

# TOWN OF BROADALBIN PLANNING BOARD

**WEDNESDAY  
MARCH 26, 2025  
7:00 P.M.  
BROADALBIN TOWN HALL**

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## **MINUTES**

PRESENT:

MIKE CRISPIN, CHAIRMAN  
JARROD ABRAMS, VICE CHAIRMAN  
DALE POTTS, MEMBER  
PHILIP COMINI, MEMBER  
JAMES MAGIELDA, MEMBER  
MIKE GALLUP, MEMBER

Others: Chris Foss, Dean Doin, Larry Ruzycky, P.E., Mike Rorick, Cody LeClaire, Others

The meeting was called to order at 7:02p.m.

### **I. MINUTES FROM FEBRUARY 26, 2025 MEETING:**

PLANNING BOARD ACTION:

MOTION:	To approve the minutes to the February 26, 2025 meeting.
MADE BY:	Member Comini
SECONDED:	Member Abrams
VOTE:	6/0

### **II. NEW BUSINESS:**

#### **A. JOSEPH MELLO & MEAGAN COONS MINOR SUBDIVISION (PROJECT NO. 2025-02):**

##### **A. Background/Information Submitted:**

- There was no formal application provided.
- Boundary & Lot Split Survey of lands of Joseph D. Mello prepared by Lawson Surveying & Mapping dated December 12, 2024.
- A completed Part 1 Short Environmental Assessment Form.
- Mr. Mello would like to subdivide parcel 168.-3-31 totaling 11.449+/- acres as follows:

Lot	Acreage	Amenities	Road Frontage
A	1.0+/-	Vacant	199.96+/- feet
B	10.449+/-	2 Story home, driveway, garage	481.58+/- feet

PLANNING BOARD DISCUSSION: Chairman Crispin reviewed the background information as identified within the agenda. There commenced a discussion in regards to the formal application to be provided by the applicant. The Planning Board noted that they could continue to review the project without the application at this time but one will need to be provided.

**B. Review of Minor Subdivisions:**

1. The Preliminary Plat must include the following information (Provided, To Be Provided, Waived):

REQUIREMENT	STATUS
a. A survey of the tract of land to be subdivided prepared by a NYS Licensed and Registered Land Surveyor giving complete descriptive data by bearings and distances showing the parcel(s) to be subdivided in relation to the entire tract and the distance to the nearest existing street intersection.	Provided
b. The proposed subdivision name, the date, north arrow, map scale, name and address of record owner and subdivide.	Provided
c. The total area (acres) of the lot(s) to be subdivided.	Provided
d. All existing structures, wooded areas, streams and other significant physical features within the portion to be subdivided and within 200 feet thereof. If topographic conditions are significant, contours shall also be indicated at intervals of not more than five (5) feet.	Provided
e. The name of the owner(s) and all adjoining property owners as disclosed by the most recent municipal tax records.	Provided
f. The tax map sheet, block and lot number of the parcel(s) to be subdivided.	Provided
g. All existing utilities and streets.	Provided
h. The proposed layout of lots including lot width, depth, and lot area, street layout, street cross section, proposed open spaces or recreation areas, and the proposed storm water management systems within the subdivided area.	Provided
i. The location of all groundwater wells and septic systems for each lot and the distances between each well and all adjoining septic systems.	Comply – Add existing well septic location on adjacent lot 180.2-1-18 owned by Barbara Kempf.

j. Soil percolation and/or deep hole test results on each lot in the proposed subdivision as required by the Planning Board.	Waived
k. All existing restrictions on the use of land including easements, covenants, and Town requirements. A copy of such covenants or deed restrictions that are intended to cover all or part of the tract shall be included.	To be provided if any.
l. A Full Part I Environmental Assessment Form completed by the applicant.	Waive – Accepted Short EAF.
m. Minor Subdivision Application and lot fee: \$100 application fee, \$150 for each new lot created.	To Be Provided.

2. The Planning Board reserves the right to waive any of the above-mentioned requirements where appropriate.
3. The Planning Board shall review the Preliminary Plat against the design standards in Subsection F.

C. Design Standards for Minor Subdivisions:

a) Lots to be buildable.

- 1) The lot arrangement shall be such that in constructing a building in compliance with Town requirements, there will be no foreseeable difficulties for reasons of topography or other natural conditions.
- 2) Lots should not be of such depth as to encourage the later creation of a second building lot at the front or rear.
- 3) No buildings or structures shall be erected within 50 feet of the right-of-way line of any public highway or street and no closer than 20 feet from any adjacent property line.
- 4) The total square footage of all buildings and accessory structures on any one lot shall not exceed 50 percent of the minimum lot area.

➤ **Based upon the information provided to date, does the Planning Board feel as though the Required Documents have been met?**

PLANNING BOARD DISCUSSION: The Planning Board determined that the requirements have been met.

b) Lot Access to public or private street.

