

Town of Horicon

Planning Board Minutes

August 16, 2006 - Approved Sept 20, 2006

Members Present: Chairperson Bill Bruce, Doug Paton, Jim Remington, Ruth Ann Assmann, Steven Smith,
Alternate: Dennis Doyle

Others Present: Counsel to Boards Mark Schachner, Zoning Officer Gary McMeekin, ZBA Chairperson
Priscilla Remington, ZBA Member Jason Hill, Town Engineer John Brusko, Town Board Member Bob Olson.

Guests Present: Herta Leidy, Troy Scripture, Gayle Baker, Brandon Himoff, Hazel Robbins, Erin Hayes, Marcus
Magee, Susan Millington, Brian Johnson, Norma Bowdy, Tom Magee, Jim Peck, Jeff Anthony, Kevin Hastings,
Tom Ulasewicz.

Public Hearings were called to order at 7:30 PM

File # 2005-04 Tax Map 89.-1-76, 88.-1-15, 89.-1-2 Jabe Pond Partners seeking a 18 lot subdivision, parcels
located off Jim Younes Rd. Brandon Himoff stated that it would be a few more months before the Storm Water
Management information will be ready requesting the public hearing be continued. Doug Paton made a motion
on continue the public hearing, 2nd by Dennis Doyle . All Ayes.

File # 2006-01B Tax Map 106.-1-4 Carol Meyer seeking a 4 lot subdivision located on Hayesburg Rd.
Information regarding the year round maintenance of Ira Fraiser Rd was verbally submitted by the Highway
Superintendent as described in the Town Highway Law indicating that if a dwelling is built on lot #4 then the
town would be responsible to maintain the road and create the turnaround near the “Bystrak” parcel. Doug Paton
made a motion to close the public hearing, 2nd by Ruth Ann Assmann. All Ayes.

Ruth Ann Assmann recused herself from the Brant Lake Creek application

File # 2005-29 Tax Map 88.-2-10, 88.7-1-20, 88.7-1-19 Brant Lake Creek seeking a 16 lot subdivision
located at 6732 & 6744 State Rte 8. Tom Ulasewicz representing the applicant stated that the applicant is
proposing thirteen (13) new homes with one (1) home relocating on the site, this project is in the Hamlet area,
with twenty-one and one half (21½) acres, the original proposal was for twenty (20) sites and after listening to
the board, applicant eliminated six (6) sites. Mr Ulasewicz continued on stating that the applicant submitted the
original offering plan on Aug 17, 2005, a landscaping plan, soil profile, traffic safety study, stormwater
management, water study, septic plan layout, watershed flows, discharge points, emphasizing that the applicant
is here tonight for the Final Approval, indicating that the board gave Preliminary approval for this project
previously. Dennis Doyle stated that there still is a list of questions to be reviewed in the regular meeting. Bill
Bruce asked if the public had any comments or questions. Mark Schachner recommended that the public hearing
not be closed as there seems to be more items to discuss. Dennis Doyle read the report received from Chazen
Companies stating that there are technical issues to be dealt with along with concerns of the docks along the
river. Mark Schachner questioned the applicant’s representative statement as the when the Preliminary
Subdivision approval was given suggesting the minutes be reviewed. After reviewing the minutes containing the
Brant Lake Creek application the March 15th, 2006 meeting substantiates that the preliminary application was

deemed complete and a public hearing was scheduled for April. The April, May, June and July 2006 minutes specified that the public hearings were continued per applicants request. Mark Schachner stated that the applicant's statement is incorrect and that Preliminary approval has not been given. Further discussion ensued regarding the scheduling of the first public hearing. Mark Schachner read the March 2006 minutes indicating that the first public hearing to be held for the Brant Lake Creek application was held in April 2006. Dennis Doyle suggested that the SEQRA long form be reviewed prior to the preliminary subdivision decision. Doug Paton made a motion to continue the public hearing for reasons of reviewing the information submitted today, 2nd by Jim Remington. All Ayes.

Ruth Ann Assmann rejoined the board

Regular Meeting of the Planning Board was called to order by Chairperson, Bill Bruce. Motion to approve minutes as corrected was made by Ruth Ann Assmann 2nd by Doug Paton. All Ayes

Unfinished Business:

File # 2006-01B Tax Map 106.-1-4 Carol Meyer seeking a 4 lot subdivision located on Hayesburg Rd. The SEQRA form was reviewed. Doug Paton made a motion to declare a negative declaration, 2nd by Ruth Ann Assmann. All Ayes. Ruth Ann Assmann made a motion to approve the subdivision, 2nd by Doug Paton. All Ayes.

