

TOWN OF BROADALBIN PLANNING BOARD

WEDNESDAY
DECEMBER 18, 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: Jane Singleton and Josh Singleton

The meeting was called to order at 7:00p.m.

I. MINUTES FROM NOVEMBER 27, 2024 MEETING:

PLANNING BOARD ACTION:

MOTION:	To approve the minutes to the November 27, 2024 meeting.
MADE BY:	Member Abrams
SECONDED:	Member Comini
VOTE:	6/0

II. OLD BUSINESS:

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

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.
- **During the September 25, 2024 meeting, the Planning Board discussed whether or not the application was a subdivision or a lot line adjustment.**
- **A request was made to verify with Chris Foss or Ferguson & Foss Professional Surveying to confirm along with the following additional questions in regards to the application:**

1. **Do you intend this application to be a 2-lot subdivision in the Town of Broadalbin or are you considering Broadalbin's Review to be a Lot Line Adjustment? If you are requesting a Lot Line Adjustment, then please revise the Application to reflect this.**

Response: "The town line as shown is just approximate as scaled off the tax map so I didn't think they would bother with the little triangles shown on the map. I guess it would be a subdivision".

2. **Please add to the map the Landowner Names of all property owners adjoining the project property within the Town of Broadalbin.**

Response: Has not provided information yet.

3. **Please identify the location of all wells and onsite septic systems to all project parcels.**

Response: Apparently, we did not see a well or evidence of the septic system. I will check with owner to see if we can plot it.

4. **If it is determined to be a Minor Subdivision, there will be \$100 application fee and a \$150 Lot fee. If it is a Lot Line Adjustment, then there will be a \$50 application fee.**

Response: I will tell the owner to send money. I can add the signature block for both towns.

B. Review of Minor Subdivisions:

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

➤ **During the September 25, 2024 meeting, the Planning Board determined the following:**

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.	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?

➤ **During the September 25, 2024 meeting, the Planning Board determined that additional information was required as noted above.**

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?

➤ **During the September 25, 2024 meeting, the Planning Board determined that additional information was required as noted above.**

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?

➤ During the September 25, 2024 meeting, the Planning Board determined that this item was not applicable.

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?
- During the September 25, 2024 meeting, the Planning Board determined that this item was not applicable.

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.
- During the September 25, 2024 meeting, the Planning Board noted that the Town of Perth Planning Board would be undertaking the required SEQR Lead Agency/review.

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.

- During the September 25, 2024 meeting, the Planning Board scheduled the required Public Hearing for the Reale Minor Subdivision (Project #2024-07) at 7:00 P.M. on Wednesday October 23, 2024 at the Town of Broadalbin Town Hall.
- **The Planning Board has 62 days from the date that the Public Hearing was closed to issue a final decision.**
- **To date, no new information has been provided as was requested.**

- **The Town of Perth Planning Board issued a Conditional Approval of the subdivision during its October 23, 2024 meeting. The Conditions were as follows:**
 1. **Topography lines of the parcel being subdivided in no more than 10'.**
 2. **Perc. & Pit test of the back parcel.**
 3. **Will a septic and well be located on the rear parcel? If so, it will need to be identified.**
 4. **The deed number for the easement with Verizon will need to be provided.**
- **During the October 23, 2024 meeting, the Planning Board determined that the following additional information was required:**
 1. **Add landowner names to all properties adjoining the project property within the Town of Broadalbin.**
 2. **Identify the location of all wells and onsite septic systems to all project parcels.**
 3. **Provide the \$100 application fee and \$150/Lot fee (\$300).**
- **The Fulton County Planning Department is recommending that the Board consider a conditional approval based upon acceptance of both Perth and Broadalbin Planning Board conditions.**

PLANNING BOARD DISCUSSION: Scott Henze stated that the Planning Board held the required Public Hearing back in October of this year where by the Planning Board is required to make a determination on the application within 62 days. Scott Henze stated that in October of 2023 the Town of Perth Planning Board issued a conditional approval on the subdivision noting the conditions identified within the agenda. Scott Henze stated that during the same time the Town of Broadalbin Planning Board requested additional information from Mr. Foss as identified with the agenda. Scott Henze recommended that the Planning Board consider issuing a conditional approval based upon Mr. Foss completing the requirements of the Town of Perth and Broadalbin.