- 1) All buildable lots shall have at least 40' of frontage onto:

- A public street.
- A private street built on the requirements of these regulations and the Town's specification that leads directly to a public street.

➤ **Based upon the information provided to date, does the Planning Board feel as though the Required Documents have been met?**

PLANNING BOARD DISCUSSION: The Planning Board determined that the requirements have been met.

c) Corner lots.

- 1) In general, corner lots should be larger than interior lots to provide for proper building setback from each street and provide a desirable building site.

➤ **Based upon the information provided to date, does the Planning Board feel as though the Required Documents have been met?**

PLANNING BOARD DISCUSSION: N/A

d) Lots subject to flooding.

- 1) Lots subject to flooding or land deemed by the Planning Board to be uninhabitable shall not be platted for residential occupancy nor for such other uses as may increase danger to health, life or property or aggravate the flood hazard, but such land within the plat shall be set aside for such uses as shall not be endangered by periodic or occasional inundation or improved in a manner satisfactory to the Planning Board to remedy said hazardous conditions.

➤ **Based upon the information provided to date, does the Planning Board feel as though the Required Documents have been met?**

PLANNING BOARD DISCUSSION: N/A

D. State Environmental Quality Review:

Section 617.1 of 6 NYCRR states that, the basic purpose of SEQR is to incorporate the consideration of environmental factors into the existing planning, review and decision making processes of State, regional and local government agencies at the earliest possible time. To accomplish this goal, SEQR requires that all agencies determine whether the actions they directly undertake, fund or approve may have a significant effect on the environment, and if it is determined that the actions may have a significant effect, prepare or request an environmental impact statement. Under these terms, the review of a subdivision application is subject to SEQR.

- **The applicant has provided a completed SEQR EAF.**
- **Does the Planning Board feel as though there is enough information to commence SEQR at this time?**
- **Are there any other agencies that the Planning Board can identify that would require a Coordinated Review?**

PLANNING BOARD DISCUSSION: Chairman Crispin asked if there were any other agencies that the Planning Board could identify to coordinate SEQR with. Member Potts questioned whether or not the Town of Perth should be coordinated with. Scott Henze stated that since the Town does not have to review the subdivision as the subdivided

lot is located entirely within the Town of Broadalbin they would not need to be coordinated with. He stated that the Town of Perth will be coordinated with in regards to the Public Hearing.

MOTION: To propose that the Town of Broadalbin Planning Board act as the SEQR Lead Agency under Section 617.6(b)(4) Uncoordinated Review of Unlisted Actions for the Joseph Mello and Meagan Coons Minor Subdivision (Project No. 2025-02).

MADE BY: Member Comini  
SECONDED: Member Potts  
VOTE: 6/0

E. Public Hearing:

In accordance with Section 276 of the Town Law of New York State, the Planning Board must hold a public hearing on any subdivision application within sixty-two (62) days of the date of submittal of the completed application.

The Public Hearing shall be advertised in a newspaper of general circulation in the Town at least five (5) days before such hearing.

- **Does the Planning Board feel as though there has been enough information provided to schedule a public hearing at this time?**
- **A copy of the Public Hearing notice should be sent to the Town of Perth Town Clerk since the subdivision is located within 500' of the municipal boundary. Said Notice is to be sent at least ten (10) days prior to the date of the Public Hearing.**

PLANNING BOARD DISCUSSION: The Planning Board determined that there was enough information to schedule a Public Hearing on the application.

MOTION: To schedule a public hearing for the Joseph Mello and Meagan Coons Minor Subdivision (Project No. 2025-02) for 7:00 P.M. on Wednesday April 23, 2025 at the Town of Broadalbin Town Hall and to mail said Public Hearing notice to the Town of Perth Town Clerk ten (10) days before the date of the Public Hearing.

MADE BY: Member Comini  
SECONDED: Member Abrams  
VOTE: 6/0

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END OF AGENDA ITEM

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**B. MARK EGAN LOT LINE ADJUSTMENT (PROJECT# 2025-03):**

**1. Background/Information Submitted:**

- Completed Part I Short Environmental Assessment Form (To be signed).
- Survey Map of Lands of Michael P. & Kathleen A. Egan prepared by Ferguson & Foss Professional Land Surveyors dated May 23, 2023.
- The Planning Board had previously approved a 4-lot subdivision for this property around 2007. Since the subdivision approval, the owner has sold off two (2) of the lots and constructed a barn in the middle of the access area to Lot 2.
- The applicant is requesting a Lot Line Adjustment to adjust the boundary lines between lots 1 and 2 of which he owns in order to provide access to Lot 2 around the barn that was constructed.

