raymond stated that he toured the facility.

Harry Balz quoted Section 502 -NYS Fire and Building codes, a 92 foot turnaround is needed, 20 foot wide and 75,000 lb load.

Mike Raymond stated that the radius is over 150 feet and has concerns over the ingress and egress of the two roads

David Boucher stated that the fourteen new sites, is all a one way road, by the office is a two way road.

Harry Balz read the NYS Building and Fire code, stating no matter what the ordinance states, the NYS Building and Fire Codes controls.

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Mike Raymond questioned the applicant about the second access, stating that if you had to evacuate the area for a forest fire that he is not sure the one exit would be adequate. David Boucher stated that two vehicles could pass by easily, the road is eighteen to twenty feet wide, it varies.

Harry Balz stated the NYS Building codes say it must be twenty feet wide.

Paul Holmes asked if it requirement applied to campgrounds

Harry Balz responded that it applies to everything.

Mike Raymond stated that if ninety-nine families are there and there is a forest fire, everyone has to get out, this is a very wooded area, and the road must be twenty feet wide.

Paul Holmes stated that this board dealt with the width of the road the Tin TeePee Campground David Boucher pointing to the map showed where the road loops around.

Mike Raymond stated that the first loop with fourteen campsites is wider than most streets.

Harry Balz stated that his concerns have been addressed.

Gary Frenz stated that if there is a forest fire, most people will get their families out and leave the RV behind as they could not move them out quickly.

Jim Steen stated that the property is under contract and the campsites will have the second egress and ingress. Jim Steen continued to state that he contact the APA regarding the number of campsites and a twenty-five percent expansion is allowed.

Doug Paton stated that he received a call at home from Michael McClure, a neighbor of Hidden Pond, and he was in favor of the applicant expanding, asking if there were any further comments or questions.

Being no further comments or questions, Doug Paton made a motion to close the public hearing and approve the conditional use, 2nd by Harry Balz.

Discussion ensued

Paul Homes asked if this is an extension of an existing area then the application needed approval and should have been addressed years ago.

Harry Balz stated that the development was done before the ordinance was in effect.

Mike Hill stated the this is pre-existing, non-conforming and the application to add sites must come into compliance with the code that exists now with the second point of ingress and egress, it is this boards authority to require the second point of entry be provided which can be done with the purchase of the home lot and would encourage the board to make that a potential condition of approval along with the APA, NYS DEC, and NYS DOH requirements.

Doug Paton withdrew his motion

Harry Balz made a motion to close the public hearing, 2nd by Mike Raymond. All Ayes.

The board reviewed the SEQRA form.

Harry Balz made a motion to declare a negative declaration, 2nd by Bill McGhie. All Ayes.

UNFINISHED BUSINESS:

File #	20.12-24CU
Tax Map#	72.-1-21.1
Property Location:	389 Grassville Rd
Property Owner	Boucher, Hidden Pond Campsites
Project:	Add 12 lots to expand travel trailer camp

Harry Balz made a motion to approve the Conditional Use to add 12 travel trailer campsites with the condition that the second access location be established as proposed by the purchase of the home lot or another place on the property, and the applicant comply with all other agencies: NYSDEC, NYSDOH and APA requirements, 2nd by Mike Raymond. All Ayes.

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PUBLIC HEARING:

File # 20.12-22CSD
Tax Map# 88.10-1-21
Property Location: 25 - 27 Market St.
Property Owner Palermo and Doberman
Project: 2 lot subdivision

Jim Hughes stated that this is the old town hall and apartment building and the owners are separating the lots to make them more sellable, each lot is in excess of 20,000 square feet and there is room for a separate septic system. The septic system is a shared system but he apartment building has its own well.

Doug Paton stated that there was discussion last month regarding the septic system and the sharing of the system. The board is cautious of letting the subdivision go through without a confirmation as to what exists on the property, in so that the people renting the apartments are protected.

Paul Holmes stated that the septic system situation could be unknown to the buyers and this board should get the information in writing.

Georgia McMeekin stated that she agrees with Paul Holmes, this board has not dealt with subdivisions with shared services.

Mike Raymond stated that he feels this is pushing the responsibility of this board, the rights to the septic/well can be deeded, this board can not legislate what a seller/buyer can do.

Paul Holmes stated that the board's request is doing nothing more than getting it in writing.

Mike Hill stated that other towns deal with shared driveways, wells, septic systems and this is not a unique situation but typically requires that an applicant provide a draft agreement on responsibilities/expenses etc. of the shared services

Gary McMeekin asked if the board knew what size the system is and at a minimum would need 1,000 gallon tank and appropriate leach field.

Mike Raymond asked if that should be up to the buyer to know.

Mike Hill stated that this is a parcel of land that is asking for approval to separate into two lots with provisions for water and septic to serve the two lots and the board is asking how the well and septic will shared.

Doug Paton stated that this application is about the land, not about the use.

Mike Hill stated that this is being presented to this board a two lot subdivision that would share a well and septic, and this board is concerned with the apartments being cut off from those services.

Jim Hughes stated that the negotiations would be between the buyer and seller.

Jim Steen asked the board to review Page 10 of the subdivision regulations, and referred to a septic application dated March 2010, when the apartments were added. A septic application was submitted to the Zoning Office, never signed, never finalized, the application states that the existing septic was to be confirmed.

Gary McMeekin stated that the owner was suppose to verify the septic system two years ago and a septic system was supposed to be installed. NYS code states that each needs 1000 gal tank.

Harry Balz stated that this was before the ZBA for a road frontage variance.

Gary Frenz stated that this was before the Planning Board for a Conditional Use for the Play school

Mike Hill stated that the Planning Board feels that the septic and water needs to be dealt with

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and further information on the septic capacity is required and suggested that the board could approve this application on the condition that the septic is adequate to serve both lots and a agreement of sharing rights and responsibilities be drafted or the applicant provide a plan for separate well and septic on the apartment lot compliant with NYS requirements and make it clear before the Chairman signs the map. The third option is to deny the application.

Jim Hughes requested the public hearing be tabled until more information can be obtained from the owners.

Harry Balz stated that he would like to see the confirmation of the existing septic and the applicant can come back when that requirement is done, keep the public hearing open and inform the applicant of this board's concerns.

Jim Steen stated that there are two buildings on one property and the code states that each building need their own septic system, but a well can be shared.

Harry Balz made a motion to continue the public hearing, table the application with a request that the applicant demonstrate what the capacity of the existing septic system is or their intentions to complying with the Zoning Administrator's request, with separate systems or indicate if they will seek variances from the Town Board to share a septic system, or if the applicant will install separate septic and well on the apartment parcel, 2nd by Bill McGhie. All Ayes.

Mike Raymond stated that the old system should be shut off to the apartment building once a new system is in place.

Harry Balz stated that they would just cap it, and verify the existing system of the old town hall.

Georgia McMeekin stated that the system for the old Town Hall should be functioning properly.

Mike Hill stated Jim Hughes has heard the discussion and will inform the applicant of this boards concerns.

BOARD PRIVILEGE:

Bob Olson stated that he appreciates the effort this board puts forth.

Doug Paton made the announcement that he his term is up and will not seek to remain a member of the Planning Board. Doug stated that he has served this board for ten years and will not be turning away from the town but concentrate his efforts in a different direction.

Mike Raymond stated that he speaks for the board and thanks him for his service to the town and dedication.

Being no further business before the board, the meeting was adjourned at 8:35PM.

Respectfully submitted

Christine Hayes, Secretary