

PLANNING BOARD
MAY 1, 2012
7:00 PM

Members Present: J. Pat Rice, Steve Senske, J. Phil Strand, Louis Rieg, Walter Geist, Richard Johnson, John Warner

Others Present: Sally Carlson, David Stapleton, Bradley Lawson, Helen & Clayton Emick, Richard & Sonja Stahlman, Evie & Tom Davis, Peter A. Smith, Connie & Gary Carlson, Dale Robbins, John Johnston, Mary & Ted Parran, Todd Saracki, Richard Sena

Mr. Rice opened the meeting and gave Mr. Robbins, a representative for John McGraw the floor to discuss Mr. McGraw's plans for the Bootey property he now owns. Mr. Robbins stated that he and Mr. McGraw have spent time on what they believe is an appropriate subdivision on that parcel and submitted copies of the plan to the board. He said that the plan involves a residential subdivision of all of the property, except that along Route 394 which they are interested in having zoned for a 4 story hotel. He said he was open to questions. Mr. Robbins introduced Todd Saracki, a builder whom Mr. McGraw has consulted with regarding this property. Mr. Saracki stated that he and Mr. McGraw as well as a surveyor, have come up with three different layouts with comfortable sized lots. He stated that this is a choice property that could help bring up the tax base and there are a lot of positives for the parcel. He went on to say this is obviously in a preliminary stage and they are looking to get the town's blessing on the proposed subdivision layout. Mr. Saracki said they are aware that in planning a subdivision they must work with the town in making sure that the roads are adequate.

Mr. Rice stated for the record, at this point there is no formal application. Mr. Robbins agreed and said they have invested \$60,000 to \$70,000 and do not wish to go any further until they can be sure whether or not a plan such as this is a possibility with the zoning regulations. Mr. Rice questioned the size of each lot. Mr. Saracki said each of the 7 lake front lots will be 100' by 440' deep to meet requirements for well and septic and stated that there would also be 13 or 14 lots away from the lake and the hotel lot. Mr. Stapleton added area variances would be required due to the width of the lake lots. Mr. Rice asked Mr. Lawson what the zoning requirements are with this type of proposal. Mr. Lawson said it was a matter of how the town treats it and stated the zoning ordinance does not have a subdivision law in it but, it does include regulations for cluster residential and New York State subdivision law would come into play on a proposal of this type. He said it depends on lots sizes and their plans for water and sewer. Mr. Lawson stated that the County Health Dept. would still have to approve the septic and sewer through the S.E.Q.R. process. Mr. Lawson asked if storm water prevention was taken into consideration within the plans for the development and Mr. Saracki said yes, once the engineering was done it would all be taken into consideration but stated before they moved on they were looking for a blessing from the town to move forward with the plans. Mr. Johnson questioned the size of the Bootey lot; he said that it was a non conforming lot and Mr. Stapleton interjected and said when the lot was parceled off he had conversations with Neil Robinson and they looked at the area dimensions for the zoning. He said at that time it met the zoning that the town had, which was 20,000 square feet. He said there was a mistake in the width of the lot, for some reason they were thinking it was an R-1 District rather than an R-5 District so when they actually conveyed it they conveyed it with too narrow of a frontage. He said that it was non-conforming for now, both on the ultimate square footage because of the change of the zoning and the width of the lot, but at the time it was intended to be a conforming lot.

After discussion, Mr. Robbins took questions from the floor which included the following;

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Tom Davis asked when Mr. McGraw was going to pay his taxes and why the town should even consider a variance if he owes the Town of North Harmony close to \$90,000 in taxes. Mr. Robbins stated that he was not aware of the unpaid taxes.

Ted Parran stated that there always been a hassle along the lake with funneling along the lake and asked what provisions were being made for lake access. Mr. Robbins stated that the only lake access at this point would be through the Power Boat Club. Mr. Rice said that they would have to conform with the funneling law if they were going to grant rights to the back lots.

Clayton Emick asked about plans for sewer. Mr. Robbins stated they hope to have individual well and septic for each parcel. Mr. Emick also questioned the roads and Mr. Robbins answered by saying they would be working with the Highway Superintendant to follow the rules and regulations.

Sally Carlson asked Mr. McCord if LWRP would have any impact on this development. He said that it would be a Type 1 action and as long as complied with that he did not see a problem.

Pete Smith asked the board if the hotel met current regulation for zoning. Mr. Rice again stated that there has been no formal application to the town. Mr. Lawson said in this particular district Hotel/Motel is a permitted use by special permit. Mr. Smith also stated that it would be wise for the town to deal with responsible developers who do in fact support the town with taxes.