PLANNING BOARD DISCUSSION: Chairman Crispin reviewed the background information as identified within the agenda. Chris Foss stated that the Planning Board approved the subdivision around 2007 and since then, the owner sold off two (2) of the lots and unfortunately built a barn in what was the access drive to Lot 2. He stated that the Lot Line Adjustment is to adjust the common line between Lots 1 and 2 around the barn. Member Mageilda questioned what the width was at the choke point of the access way. Chris Foss stated that he did not know but it would be less than 20 feet. Chairman Crispin stated that the configuration is in compliance with the Town's Minimum Lot size code as it provides 40 feet of access onto the public road. Chris Foss stated that the current lot owners use a shared driveway. Chairman Crispin asked if there was an easement to use the shared driveway. Chris Foss stated that it would be a part of the deed. Chairman Crispin asked that a copy be provided for the Planning Board's records.

- The Lot Line Adjustment consists of the following:

LOT #	CURRENT ACREAGE	ACREAGE AS ADJUSTED
1	11.34+/- acres	11.927+/- acres
2	6.33+/- acres	5.741+/- acres
<b>TOTAL</b>	<b>17.67+/- acres</b>	<b>17.67+/- acres</b>

**B. Lot Line Amendment:**

- An applicant may request that the subdivision review process be waived and that a proposed property transaction be considered a Lot Line Amendment if the transaction meets the following criteria:

CRITERIA	TRUE/FALSE
1. It would not create an additional lot.	True
2. It involves a minor modification of an existing lot line; or is the conveyance and/or merger of a portion of one parcel to an adjoining parcel.	True
3. It would not create a nonconforming parcel or cause any other parcel to become nonconforming under this Law or the New York State Adirondack Park Agency Act and Adirondack Park Land Use and Development Plan.	True (noted driveway choke point)

4. It would comply with all applicable Town requirements and applicable New York State Department of Health regulations pertaining to separation distances between well and septic systems and parcel boundaries.	True
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Based upon the information provided, does the Planning Board feel as though the application is to be considered a Lot Line Amendment?

C. Lot Line Amendment Application Materials:

<b>APPLICATION MATERIALS</b>	<b>PROVIDED? YES/NO</b>
1. Application for a Lot Line Amendment.	Yes (Mr. Egan to sign)
2. A letter signed by the parcel owners, or their duly authorized agents, of both affected parcels consenting to the lot line amendment.	Yes. Applicant to sign
3. A plat of the parcels affected by the proposed Lot Line Amendment showing: <ul style="list-style-type: none"> <li>a. All existing buildings, utilities or other easements or rights-of way of wells and of septic systems.</li> <li>b. The correct lot lines and the location of the proposed new lot line, along with the existing and new setback distances to any existing buildings, wells and septic systems.</li> <li>c. The title "LOT LINE AMENDMENT between properties of (name) and (name)", and shall include a restriction to the effect that the land added to the existing parcel, and the existing parcel are combined to form a single, undivided lot.</li> </ul>	Change title of map to indicate a Lot Line Adjustment
4. Lot Line Adjustment Fee - \$50.00	No. To be paid

Based upon the information provided, does the Planning Board feel as though the application is complete?

D. State Environmental Quality Review:

1. The granting of a Lot Line Amendment is proposed to be a Type II action under 6 NYCRR Part 617.5(c)(16).

E. Lot Line Amendment Process:

1. Upon submission of the Application, letter and plat, the Planning Board shall, within 62 days, review the request and issue its approval or denial. Approval may be granted when the Planning Board determines that the proposed amendment:
  - a. Meets all requirements for a Lot Line Amendment.
  - b. Would not adversely affect the site's development or neighboring properties.
  - c. Would not alter the essential characteristics of the neighborhood or adversely affect the health, safety or welfare of Town residents.
2. No public hearing shall be required on requests for Lot Line Amendments.
3. All approved Lot Line Amendments shall be filed by the Applicant with the:
  - a. Fulton County Clerk within 30 days of the approval date. The map shall be signed by the Chairperson of the Planning Board.
  - b. Town Clerk within 30 days of the approval date.
4. No person shall file a plat or map for any Lot Line Amendment with the County Clerk without first obtaining the Planning Board Chairperson's signature on said plat or plan.

PLANNING BOARD DISCUSSION: Chairman Crispin asked the Planning Board if they had any further comments on the application. Member Potts stated that he would like the title of the map to identify that it is a Lot Line Adjustment. The Planning Board also noted that a map note needs to be added to identify/describe the driveway choke point and that the lots include an easement for a shared driveway etc.

MOTION: To approve with conditions the Mark Egan lot line adjustment having Project No. 2025-03 and to authorize Chairman Crispin to sign the Lot Line Adjustment Map.

Conditions:

- Change map title to include Lot Line Adjustment
- Mr. Egan to sign the project application
- Add map note referencing driveway width at choke point.
- Add map note referencing deeded driveway easement.
- Project copy of deeds identifying driveway easement.

