

# *Town of Horicon*

## Planning Board Minutes

Minutes of March 15, 2006 approved April 19, 2006

**Members Present:** Chairperson Bill Bruce, Doug Paton, Jim Remington, Ruth Ann Assmann,  
Absent: Dennis Doyle

**Others Present:** Counsel to Boards Mike Hill, ZBA Chairperson Priscilla Remington, ZBA Member Steven Smith

**Guests Present:** Brandon Himoff, Chris Johnson, Andy Libelt, Tom Magee, Phil Akins, Ralph & Louise Price, Kelly Grass, Martin Rice, Erin Hayes, Jeff Zachman, Thomas Ulasewicz, Jeff Anthony, Roberta Clench, Bernie Bolton, Frank Reitnauer.

### **The Public Hearings were called to order at 7:30 PM**

**File # 2005-14 Tax Map #73.-1-12 and 90.-1-1 Doug Cole (Andy Liebelt)** Seeking a Conditional Use to operate a Pheasant Shooting Preserve, Sporting Clays Range, Navhada Fields Trial Facility. Bill Bruce stated that the test firing was done earlier today. Erin Hayes, representing the applicant addressed concerns by neighbors counsel, board and neighbors stating that the project complies with the allowed use of the LC-zone. Phil Akins stated that he was on his porch listening and heard two (2) shots in the distance, stating that the shots were not representative of the firing done over the summer months. Andy Liebelt stated that five (5) shots were discharged with a twenty (20) gauge shotgun with ounce loads in the area of the sporting range as shown on the map, also stating that he does not operate in the summer month and members are limited to guns that hold two (2) shots each. Erin Hayes reminded the board that two (2) other hunting clubs are located in the area and would be possible sources of shooting in the summer months. Phil Akins stated that he has several issues the first one being that a twelve (12) gauge shotgun should have been used not a twenty (20) gauge shotgun. The Interpretation that went before the ZBA, was that taken into consideration with the field trails, club house classification of Agricultural use?, Phil Akins also expressed his concerns with the noise levels, the lack of control of where shots would go, objectionable odors, compatibility with neighbors, traffic control, effect on public health and safety, public restrooms - ground water concerns. The pamphlet distributed in town states that prospective members will be allowed to use the facility 365 days a year along with the club house located on the property. Ruth Ann stated that the proposed clubhouse dimensions are 12' x 12'. Bill Bruce stated that the proposal submitted states chemical toilets would be used. Ralph and Louise Price stated their concerns of consumption of alcohol, the garbage being thrown out of cars and increased traffic. Erin Hayes stated that alcohol consumption would be in violation of the applicants insurance policy. Bill Bruce read the brochure and asked the applicant to explain "unlimited access" as offered in the brochure. Andy Liebelt stated that the property would be usable throughout the year by non hunting purposes. Jeff Zachman stated that he was out on his deck during the test firing and did not hear any firing of guns but stated that it was a windy day and the sound was not carrying. Jeff Zachman also stated that the test should be a fair test as he is concerned with noise. Ruth Ann Assmann made a motion to close the public hearing, 2<sup>nd</sup> by Doug Paton. All Ayes.

Jim Remington recused himself from the Jabe Pond Partners application

**File # 2005-04 Tax Map # 89.-1-76, 89.-1-2, 88.-1-15 Jabe Pond Partners LLC** seeking a Major Subdivision, parcels located off Jim Younes Rd. Dan Smith, representing the applicants stated that he was unaware of the proposed road standard progress. Bill Bruce stated that a meeting with our counsel and the APA was held on March 13<sup>th</sup> and this board will vote on the recommendation to the town board and present that decision to the town board at the regular meeting being to be held on March 16<sup>th</sup>. Dan Smith requested a waiver on the current road standards as the storm water management plan can not be started until the a waiver is granted. Brandon Himoff suggested that the board waive the current road standards and accept the new proposed road standards on the condition that the APA approves the new standards. Ruth Ann Assmann made a motion to continue the public hearing, 2<sup>nd</sup> by Doug. All Ayes.