Chairman Crispin asked Mr. Foss how many lots were to be created in the Town of Broadalbin. There commenced a discussion in regards to whether or not have the Town of Broadalbin's application was a minor subdivision or a lot line adjustment. Mr. Foss identified that there would be two small lots created however it was unknown whether or not Fulton County Real Property Tax Services department would issue separate SBL numbers to said lots or whether they would be combined with the adjacent lots given the fact that the town line splits said lots. Upon further the discussion, the Planning Board continued the application as a minor subdivision having held the required Public Hearing and determined that the applicant would need to provide the \$ 100 application fee and pay for one single lot fee for a total fee of \$250.

F. 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.

MOTION: To approve with conditions the Reale Minor Subdivision (Project #2024-07).

Conditions:

1. All Town of Perth conditions must be met.
2. Add landowner names to all properties adjoining the project property within the Town of Broadalbin.
3. Identify the location of all wells and onsite septic systems to all project parcels.
4. Provide the \$100 application fee and \$150/Lot fee (\$300).

MADE BY: Member Comini
SECONDED: Member Potts
VOTE: 5/0/1 (Magiella abstained)

END OF AGENDA ITEM

A. RYSCOTT DEVELOPMENT, LLC (PROJECT NO. 2024-08) 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.

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.

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

- **During the October 23, 2024 meeting, the Planning Board preliminary reviewed the project expansion and agreed that the project would be reviewed under Chapter 163 Mobile Homes and Parks, Vacation Trailers and Campgrounds local law and that the applicant should submit the plans based upon said regulations at a future meeting.**
- **To date, there has been no application or new project materials submitted.**

PLANNING BOARD DISCUSSION: Chairman Crispin noted that the Planning Board discussed a concept plan for the expansion of the RV Park during its October meeting however the applicant nor the applicants representative has provided any new project materials or application since.

END OF AGENDA ITEM

B. GRANT PALMER MINOR SUBDIVISION (PROJECT NO. 2024-09):

A. Background/Information Submitted:

- Completed application for Subdivision signed and dated 11/19/2024.
 - Subdivision Map of lands Grant B. Palmer prepared by Colliers Engineering & Design dated November 18, 2024.
 - A SEQR Environmental Assessment Form was not provided.
 - The Planning Board approved a 4-lot subdivision of the Palmer Family Trust (Project # 2023-06) on July 26, 2023.
- Mr. Palmer would like to subdivide parcel 168.-3-12.2 totaling 16.265 +/- acres as follows:

Lot	Acreage	Amenities	Road Frontage
1	8.457+/-	Vacant	366.66+/- feet
2	7.808+/-	Vacant	183.36+/- feet

B. Review of Minor Subdivisions:

➤ **During the November 27, 2024 meeting, the Planning Board determined the following:**

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

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.	waived
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.	waived

1. A Full Part I Environmental Assessment Form completed by the applicant.	Waived (requested a short environmental assessment 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?**
- **During the November 27, 2024 meeting, the Planning Board determined that above 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?**
- **During the November 27, 2024 meeting, the Planning Board noted that the proposal far exceeds the minimum frontage.**

c) Corner lots.

- 2) 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?**
 - **During the November 27, 2024 meeting, the Planning Board noted that this item is not applicable.**
- d) Lots subject to flooding.
- 2) 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?**
 - **During the November 27, 2024 meeting, the Planning Board noted that this item is not applicable**

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.

- **During the November 27, 2024 meeting, the Planning Board requested that the applicant provide a complete Part 1 Short Environmental Assessment Form (SEAF).**
- **To date, the applicant has not provided said form.**

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.

- **During the November 27, 2024 meeting, the Planning Board scheduled the required Public Hearing to be held on December 18, 2024.**

MOTION: To open the public hearing for the Grant Palmer Minor Subdivision (Project #2024-09) at 7:20 P.M.