MADE BY: Member Potts  
SECONDED: Member Comini  
VOTE: 6/0

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END OF AGENDA ITEM

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### III. OLD BUSINESS:

#### A. DEAN DOIN SITE PLAN REVIEW (PROJECT NO. 2025-01) CONT'D:

##### A. Application Materials Provided:

- Site Plan map prepared by Charles R. Ackerbauer, P.E dated February 11, 2025
- Sewage Disposal System Plan prepared by Charles R. Ackerbauer, P.E dated February 11, 2025.
- Completed Part 1 Short Environmental Assessment Form.
- The Site Plan Application form has not been provided to date.
- The Site Plan Review Application Fee (\$200) has not been provided to date.

##### ➤ **Has the application fee been paid?**

PLANNING BOARD DISCUSSION: Chairman Crispin reviewed the background information as identified within the agenda. Mr. Doin handed the Planning Board an updated Site Plan map to review. Chairman Crispin stated that he has the submitted application and noted that Mr. Doin also paid for the Public Hearing Certified Mailing fees (\$358.16). It was noted that Mr. Doin had yet to pay the \$200 application fee.

##### B. Background:

- The project property is located at 847 State Highway 29.
- Tax Parcel # 138.3-1-52.12.
- The property is 3+/- acres in size.
- The property is currently vacant.

##### D. Application for Site Plan Review:

- **During the February 26, 2025 meeting, the Planning Board commenced the review of the Site Plan and determined the following:**

##### a. Site Plan:

- 1) Title of drawing, including name and address of applicant, person responsible for preparation of such drawing and name and address of owner of record, if different from applicant; **(Provided)** (Comply) (Waive)
- 2) North arrow, scale and date; **(Provided)** (Comply) (Waive)
- 3) Boundaries of the property plotted to scale; **(Provided)** (Comply) (Waive)
- 4) Existing contours at two-foot intervals shall be required showing the topography unless otherwise indicated by the Planning Board; (Provided) (Comply) **(Waive)**
- 5) Soil types for all areas of the parcel to be developed and land within 25 feet of such areas; **(Provided)** (Comply) (Waive)

- 6) Existing watercourses and New York State and federal wetlands; **(Provided)** (Comply) (Waive)
- 7) Geotechnical information as required by the Planning Board; (Provided) (Comply) **(Waive)**
- 8) Location, design, type of construction, proposed use and exterior dimensions of all buildings; (Provided) **(Comply)** (Waive)
  - **Planning Board requested that all future buildings be outlined to include dimensions on the site plan map.**
  - **Status?**

PLANNING BOARD DISCUSSION: The Planning Board determined that the information has been provided.

- 9) Location and widths of existing and proposed driveways for the site and access to existing roads and highways. The location to the nearest intersection of public roads must be provided; **(Provided)** (Comply) (Waive)
- 10) Location, design and type of construction of all parking and truck loading areas, showing access and egress; **(Provided)** (Comply) (Waive)
- 11) Provisions for pedestrian access; (Provided) (Comply) **(Waive)**
- 12) Location of outdoor storage, if any; (Provided) (Comply) **(Waive)**
- 13) State and Federal Wetland delineation; (Provided) (Comply) **(Waive)**
- 14) Natural resources onsite; (Provided) (Comply) **(Waive)**
- 15) A letter from the NYS Office of Parks, Recreation and Historic Preservation regarding the potential existence of archeological features on the site; (Provided) (Comply) **(Waive)**
- 16) A letter from the NYS Department of Environmental Conservation (NYSDEC) on the potential existence of rare and endangered plant or animal species on the site; (Provided) (Comply) **(Waive)**
- 17) Location, design and construction materials of all existing or proposed site improvements including drains, culverts, retaining walls and fences; (Provided) (Comply) **(Waive)**
- 18) Description of the method of sewage collection and disposal, including the location, design and construction materials of such facilities; **(Provided)** (Comply) (Waive)
- 19) Location of existing wells, septic tanks and absorption fields 100 feet beyond the project boundary; (Provided) **(Comply)** (Waive)
  - **Planning Board requested a map note to be located on parcel 137.-3-8 that states that no well or septic system is located within 100 feet of the proposed well or septic system.**
  - **Status?**

PLANNING BOARD DISCUSSION: The Planning Board determined that the information has been provided.

- 20) Description of the method of securing potable water including the location, design and construction materials of such facilities; Identify the distance between a groundwater well and onsite septic system; **(Provided)** (Comply) (Waive)
- 21) Location of fire and other emergency zones; (Provided) (Comply) **(Waive)**
- 22) Location, design and construction materials of all energy distribution facilities, including electrical, gas and alternative energy; (Provided) **(Comply)** (Waive)
  - **Planning Board requested a map note to describe the location of the proposed electrical distribution to include location of the adjacent existing power utility pole.**
  - **Status?**

PLANNING BOARD DISCUSSION: Dean Doin stated that when he contacts National Grid, they will determine where the power will come from. The Planning Board concurred.