Jim Remington rejoined the board

**The Regular Meeting of the Planning Board** was called to order by Chairperson Bill Bruce, Ruth Ann Assmann made a motion to approve the February 2006 minutes as written, 2<sup>nd</sup> by Jim Remington. All Ayes.

#### **UNFINISHED BUSINESS:**

**File # 2005-14 Tax Map # 73.-1-12 and 90.-1-1 Doug Cole (Andy Liebelt)** Seeking a Conditional Use to operate a Pheasant Shooting Preserve, Sporting Clays Range, Navhada Fields Trials Facility. Ruth Ann Assmann made a motion to review the short SEQRA form submitted with the application, 2<sup>nd</sup> by Doug Paton. All Ayes. The SEQRA form was reviewed by the board. Doug Paton made a motion to declare a negative declaration, 2<sup>nd</sup> by Jim Remington. All Ayes. Ruth Ann Assmann made a motion to grant the Conditional Use application, 2<sup>nd</sup> by Doug. All Ayes.

Jim Remington recused himself from the Jabe Pond Partners application

**File # 2005-04 Tax Map #89.-1-76, 89.-1-2, 8.-1-15 Jabe Pond Partners LLC** seeking a Major Subdivision, parcels located off Jim Younes Rd. After a brief discussion Doug Paton made a motion to waive the current road standards and accept the proposed road standards in their entirety as set forth before the APA on the condition that the APA approves the proposed road standards, 2<sup>nd</sup> by Ruth Ann Assman. All Ayes.

Jim Remington rejoined the board

**File # 2005-26B Tax Map #89.-1-31, 91.-1-16 Keith Tracy** seeking a 8 lot sudivision located on Harris Rd. Dan Smith, representing the applicant stated that they have not received an APA permit and may receive it for the May meeting, requesting this matter be tabled until next month. The application was tabled.

Ruth Ann Assman recused herself from the Brant Lake Creek application as she is an employee of Mountain Abstract, a principal owner of Brant Lake Creek LLC.

**File # 2006-29 Tax Map # 8.7-1-19, 88.7-1-20 Brant Lake Creek LLC** seeking a 16 lot subdivision located at 6732 and 6744 State Rte 8. Tom Ulasewicz and Jeff Anthony, representing the applicants presented map and traffic study stating that all of the lots meet the minimum frontage and acreage requirements, they will be relocating the mobile home to one of the lots. Jim Remington stated that he has some concerns about the number of lots in such a small area. Jeff Anthony stated that the drawings are ready to go to the Health Department for review and all of the lots meet or exceed the minimum requirements for that zone. Doug Paton stated that there is little ground cover to slow the storm water runoff and suggested the applicant consider terracing. The applicants representatives requested that this board deem the preliminary application complete and set a public hearing. Mike Hill suggested that the board review Section 6.21 and Section 10.11 in order to proceed with the preliminary portion of the project. Discussion ensued regarding the road standards. The applicant stated that they are willing to use either the existing road standards or the new proposed road standards for this project. Section 6.21 was reviewed by the board, Doug Paton requested that the applicant submit drawings with an Engineers stamp. After lengthy discussion regarding utilities, fire protection, APA non-jurisdictional letter, and covenants, Doug Paton made a motion to deem the preliminary application complete and schedule a public hearing, 2<sup>nd</sup> by Jim Remington. All Ayes.

Ruth Ann Assmann rejoined the board.

#### **NEW BUSINESS:**

**File # 2006-08 Tax Map # 105.10-2-15 Michael Ferenczi** seeking a Conditional Use to place a double wide mobile home on parcel located at 99 Cemetery Rd. Dan Smith, representing the applicant stated that his client would like to place a mobile home on his property located in the Recreational River District. After a brief discussion, Ruth Ann Assmann made a motion to deem the application complete and schedule a public hearing, 2<sup>nd</sup> by Jim Remington. All Ayes.