MADE BY: Member Comini
SECONDED: Member Abrams
VOTE: 6/0
Speakers: None

MOTION: To close the public hearing for the Grant Palmer Minor Subdivision (Project #2024-09) at 7:28 P.M.

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

F. Complete SEQR:

- **The Planning Board has not taken a formal SEQR action to date but is required by law to complete SEQR prior to issuing a decision.**

MOTION: To classify the Grant Palmer Minor Subdivision (Project #2024-09) as an Unlisted Action and to declare the Town of Broadalbin Planning Board as a SEQR lead agency under Section 617.6(b)(1) Uncoordinated 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 Grant Palmer Minor Subdivision (Project #2024-09) due to:

1. There will be no notable traffic impacts as part of the project.
2. The parcels meet the Town's minimum lot size requirement.

MADE BY: Member Potts
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.

PLANNING BOARD DISCUSSION: Mr. Palmer asked that his application be tabled at this time due to the possible sale of an existing lot thereby not requiring any further subdivision. The Planning Board agreed to hold off on issuing an approval for 62 days. Chairmain Crispin noted that after the 62 days however if Mr. Palmer would like to proceed, he would need to start the subdivision review process from the beginning.

MOTION: To _____ the Grant Palmer Minor Subdivision (Project #2024-09) and to authorize Chairman Crispin to sign the subdivision map.

MADE BY:

SECONDED:

VOTE:

_____END OF AGENDA ITEM_____

III. NEW BUSINESS:

A. MELINDA GOHEEN & JOSHUA SINGLETON MINOR SUBDIVISION (PROJECT NO. 2024-10):

A. Background/Information Submitted:

- Completed application for Subdivision signed and dated 11/4/2024.
 - Subdivision Map of lands Melinda Goheen & Joshua Singleton prepared by Ferguson & Foss Professional Land Surveyors, PC dated October 18, 2024 and revised November 25, 2024.
 - A SEQR Short Environmental Assessment Form.
 - The project is not located within the Adirondack Park.
 - The property does contain NYS DEC Regulated Wetlands (See map).
- The applicants would like to subdivide parcel 167.-3-16 totaling 31.913 +/- acres as follows:

Lot	Acreage	Amenities	Road Frontage
1	1.835+/-	Vacant	40.02+/- feet
2	30.078+/-	House, Shed, Driveway, Well & Septic	1,068.64+/- feet

PLANNING BOARD DISCUSSION: Chairman Crispin reviewed the background information as identified with the agenda. Chairman Crispin asked the owners how long the existing house has been on the site. Mr. Singleton noted that the house was constructed around 1972. Chairman Crispin noted that the property contains NYS DEC regulated wetlands whereby Mr. Henze provide said map. Chris Foss noted that there was a wetland delineation on the map. Mr. Henze stated that the Planning Board will coordinate the SEQR review with NYS DEC for feedback.

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.	To be provided (locate existing stream)
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.	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.	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.	To Be provided
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
l. A Full Part I Environmental Assessment Form completed by the applicant.	Waive (provide EAF)

m. Minor Subdivision Application and lot fee: \$100 application fee, \$150 for each new lot created.	Applicant paid \$ 250 in cash to Mike Crispin 12/18/20204
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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 the conditions 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 noted that access is via a public road.

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: The Planning Board noted that there are wetlands on the property however the property is not likely to flood.

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.

➤ **Does the Planning Board feel as though there is enough information to start the SEQR process?**

PLANNING BOARD DISCUSSION:

MOTION: To propose that the Town of Broadalbin Planning Board act as the SEQR Lead Agency under Section 617.6(b)(3) Coordinated Review of Unlisted Actions for the Melinda Goheen & Joshua Singleton Minor Subdivision (Project No. 2024-10) and to coordinate with the following agencies:

1. NYSDEC

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?**

PLANNING BOARD DISCUSSION: The Planning Board determined that there enough information to commence the Public Hearing

MOTION: To schedule a public hearing for the Melinda Goheen & Joshua Singleton Minor Subdivision (Project No. 2024-10) for 7:00 P.M. on Wednesday January 22, 2025 at the Town of Broadalbin Town Hall.