- 23) Location, size, design and type of construction of all proposed signs; (Provided) **(Comply)** (Waive)
  - **Planning Board requested the location of any proposed entrance sign be added to the Site Plan map to include a description of the sign.**
  - **Status?**

PLANNING BOARD DISCUSSION: Dean Doin stated that he would either be incorporating a sign toward the entrance or will have a sign on the shed office roof. Chairman Crispin recommended that he not install a sign within the NYS DOT Right of Way.

- 24) Location and proposed development of all buffer areas, including existing vegetative cover. (Provided) (Comply) **(Waive)**
- 25) Location and design of outdoor lighting facilities; (Provided) **(Comply)** (Waive)
  - **Planning Board requested a map note describing the lighting to be added to the proposed wood frame building.**
  - **Status?**

PLANNING BOARD DISCUSSION: The Planning Board determined that the information has been provided.

- 26) Identification of the location and amount of building area proposed for retail sale or similar commercial activity; (Provided) **(Comply)** (Waive)
  - **Planning Board requested a map note identifying that the building area for retail space is to be a maximum of 1,500sf.**
  - **Status?**

PLANNING BOARD DISCUSSION: The Planning Board determined that the information has been provided.

27) Location of all properties located within or bordering an Agricultural District; (Provided) (Comply) **(Waive)**

28) If the site is in the Adirondack State Park: **N/A**

- a. The Adirondack Park Agency land classification(s) for the proposed land use activity. (Provided) (Comply) (Waive)
- b. A copy of the Adirondack Park Agency response to either a jurisdictional inquiry form or permit application. (Provided) (Comply) (Waive)

29) Other information on or off site deemed by the Planning Board to be integral to the proposed development.

- **Planning Board requested a description of the line of sight at the proposed entrance drive in either direction West and East along NY 29. A map graphic would also suffice.**
- **Status?**

PLANNING BOARD DISCUSSION: The Planning Board determined that the information has been provided.

- **Planning Board requested that the applicant add the locations where the proposed storage sheds/items for sale would be located; storage shed display area.**
- **Status?**

PLANNING BOARD DISCUSSION: The Planning Board determined that the information has been provided.

**b. Landscaping Plan:**

- 1) A Landscaping Plan prepared by a NYS Licensed Landscape Architect showing the location of all landscaping and plantings proposed on the site. (Provided) (Comply) **(Waive)**
- 2) A planting schedule describing the type and quantity of all proposed landscaping and plantings. (Provided) (Comply) **(Waive)**

**c. Grading Plan:**

- 1) A Grading Plan, prepared by a NYS Licensed Engineer, shall be submitted showing existing and proposed final contours and the finished floor elevation, berm and invert elevations of all storm and sanitary structures. (Provided) (Comply) **(Waive)**

**d. Stormwater Pollution Prevention Plan (SWPPP): (Provided) (Comply) **(Waive)****

- 1) A SWPPP, prepared by a NYS Licensed Engineer, shall be submitted for all land development activities (excluding agricultural activities) on a site that results in land disturbance of 1-acre or more.
- 2) A SWPPP shall comply with NYSDEC requirements for stormwater discharges from construction activities.
- 3) A Stormwater Plan shall be submitted for all land development activities on a site that results in land disturbance of 1 acre or less.
- 4) Constructed site development should comply with standards identified in the most current New York State Storm Water Management Design manual.

e. **A Full Part I Environmental Assessment Form:** (Provided) (Comply) (Waive)

Section 617.1 of 6 NYCRR states that, the basic purpose of SEQR is to incorporate the consideration of environmental factors into the existing planning, review and decision making processes of State, regional and local government agencies at the earliest possible time. To accomplish this goal, SEQR requires that all agencies determine whether the actions they directly undertake, fund or approve may have a significant effect on the environment, and if it is determined that the actions may have a significant effect, prepare or request an environmental impact statement. Under these terms, the review of a Site Plan application is subject to SEQR. Therefore, the following issues must be addressed:

- **During the February 26, 2025 meeting, the Planning Board accepted Part 1 of the Short Environmental Assessment Form.**

Section 617.6 (b)(3) of 6 NYCRR states that, when an agency proposes to directly undertake, fund or approve a Type 1 or Unlisted Action undergoing a Coordinated Review with other Involved Agencies, it must, as soon as possible, transmit Part 1 of the Environmental Assessment Form, completed by the Project Sponsor, or a Draft Environmental Impact Statement (DEIS) and a copy of any application that has been received to all Involved Agencies and notify them that a Lead Agency must be agreed upon within thirty (30) calendar days of the date the Environmental Assessment Form or DEIS was transmitted to them.

