

TOWN OF BROADALBIN PLANNING BOARD

**WEDNESDAY
JUNE 26, 2024
7:00 P.M.
BROADALBIN TOWN HALL**

MEETING NOTES

PRESENT:

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

SCOTT HENZE, DIRECTOR, FULTON COUNTY PLANNING DEPARTMENT

OTHERS: Joe DiGiacamo, Town Supervisor, Mike Rorick, Town Board member, Tim and Debbie Fagant, Others.

The meeting was called to order at 7:04 p.m.

I. MINUTES FROM APRIL 24 & MAY 22, 2024 MEETINGS:

PLANNING BOARD ACTION: Chairman Crispin noted that Mr. Henze was not in attendance at the May 22, 2024 meeting therefore the Planning Board was not able to review the April 2024 meeting minutes at that time. Chairman Crispin noted that he also was not in attendance during the April 2024 meeting. Chairman Crispin noted that Member Dale Potts recorded the meeting minutes for May 2024 meeting.

MOTION: To approve the minutes to the April 24, 2024 meeting.
MADE BY: Member Abrams
SECONDED: Member Comini
VOTE: 5/0/1 (Chairman Crispin Sustained)

Planning Board Discussion: Chairman Crispin provided the hand recorded meeting minutes by Member Potts to Mr. Henze. Chairman Crispin noted that the Planning Board could approve the May minutes at the July meeting.

MOTION: To approve the minutes to the May 22, 2024 meeting.
MADE BY:
SECONDED:
VOTE:

II. OLD BUSINESS:

A. NONE

END OF AGENDA ITEM

III. NEW BUSINESS:

A. TIM FAGANT LOT LINE ADJUSTMENT (PROJECT 2024-04):

A. Background/Information Submitted:

- Application for Lot Line Adjustment.
- Completed Part 1 Short Environmental Assessment Form.
- Subdivision map of Tim Fagant prepared by Ferguson and Foss Professional Land Surveyors dated June 24, 2024.
- Subdivision map of Cheyrl Graham prepared by Ferguson and Foss Professional Land Surveyors dated June 23, 2008 and revised July 16, September 17 and September 24, 2008.

PLANNING BOARD DISCUSSION: Chairman Crispin reviewed the background information as identified in the agenda. Chairman Crispin noted that the application for lot line adjustment had been completed and signed by Mr. Fagant. Planning Board members reviewed the large scale map provided by Ferguson & Foss Professional land surveyors. Planning Board members noted that there are no new additional lots being proposed and that there is a new adjustment of an existing lot that was approved by the Planning Board in 2008 during the Graham subdivision.

- The Lot Line Adjustment consists of the following:

LOT #	CURRENT ACREAGE	ACREAGE AS ADJUSTED
1	5.85	12.119
2	19.33	12.049
3	1.14	2.149
TOTAL	26.32	26.32

PLANNING BOARD DISCUSSION: Planning Boards members noted that the acreages of each lot were adjusted however that the total acreage continues to be the same.

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
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

Based upon the information provided, does the Planning Board feel as though the application is to be considered a Lot Line Amendment?

PLANNING BOARD DISCUSSION: Member Comini questioned what the distance was from the pond to the proposed septic identified on Lot 1. Planning Board referenced said drawing noting that it was approximately 100'. Chairman Crispin noted that Chris Foss had scaled the approximate driveway location as well as wells and septic areas to illustrate that there is enough room to develop the lots. Chairman Crispin noted that the actual location of the proposed house, driveways and septic may change once the lots are sold and building permits are obtained by the CEO for construction.

C. Lot Line Amendment Application Materials:

APPLICATION MATERIALS	PROVIDED? YES/NO
1. Application for a Lot Line Amendment.	Yes
2. A letter signed by the parcel owners, or their duly authorized agents, of both affected parcels consenting to the lot line amendment.	N/A
3. A plat of the parcels affected by the proposed Lot Line Amendment showing: <ul style="list-style-type: none"> a. All existing buildings, utilities or other easements or rights-of way of wells and of septic systems. 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. 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. 	Yes
4. Lot Line Adjustment Fee - \$50.00	Paid at meeting

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

PLANNING BOARD DISCUSSION: The Planning Board agreed that there is enough information to deem the application 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).

PLANNING BOARD DISCUSSION: Chairman Crispin noted that this lot line amendment is a Type II action and that there is no further required.

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:

MOTION: To approve the Tim Fagant lot line adjustment having Project No. 2024-04 comprising of Tax Parcel No. 153.-11-3 and to authorize Chairman Crispin to sign the Lot Line Adjustment Map.

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

END OF AGENDA ITEM

IV. The Dan and Debbie Sams Minor Subdivision: (Project # 2024-05):

A. Background/Information Submitted:

- Dan and Debbie Sams subdivision map created by Fergusson and Foss Professional Land surveyors dated June 10, 2024.