Mr. Johnson asked Mr. Lawson what the current zoning requirements were as far as height and Mr. Lawson said as it is right now it is 32 feet or 2 ½ stories.

Helen Emick stated, relative to the plans of Mr. McGraw, the board has stated that there is no proposed hotel at this point, however she understood Mr. Robbins to say the they are asking the town if this is something that would be feasible to move forward with as presented to the Planning Board this evening and asked if the hotel is in fact included in the plans. Mr. Robbins said they were there for the whole plan which included the hotel and stated that as of now they could build a hotel with special permit but they are trying to come up with a subdivision of this land that is satisfactory for the town and provides for the highest possible use for this property. Mr. Robbins said that he is asking the board if this plan is adequate enough to have him come back with more specifics on this plans that comply with governmental, environmental, health and zoning regulations.

Frank Stow asked the estimation of what the project would do to the tax base. Mr. Saracki said if the property is developed properly it could add \$10,000,000 in tax base which would include 17 parcels verses the \$2,000,000 now with just one owner. Mr. Stow asked if this amount included the motel. Mr. Saracki said that this amount only included the residential development.

Mike Ramone asked if there has been any study on economics and how many persons would be employed and the amount of money they might make. Mr. Robbins said that Mr. McGraw himself could better answer that question.

Evie Davis asked if they were considering a marina and Mr. Robbins said no.

Mr. Emick asked if the lake front homes would have a minimum value. Mr. Robbins said no.

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Mrs. Emick asked if there would be any zoning changes that would be required in order to make this possible. Mr. Rice stated that they would need variances for the lake front lots. Mrs. Emick asked if there would have to be any changes to the zoning as it stands in order to accommodate the hotel. Mr. Lawson said for clarification, it would not be a zoning change; it would be a zoning variance.

Mr. Senske asked what, if any objections would there be to the lake front homes. Mr. Emick said that his concern is that the board should require a formal documented package for the proposal because; in the past Mr. McGraw has wasted everyone's time. Mr. Ramone he would like to see a pond for runoff to improve the lake. Mr. Sena stated that there are two wetlands on the property and said that the area has poor water and he thinks a water line should be considered and a fire hydrant should also be considered for safety. Mr. Robbins said he would be happy to answer any questions via phone and gave his phone number.

Mr. McCord gave the board a copy of the draft supplemental Section termed Boat Livery. He said the board was looking at an allowance for a boat storage business in the TC-4 District and the boat storage might include some winterizations, repairs and sales. He said to distinguish it from typical boat storage by a home owner; the board gave it a term that could be classified as commercial. Mr. McCord asked the board if they had any comments on the draft. Mr. McCord said that the board has been looking at rewriting the zoning for the area surrounding Stow. He said they had really not looked at the TC-4 (Hadley Bay) area. He informed the public the board is working on drafting language that would protect all areas based on Dudley Breeds drawings that are part of the comprehensive plan. He explained that the area around Stow has changed since the interstate was put in and they are taking into consideration the four quadrants and their differences. Mr. Rice added that over the past several months the board has been discussing various uses for these districts. Mr. McCord and the board discussed the draft supplemental section for Boat Livery and the only change the board felt worth considering was the outside storage for boats that may be waiting to be repaired.

Mr. McCord said during the last regular meeting the board agreed to the Multi Tenant Plaza definition that has now been incorporated into the definition cluster. He stated the maximum height restriction of 60 feet or four stories has been written into the Gravel Pit (TC-3) area. Mr. McCord handed out a copy of the proposed districts outlined with dotted lines. He pointed out that TC-4 (Hadley Bay) area where the camp ground is has been outlined and labeled as R-4 District. Mr. McCord asked in regard to the C-1 District, which includes many uses and is a pretty extensive area, if the board wished to reconsider the boundaries. After discussion, the board described the areas they wanted outlined and he will return to the next meeting with the final version of the board decision.

Mr. Senske asked how the new restaurant was coming along. Mrs. Carlson said they are moving along and hope to open Mother's Day.

Mr. Geist asked the Property Maintenance Law stood. Mrs. Carlson said it was on the agenda for May meeting.

Mr. Johnson said that he and a few others attended the meeting on hydro-fracking and said that it was worthwhile.

The next regular meeting is scheduled for June 12, 2012 at 7:00 PM

The meeting concluded at 8:25PM.

Respectfully Submitted,

Penny Best

Planning Board Clerk