- **During the February 26, 2025 meeting, the Planning Board commenced the required SEQR review of the Dean Doin project (Project #2025-01) by classifying the action as an Unlisted Action under SEQR and to propose that the Town of Broadalbin Planning Board act as the SEQR Lead Agency under Section 617.6(b)(3) Coordinated Review for Unlisted Actions and to coordinate with the following involved agencies:**

- NYS DOT

- **By way of email dated March 7, 2025 from Beth Watts, Planning & Program Management of NYS DOT, the NY DOT agrees with the Planning Board's proposal to act as the SEQR lead agency and offers the following comments on the project:**

1. A NYSDOT Highway Work Permit will be required for any work performed within the highway right-of-way. This includes modifications to an existing driveway.
2. It is unclear what type of commercial business is being proposed. Provide more information including the expected traffic volumes entering and exiting the site.
3. Any proposed signage, landscaping, parking, and advertising will need to be located on private property and not on NYSDOT right-of-way.

PLANNING BOARD DISCUSSION: Chairman Crispin reviewed the information as identified within the agenda. The Planning Board had no further comments.

f. **Traffic Impact Study, if required by the Planning Board:** (Provided) (Comply) (Waive)

g. **Waivers**

- a. If the Planning Board finds that any plan or information identified in Section 4 set forth above are not necessary to conduct an informed review, it may waive such information requirements as it deems appropriate.

E. **Referral to Fulton County Planning Board:**

- **During the February 26, 2025 meeting, the Planning Board forwarded the project to the Fulton County Planning Board under Section 239-M of the General Municipal Law.**
- **The Fulton County Planning Board reviewed the project during its March 18, 2025 meeting recommending approval and identifying that the applicant should file a NYS DEC Wetland Jurisdictional Determination for the project.**
- **See correspondence dated March 24, 2025**

PLANNING BOARD DISCUSSION: Chairman Crispin read the response from the Fulton County Planning Board. There commenced a discussion on the new NYS DEC Wetland regulations as they pertain to an applicant submitting a Jurisdictional Determination through NYS DEC. Scott Henze stated that it is the responsibility of the applicant to submit the Jurisdictional Determination continuing to say that there are no wetlands located within the vicinity as currently mapped by NYS DEC however the new regulations no longer fall back on the wetlands that have been mapped by NYS DEC to date.

F. **Article 5.0 Public Hearing states that:**

- The Planning Board shall hold a public hearing on a complete Site Plan application within sixty two (62) days from the determination of the Planning Board that the application is complete and that a hearing is appropriate. The time which a public hearing shall be held may be lengthened only upon consent of the Applicant and the Planning Board.
- At least five (5) days prior to the date of such hearing, the Planning Board shall give public notice by causing the publication of a notice of such hearing in the Town's official newspaper.
- The Planning Board shall mail notice of said hearing to the Applicant at least ten (10) days prior to the hearing.
- The Planning Board shall mail notice, with return receipt, to all adjoining property owners and to any other owners of property located within 200 to 500 feet at the discretion of the Planning Board from the parcel for which the site plan is proposed. The Planning Board may notify other owners of other parcels if it deems appropriate.
- In the case of a hearing held on an application of a property that is located within 500 feet of an adjacent municipality, the Planning Board shall give notice of the hearing to the clerk of the adjacent municipality, by either mail or electronic transmission, at least ten (10) days prior to the hearing pursuant to General Municipal Law Section 239-m.

- The Planning Board may waive the requirement for a public hearing if the Board determines the project would have no impacts or has no public opposition.
- **During the February 26, 2025 meeting, the Planning Board scheduled the required Public Hearing on the Dean Doin Site Plan project (Project #2025-01) for 7:00P.M. Wednesday March 26, 2025 and to mail said hearing notice, with return receipt, to adjacent and property owners within 200 of the project property.**

MOTION: To open the Public Hearing on the Dean Doin Site Plan project (Project #2025-01) at 7:20 p.m.

MADE BY: Member Comini  
 SECONDED: Member Abrams  
 VOTE: 6/0

SPEAKERS:

None

MOTION: To close the Public Hearing on the Dean Doin Site Plan project (Project #2025-01) at 7:23p.m.

MADE BY: Member Abrams  
 SECONDED: Member Comini  
 VOTE: 6/0

G. Complete SEQR:

MOTION: To declare the Town of Broadalbin Planning Board as a SEQR lead agency under Section 617.6(b)(3) Coordinated Review for Unlisted Actions and to authorize the Fulton County Planning Department to Complete Parts 2 & 3 of the Short EAF and to issue a negative declaration on the Dean Doin Site Plan project (Project #2025-01) due to:

1. NYS DOT has provided comments on the project and did not identify any notable traffic impacts as part of the project.
2. The parcels meet the Town's minimum lot size requirement.

MADE BY: Member Abrams  
 SECONDED: Member Comini  
 VOTE: 6/0

G. Decision:

1. The Planning Board shall, within 62 days from the date the public hearing is closed, approve, conditionally approve with or without modification or disapprove an Application for a Major Subdivision. This time may be extended by mutual consent of the applicant and the Planning Board. Failure of the Planning Board to act within such timeframe shall constitute approval of the Final Plat. If

the Planning Board approves the Final Plat, the Applicant or his or her duly authorized representative shall be notified in writing of the decision.

