

TOWN OF BROADALBIN PLANNING BOARD

**WEDNESDAY
SEPTEMBER 25, 2024
7:00 P.M.
BROADALBIN TOWN HALL**

MEETING NOTES

PRESENT:

MIKE CRISPIN, CHAIRMAN
JARROD ABRAMS, VICE CHAIRMAN (arrived at 7:05)
DALE POTTS, MEMBER
JAMES MAGIELDA, MEMBER
MIKE DEPAULA, MEMBER (arrived at 6:50)
MIKE GALLUP, MEMBER

SCOTT HENZE, DIRECTOR, FULTON COUNTY PLANNING DEPARTMENT

OTHERS: TOWN BOARD MEMBERS, SUPERVISOR DIGIACAMO, COUNCILMAN KISSINGER,
COUNCILMAN BARDASCINI, COUNCILMAN BOGARDUS, TOWN CLERK CHERYL BRIGGS

The meeting was called to order at 6:35 p.m.

I. MINUTES FROM AUGUST 28, 2024 MEETING:

PLANNING BOARD ACTION: No Action

MOTION: To approve the minutes to the August 28, 2024 meeting.

MADE BY:

SECONDED:

VOTE:

II. OLD BUSINESS:

A. DRAFT SOLAR ENERGY FACILITIES LAW CONT'D:

- Continued review of revised Solar Energy Facilities Law based upon Town of Rotterdam solar law.
- Planning Board held a special work session on September 11, 2024 at 6:30PM.
- Edits to the draft Solar Energy Facilities Law were discussed and noted. Edits were incorporated into the latest draft for discussion. * See Handout

PLANNING BOARD DISCUSSION: Chairman Crispin reviewed the background information as identified within the agenda noting that the Town Board and the Planning Board proposed edits to the draft revised law during the September 11th work session getting through approximately 21 pages of the document. CC noted that he had provided those edits to Scott Henze in order to incorporate into the draft noting that the edits were made in red. The Planning Board members and the Town Board members commenced the re-review of the first 23 pages of the draft law making several edits to the draft law.

_____END OF AGENDA ITEM_____

III. NEW BUSINESS:

A. REALE MINOR SUBDIVISION APPLICATION (PROJECT NO. 2024-07)

A. Background/Information Submitted:

- Completed application for Subdivision (Unsigned) with no date.
 - Completed Part 1 Short Environmental Assessment Form completed by Chris Foss, P.L.S. (Unsigned).
 - Subdivision Map of lands of Isabel M. & John M. Reale prepared by Ferguson & Foss Professional Land Surveyors, PC. dated March 26, 2024 and revised June 24, 2024.
- Isabel & John Reale would like to subdivide parcel 167.-1-42.12 totaling 7.69 +/- acres as follows:

Area	Parcel	Acreage	Amenities	Road Frontage
Broadalbin	167.-2-40	2.66 +/-	Existing Driveway	426.54+/- feet
Broadalbin	167.-2-40	UNK	Driveway Access	35.26+/- feet
Perth	167.-1-42.12	5.03 +/-	House, Garage, Driveway	35.26 feet

- Subdivision is located within the Towns of Broadalbin and Perth.

PLANNING BOARD DISCUSSION: Chairman Crispin reviewed the background information as identified within the agenda. Member Potts questioned whether to not the application should be deemed as a lot line adjustment rather than a minor subdivision. Scott Henze stated that the application itself is rather confusing given that it is located in both Towns of Broadalbin and Perth. Mr. Henze noted that the application itself identifies the project as a two lot subdivision. The consensus of the Planning Board was to ask Chris Foss to clarify whether or not the application is a subdivision or a lot line adjustment.

The Planning Board commenced he review as a subdivision.

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	Provided

subdivided in relation to the entire tract and the distance to the nearest existing street intersection.	
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.	To be 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.	Waive
i. The location of all groundwater wells and septic systems for each lot and the distances between each well and all adjoining septic systems.	To be provided
j. Soil percolation and/or deep hole test results on each lot in the proposed subdivision as required by the Planning Board.	Waive
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.	Waive
l. A Full Part I Environmental Assessment Form completed by the applicant.	Waive (excepted short form)
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 noted that was additional information that was needed on the application as well as the application materials as noted in the previous section.

b) Lot Access to public or private street. Not applicable

- 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:

c) Corner lots. Non applicable

- 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:

d) Lots subject to flooding. Not applicable

- 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: No discussion.

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.

- **Due to the fact that all structures are located within the Town of Perth and that the Town of Perth Planning Board is also reviewing the application as a Minor Subdivision (9/25/24), the Town of Perth will conduct SEQR.**

PLANNING BOARD DISCUSSION: Chairman Crispin reviewed the background information as identified within the agenda noting that the Town of Perth Planning Board would be providing the required SEQR.

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?**

PLANNING BOARD DISCUSSION: The conscience of the Planning Board was to schedule the Public Hearing if needed (if it were to be determined not to be a Lot Line Adjustment).

MOTION: To schedule a public hearing for the Reale Minor Subdivision (Project #2024-07) for 7:00 P.M. on Wednesday October 23, 2024 at the Town of Broadalbin Town Hall.

MADE BY: Member DePaula

SECONDED: Member Potts

VOTE: 6/0

END OF AGENDA ITEM

IV. CHAIR REPORT:

No report

V. CODE ENFORCEMENT OFFICE REPORT:

No report

VI. NEXT MEETING:

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

October 23, 2024

7:00 p.m.

Town Hall

(The Planning Board and the Town Board established a joint work session to be held on October 16, 2024 at 6:30 pm

VII. CLOSE OF MEETING:

MOTION: To close the meeting at 9:25 P.M.

MADE BY: Member Potts

SECONDED: Member Magiolda

VOTE: Unanimous