PLANNING BOARD DISCUSSION: Chairman Crispin noted that he recently had a conversation with Dan Sams about a proposed subdivision of his property on the corner of Lakeview Ave. and Co Hwy 110 being the Springers Farm. Chairman Crispin noted that the Sams would like to subdivide their parcel 121.-1-17.2 into two (2) lots with Lot 1 to be conveyed to their daughter. Chairman Crispin noted that Lot 1 and Lot 2 would have a minimum of 40' access directly onto County Highway 110. It was noted that the parcel 121.-1-17.111 owned by the Land of Springers Farm, LLC would also convey a portion of said lot to Lot 1 and Lot 2 for their respective access drive.

It was noted that this property is located within Adirondack Park Low Intensity land use area requiring 3.2 acres for a principal building. Chairman Crispin noted that he had informed Mr. Sams to submit a Jurisdictional Inquiry Form (JIF) to the APA previously so that the APA could provide information back to the Planning Board as per their jurisdiction.

It was noted that Mr. Sams would need to complete an application for subdivision form for submission. It was noted that Mr. Sams would be required to pay the \$100 application fee prior to the start of the review by the Planning Board. It was also noted that Mr. Sams would need to provide seven (7) full size maps 10 days prior to the next meeting as well as a completed Short Environmental Assessment form.

The Planning Board discussed a process for review given the fact that there is still a significant amount of information the applicant will need to provide. The Planning Board discussed the SEQR process identifying both the APA as well as Fulton County Highway Department as involved agencies.

Chairman Crispin asked Mr. Sams whether or not he feels as though he would be able to provide all of the information 10 days prior to the next meeting. Mr. Sams confirmed that he and Chris Foss would be able to do so. Chairman Crispin asked the Planning Board whether or not they were comfortable on scheduling a Public Hearing for the project as well as commencing a SEQR. The Planning Board felt as though due to the fact that this is a minor subdivision application and that Mr. Sams has already provided a survey map by Chris Foss that they could schedule a public hearing.

MOTION: To schedule a Public Hearing on the Dan and Debbie Sams Minor Subdivision Application Project # 2024- 05 for 7pm July 24, 2024.

MADE BY: Member Abrams

SECONDED: Member Magiella

VOTE: 6/0

MOTION: To classify the Dan & Debbie Sams Minor Subdivision Project #2024-05 as an Unlisted Action under SEQR and to propose that the Town of Broadalbin Planning Board act as a SEQR lead agency under Section 617.6 (B)(4) Coordinated review for unlisted actions and to coordinate with APA and the Fulton County Highway Department.

MADE BY: Member Potts

SECONDED: Member Comini

VOTE: 6/0

PLANNING BOARD DISCUSSION: Chairman Crispin asked the Planning Board what other information they would like to add to the subdivision map at this time. Planning Board members noted that the applicant should add

all existing barns and homes that are located on the site on the subdivision plat to include the locations of existing septic and wells.

V. CHAIR REPORT:

Chairman Crispin asked Mr. Rorick and Mr. DiGiacamo whether or not they had anything to add at this time. Mr. Rorick stated that he is not here as a Town Board member or a former member of the Planning Board however he is here representing the Town of Broadalbin as a whole. Mr. Rorick indicated that he had provided the Planning Board with the Town of Rotterdam solar law that was recently passed. Mr. Rorick indicated the Town of Rotterdam had developed a Committee of Planning Board members, Engineers and Attorneys to draft the Solar Law in a three (3) month time period. Mr. Rorick indicated that applauds the Town of Broadalbin Planning Board for the work that they did on the draft solar law that they presented to the Town Board however indicated that there are a few items that are located within the Town of Rotterdam Solar Law that may benefit the Town of Broadalbin Solar Law. Mr. Rorick indicated he is requesting that the Planning Board consider contacting Town Board members and the Town Supervisor requesting that an extension of the exiting moratorium be made in order to take a look at the Town of Rotterdam Solar Law and propose an amendment to the draft of Town of Broadalbin Solar Law. Mr. Rorick indicated that the Town of Rotterdam Planning Board chairwomen has agreed to assist the Town of Broadalbin Planning Board on a quick adjustments to the Solar Law.

There commenced a lengthy discussion in regards to the Town of Broadalbin Planning Board’s development of the Solar Law and the thought process that went into it. There continued a discussion in regards to whether or not the Town should continue to extend the moratorium in comparison to moving on with the Public Hearing on the draft Solar Law in order to approve it. It was noted that the Town of Broadalbin would be acting on the adoption of the Solar Law at their next meeting that would held July 9th, 2024.

VI. CODE ENFORCEMENT OFFICE REPORT:

- 1. None

VII. NEXT MEETING:

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

July 24, 2024
7:00 p.m.
Town Hall

VIII. CLOSE OF MEETING:

MOTION:	To close the meeting at 9:06 P.M.
MADE BY:	Member Comini
SECONDED:	Member Magielda
VOTE:	6/0