2. If the Planning Board approves the Final Plat, the Planning Board Chairperson is authorized and empowered to sign the Final Plat.
3. In the event of a conditional approval, with or without modification, the Planning Board Chairperson is authorized and empowered to sign the Final Plat upon compliance with such conditions and requirements as may be stated in its conditional approval of the Final Plat. Within five (5) days of the granting of a conditional approval, a letter shall be forwarded to the applicant or his or her duly authorized representative outlining the conditions that must be met in order for the Planning Board Chairperson to sign the Final Plat.
4. Conditional approval of a Final Plat shall expire 180 days after the date of the conditional approval unless the requirements have been certified as complete within that timeframe. The Planning Board may, however, extend the time for two (2) additional ninety (90) day periods each within which a conditionally approved Final Plat may be submitted for signature if, in its opinion, such extension is warranted under the circumstances.
5. In the event that the Planning Board disapproves a Final Plat, the Applicant or his or her duly authorized representative shall be notified by the Planning Board in writing within seven (7) calendar days of the reasons for such disapproval.

- **Does the Planning Board have any additional comments on the project application at this time?**

PLANNING BOARD DISCUSSION: The Planning Board had no further comments on the application.

MOTION: To approve the Dean Doin Site Plan project (Project #2025-01) and to authorize Chairman Crispin to sign the subdivision map.

MADE BY: Member Potts  
SECONDED: Member Abrams  
VOTE: 6/0

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END OF AGENDA ITEM

#### **B. RYSCOTT DEVELOPMENT, LLC CONCEPT:**

- **The Planning Board reviewed a concept plan for Ryscott Development, LLC during the October 23, 2024 meeting. The minutes to the meeting are below.**

PLANNING BOARD DISCUSSION: Chairman Crispin informed the applicant that they could receive the revised application materials however there would be no actions taken given the fact that the materials were not provided a week in advance of the meeting in order for the materials to be distributed to Planning Board members. Chairman Crispin passed out the updated application materials to Planning Board members to review in preparation for the April meeting.

Scott Henze noted that Chairman Crispin had informed him that the application may be on the agenda for this month's meeting if the new materials were received in time. Scott Henze stated that since he did not receive the revised application materials in time for the mailing that he simply included a copy of the meeting notes to the October 23, 2024 meeting where the Planning Board reviewed the project as a concept.



1. Background/Information Submitted:

- Completed Short Environmental Assessment Form submitted by Larry J. Ruzycky, P.E.
- Pine Park Campground Expansion Site Drawing prepared by Larry J. Ruzycky, P.E. dated March 3, 2024 and revised July 9, 2024.

PLANNING BOARD DISCUSSION: Chairman Crispin reviewed the background information as identified within the agenda. Chairman Crispin asked Mr. Ruzycky how long ago Ryan Douglas had purchased the Vacation Campgrounds. Mr. Ruzycky was not sure.

2. Project Overview:

- Pine Park Campground is owned by Ryscott Development, LLC.
- Tax Parcel No. 137.-3-8 is approximately nine (9) acres in size and is located within the Town of Broadalbin.
- Pine Park Campground is located along NYS Highway 29 with the entrance via County Highway 126 and through Tax Parcel No. 137.20-6-13 also owned by Ryscott Development, LLC.
- Tax Parcel No. 137.20-6-13 is located within the Village of Broadalbin.
- Pine Park Campground currently consists of 35 vacation trailer sites that are serviced by existing municipal water supplied via the Village of Broadalbin and onsite septic.
- The proposed project will add 35 additional vacation trailer sites and is proposed to be connected to the Village of Broadalbin's municipal sewer system.
- The existing onsite septic systems will be decommissioned.

PLANNING BOARD DISCUSSION: Chairman Crispin reviewed the information as identified within the agenda and asked Mr. Ruzycky to present the project to the Planning Board. Mr. Ruzycky noted that the 35 new sites would be drive through sites with full hook ups. Mr. Ruzycky noted that the facility receives water from the Village of Broadalbin and will be requesting sewer. Chairman Crispin asked whether or not if there was municipal sewer on the south side of 29 in order to service the site. Mr. Ruzycky noted there is given the fact that adjacent car wash also owned by Ryscott Development is serviced by said municipal sewer. Mr. Ruzycky noted that the Village of Broadalbin would like to provide the sewer hook up to the facility. Mr. Ruzycky noted that they the Village will install a water meter for the facility in order to charge for water and sewer. Mr. Ruzycky noted that the vacation campground does not utilize an excessive amount of water noting that historical speaking the vacation campground with 35 sites the highest water usage per day was around 400 gallons.

Member Potts stated that he would like to see a clearer delineation between the Town of Broadalbin and the Village of Broadalbin boundary line having it labeled.