File # 2005-29 Tax Map 88.-2-10, 88.7-1-20, 88.7-1-19 Brant Lake Creek seeking a 16 lot subdivision located at 6732 & 6744 State Rte 8. Jeff Anthony stated that the applicant just received the report from Chazen Companies at 4PM today and will respond in writing to the board and Chazen in a week or two. Doug Paton stated that he is concerned with the traffic on the creek and does not want the boat traffic blocked as there are a number of people who use the waterway from New St. also stating that the lily pads are protected by the NYSDEC and the applicant will need to address that situation. Jim Remington state that he still feel there are too many boats and too many lots. Discussion ensued regarding the transfer of information between the Town's Engineer and the applicant's Engineer. Mr. Ulasewicz stated that the board does not have the latest set of plans sent to Chazen Companies. John Brusko stated that one (1) copy of the plan was sent to him, he did his report and returned the information to LA Group, Mr. Hastings. Bill Bruce stated that this board does not have the correct plans and all information must be submitted to this board two (2) weeks prior to the meeting in order for the board to respond. Discussion ensued regarding the safety of people crossing State Rte 8 and specifically the possibility of electronically controlled crosswalk signalization. Mark Schachner stated that NYSDOT would be responsible for that issue. Doug Paton reiterated that the applicant supply the board with new set of plans. Jeff Anthony stated that they would be submitted to the office two (2) weeks prior to next months meeting. Doug Paton made a motion to continue this application, 2nd by Jim Remington. All Ayes.

New Business:

2006-38 Tax Map 37.-1-26 Hazel and Harvey Robbins seeking a 2 lot subdivision on parcel located at 150 Johnson Rd. Brian Johnson applicant's representative stated that the original parcel **consists** of 150 acres and would like to split off 35 acres to build a single family residence. Brian Johnson continued stating that the proposed parcel will have 400 feet of road frontage which meets the requirements for the LC 10 acre zone and will have a survey map completed prior to next months meeting. Steven Smith stated that the letter from the APA dated August 1, 2006 states that is project is Non-Jurisdictional. Doug Paton made a motion to deem the application complete and schedule a public hearing, 2nd by Steven Smith. All Ayes.

2006-37 Tax Map 89.-1-39 and 89.-1-38 Herbert & Maureen Johnson and Robert & Hollie French seeking a boundary line adjustment for parcels located at 101 and 107 Padanarum Rd. Erin Hayes, representing the applicant stated that this is an equal exchange of property to correct a prior encroachment created over 10 years ago. Steven Smith made a motion to deem the application complete and schedule a public hearing, 2nd by Doug Paton. All Ayes.

2006-40 Tax Map 38.-1-45.1 and 38.-1-45.2 Theresa and Bryan Sica seeking an 8 lot subdivision of parcels located on Dorset Rd. Call received from Matt Steves, VanDusen & Steves stating that they are not prepared to go ahead this month, requesting to be placed on the agenda under New Business for September.

Bill Bruce recused himself from his subdivision application, Ruth Ann Assmann stepped in as Chairperson.

2006-39 Tax Map 71.20-1-28 and 71.20-1-16 William Bruce seeking a 2 lot subdivision of parcel located on State Rte 8. Bill Bruce stated that he has not spoken with the APA regarding this project, presenting a map depicting the green colored area under one deed, proposing to subdivide the green area into 2 lots. Bill Bruce continued stating that the total acreage for the parcels is 16 +/- acres and the tax map does not show the deeded land under the lake also indicating that there are wetlands on the parcel. Doug Paton made a motion to deem the application complete and schedule a public hearing, 2nd by Jim Remington. All Ayes.

Bill Bruce rejoined the Board

Referrals:

2006-25 Tax Map 39.13-2-15 Niska Beach Association seeking area variances of 456 sq. ft and 42' in length from maximum square footage and length requirements of 400 sq. ft and 40' in length to build a new dock system for 12 boat slips located on Palisades East Rd. Short discussion ensued regarding the maximum square footage and length requirement in the zoning ordinance. Doug Paton made a motion to recommend the ZBA deny the variance request because of the doubling of the square footage and length of the docking system, Steven Smith added that the proposed dock system will have a negative visual impact and impede traffic flow of the boats in the area, Doug Paton agreed with the addition to the motion, 2nd by Steven Smith. All Ayes.

2006-36 Tax Map 39.17-1-6 Linda and Michael Whitehead seeking a 44' variance from shoreline setback for an extension of deck on parcel located at 7787 State Rte. 8. Gary McMeekin submitted recent photos stating that this variance is required because the applicant added 5 feet onto the deck in violation of the shoreline setback requirements and without proper permits. Short discussion ensued regarding the amount of the variance request. Doug Paton made a motion to recommend the ZBA deny the variance request as it impacts

the shoreline appearance and sets a negative precedent, 2nd by Ruth Ann Assmann. All Ayes.

Board Privilege: Bill Bruce stated that the NY Planning Federation Conference is Oct 8th - 11th

The Budget requests are to be submitted by Sept 8th, 2006

The LaBarge Co - grant for the Master Plan to be submitted by Sept 8th, 2006

Master Plan - status report discussion ensued.

Being no further business, Doug Paton made a motion to adjourn the meeting, 2nd by Steven Smith. All Ayes, the meeting was adjourned at 10:20 PM

Respectfully submitted
Christine Smith-Hayes