**File # 2006-10 Tax Map # 88.-2-5 Brant Lake Storage Inc** seeking a Conditional Use to build two (2) additional storage buildings on parcel located at 184 Horicon Ave. After a brief discussion, Ruth Ann Assmann made a motion to deem the application complete, schedule a public hearing and forward this application to the Warren County Planning Board, 2<sup>nd</sup> by Doug Paton. All Ayes

**File # 2006-09 Tax Map # 53.-3-58 Stephen and Mary Robertson** seeking a 4 lot subdivision on parcel located at the corner of East Schroon River Rd and East Shore Dr. Dan Smith, representing the applicant stated that this is a cluster subdivision, three (3) residential lots and one (1) common lot, the wetlands will remain on the original parcel and he has received a non-jurisdictional letter from the APA. Doug Paton made a motion to deem the application complete and schedule a public hearing, 2<sup>nd</sup> by Ruth Ann Assmann. All Ayes

**File # 2006-12 Tax Map # 72.5-1-8 Howard Berkowitz** seeking a 2 lot subdivision on parcel located at 354 Palisades Rd. Jeff Anthony, representing the applicant stated that the applicant would like to create two (2) lots keeping all of the existing buildings on the original lot and building a home on the second lot. Bill Bruce stated that Lot B road frontage complies with the regulations but the

majority of road frontage for Lot A is located across the road. Jim Remington stated that this board has an application before them that dealt with a similar road frontage issue and would like more information from the Zoning Administrator before continuing. Jim Remington made a motion to deem the application incomplete in anticipation of an opinion from the Zoning Administrator, 2<sup>nd</sup> by Doug Paton. All Ayes.

**File # 2006-13 Tax Map # 106.-1- 16.2 Kelly Grass and Martin Rice** seeking a Conditional Use to build a home, garage and pole bard on parcel located at 86 Woodridge Dr. After a brief discussion, Ruth Ann Assmann made a motion to deem the application complete and schedule a public hearing, 2<sup>nd</sup> by Doug Paton. All Ayes.

**REFERRAL:**

**File # 2006-05 Tax Map # 55.14-1-9 James Mrazek** seeking an area variance to replace a deck/dock and seawall and add a roof/deck structure on parcel located at 603 Palisades Rd. Lengthy discussion ensued regarding the definition of a deck and the definition of a boathouse. Ruth Ann Assman made a motion to recommend to the ZBA that they approve the variance request for the seawall, 2<sup>nd</sup> by Doug Paton. All Ayes. Ruth Ann Assmann made a motion to recommend to the ZBA that they deny the variance for the Deck/Dock as the request is too substantial, 2<sup>nd</sup> by Doug Paton. All Ayes.

**Privilege of the Floor**

Ruth Ann Assmann made a motion to recommend to the Town Board that they approve the amendments to the Subdivision Regulations regarding Road Standards and the amendment to the Zoning Ordinance Section 14.20 Gifts, Devises and Inheritances as presented at the meeting held on March 13, 2006, 2<sup>nd</sup> by Jim Remington. All Ayes.

Bill Bruce stated that Town Board member Bob Olson made a suggestion at a recent Town Board meeting that the Master Plan be updated, suggesting that the Fire Dept, ZBA, Town Board, School Board, Emergency Squad and Chamber of Commerce be invited to attend a meeting to discuss updating the Master Plan.

Bill Bruce announced that Ron Vincent submitted his resignation due to health reasons. The board wants to convey to Ron their overwhelming thanks and appreciation as he was a invaluable member of the Planning Board for numerous years working diligently and responsibly at a "thankless" job , his expertise and experience will be greatly missed and would like to send him their "Best Wishes".

There being no further business before this board, Ruth Ann Assmann made a motion to adjourn the meeting, 2<sup>nd</sup> by Jim Remington, the meeting was adjourned at 10:20 PM.

Respectfully submitted, Christine Smith-Hayes