Scott Henze suggested that Mr. Ruzycky contact NYS DEC as well as coordinating through the Village of Broadalbin as to whether or not there can be an extension of municipal sewer to serve the site. Mr. Henze explained that typical the extension of municipal infrastructure outside of said municipal boundary would require a formation of a district. Mr. Henze explained that the village's wastewater treatment plant is operated under the regulation of NYS DEC and anticipates that the permit issued by NYS DEC to operate that facility may need to be amended with the addition of this facility.

Mr. Henze asked Mr. Ruzycky whether or not he had any traffic data for the vacation campground given that the campground is being expanded. Mr. Henze suggested that a traffic description be provided that would also include the demand at the carwash. Chairman Crispin noted that the action of NYS Route 29 and County Road 126 is a signaled intersection.

There commenced a discussion on the Town of Broadalbin Chapter 163 Mobile Homes and Parks, Vacation Trailers and Campgrounds local law that was established in 1993 as well as amended in 2020. Chairman Crispin provided a

copy of said Chapter 163 to Mr. Ruzycky. Mr. Henze noted that the project would be review under Chapter 163 as it pertains to sub section 163-11 requirements for vacation campground.

There commenced a discussion on the original establishment of the vacation campground and whether or not it came forward the Planning Board. It was noted at that time there was some misinformation as to whether or not project fell under any particular regulation. Chairman Crispin noted that at that time the Town Code Enforcement Officer issued a permit. Chairman Crispin asked Mr. Ruzycky whether or not he had a copy of NYS DOH permit issued for the water system. Mr. Ruzycky stated that he did not.

3. Chapter 163 Mobile Homes and Parks; Vacation Trailers and Campgrounds:

- This project would fall under Chapter 163-11 Requirements for Vacation Campgrounds.
- The Planning Board should discuss this section of ordinance with the applicant specifically as it pertains to:
  - a. Density of Development
  - b. Additional Traffic
  - c. Proposed municipal sewer connection
  - d. Others

PLANNING BOARD DISCUSSION:

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END OF AGENDA ITEM

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**III. CHAIR REPORT:**

1. APA Permit 2022-0099A Lecavanna LLC correspondence dated January 23, 2025 authorizing the expansion of an existing tourist accommodation.

PLANNING BOARD DISCUSSION: Chairman Crispin stated that Cody LeClaire is present to discuss an amendment to his glamping site plan stating that Mr. LeClaire has a revised permit issued by the APA (2022-0099A). Chairman Crispin noted that the revised APA permit indicates that it revised items 8 & 11 indicating that a new tourism accommodation structure authorized herein may be operated year round (existing house) and that installation of any further pit privy shall require written authorization by the APA.

Chairman Crispin read a letter issued to the Planning Board by Mr. LeClaire noting consideration be made to the Planning Board with the change to the operations of Glampful that were approved under Site Plan Review by the Planning Board in 2022. Chairman Crispin questioned whether or not Mr. LeClaire is going to rent out the house year round? Mr. LeClaire stated that they do stay in the house but that it would able to be rented year round. Scott Henze stated that Fulton County has an Occupancy Tax that was implemented several years ago that has predominantly been voluntary however with the change that the State made requiring companies that manage short term rentals to pay for any local Occupancy Tax. Mr. LeClaire stated that Glampful is designated as a camping facility. Mr. Henze stated that the County's Occupancy Tax regulations exempt camping facilities.

There commenced a discussion in regards to how the Planning Board would review a proposed "change in use" for the home that was previously reviewed under Site Plan Review. Mr. Henze noted that since the Town does not technically have zoning, that a change in use is vague for the Town of Broadalbin.

Upon further discussion, the Planning Board determined that Mr. LeClaire would need to submit an application for a Site Plan Amendment whereby the Planning Board would review the change to the operation of the home at the

facility to now be a year round rental etc. Mr. LeClaire stated that he would submit an application for consideration at the April meeting.

2. Site Plan Review Law Amendment:

PLANNING BOARD DISCUSSION: Chairman Crispin noted that he received a request to construct a single family home on a substandard lot. He stated that unfortunately the Planning Board cannot review the request under Site Plan Review as it is a single family home and not applicable to Site Plan. Chairman Crispin noted that he would like to amend the Site Plan Review law to add in substandard lots.

**IV. CODE ENFORCEMENT OFFICE REPORT:**

- 1. Chairman Crispin noted that it has been difficult for himself and the CEO to meet due to schedules. He stated however he is now leaving folders of projects on a table for the CEO to review and then file in the Planning Board Records.

**V. NEXT MEETING:**

The next regularly scheduled meeting of the Planning Board will be held on:

April 23, 2025  
7:00 p.m.  
Town Hall

**VI. CLOSE OF MEETING:**

MOTION:                To close the meeting at 9:08 P.M.

MADE BY:             Member Potts

SECONDED:           Member Comini

VOTE:                   6/0