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

END OF AGENDA ITEM

B. **DENNIS BERG MINOR SUBDIVISION (PROJECT NO. 2024-11):**

A. Background/Information Submitted:

- Completed application for Subdivision
 - Subdivision Map of lands of Dennis Berg prepared by Ferguson & Foss Professional Land Surveyors, PC dated April 30, 2024 and revised October 31, 2024.
 - A SEQR Short Environmental Assessment Form.
 - The project is located within the Adirondack Park's Rural Use Land Use area requiring 8.5+/- acres per principal building density.
- The applicants would like to subdivide parcel 90.20-5-17 totaling 11.669 +/- acres as follows:

Lot	Acreage	Amenities	Road Frontage
1	3.068+/-	House, Shed, Driveway	60.88+/- feet
2	8.583+/-	Building, Shed, Driveway	685.74+/- feet

PLANNING BOARD DISCUSSION: The Planning Board reviewed the background information as identified within the agenda noting the project is located within the Adirondack Parks rural use land use area that requires 8.5 acres for principal building density. Chairman Crispin noted that lot 1 was less than 8.5 acres and questioned whether or not Mr. Foss had a submitted a jurisdictional inquiry form. Mr. Foss noted that he does not believe he has submitted the jurisdictional inquiry form to the APA but will do so. Scott Henze noted that the Planning Board will coordinate SEQR with the APA.

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.	To be provided (in set map and road names)
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 (add property owner names and lot lines on opposite side of County Road 138)
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.	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.	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.	provided
l. A Full Part I Environmental Assessment Form completed by the applicant.	Waived (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 noted that the item has 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 noted that the item has 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.

2) 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: The Planning Board noted that the lot is not subject to flooding.

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.

➤ **Does the Planning Board feel as though there is enough information to start the SEQR process?**

PLANNING BOARD DISCUSSION:

MOTION: To propose that the Town of Broadalbin Planning Board act as the SEQR Lead Agency under Section 617.6(b)(3) Coordinated Review of Unlisted Actions for the Dennis Berg Minor Subdivision (Project No. 2024-11) and to coordinate with the following agencies:

1. NYS APA

MADE BY: Member Potts
SECONDED: Member Comini
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?**

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

MOTION: To schedule a public hearing for the Dennis Berg Minor Subdivision (Project No. 2024-11) for 7:00 P.M. on Wednesday January 22, 2025 at the Town of Broadalbin Town Hall.

MADE BY: Member Abrams

SECONDED: Member Comini

VOTE: 6/0

IV. CHAIR REPORT:

1. Pollock Subdivision
2. Comprehensive Plan – Update

PLANNING BOARD DISCUSSION: Chairman Crispin informed the Planning Board that there has been some development on a subdivision that was approved many years ago known as the Pollock subdivision. Chairman Crispin reviewed the subdivision that was approved with the Planning Board with members noting that it appears as though there could be a change in the way the subdivision was approved in regards to its actual development.

Member Mageilda questioned whether or not the person who has constructed the home had purchased multiple lots.

Chairman Crispin stated that he would sit down with the Code Enforcement Officer within the near future.

Chairman Crispin noted that he has not had time to look at the Comprehensive Plan update but the Planning Board should be prepared to do so in the future.

Member Abrams noted that he had attended the last Town Board meeting whereby the Town Board extended the Moratorium as well as forwarding the Solar Energy Facilities Law to Miller Mannix Schachner Hafner Law Firm who specializes in land use regulations.

V. CODE ENFORCEMENT OFFICE REPORT:

1. None

VI. ELECTION OF OFFICERS:

Article 4: Meetings (4.2)(D) within the adopted Town of Broadalbin Planning Board By Laws identifies that:

At the last regularly-scheduled meeting and prior to the annual meeting, the Planning Board shall recommend a Chairman to the Town Board and nominate a Vice Chairman.

- It is recommended that the Planning Board seek Chair nominations for 2025 at this time.
- It is also recommended that a Vice Chair be nominated at this time.

Article 3: Officers (3.5)(A) within the adopted Town of Broadalbin Planning Board By Laws identifies that:

The Vice Chairman shall be elected at the Annual Meeting.

PLANNING BOARD DISCUSSION: Chairman Crispin reviewed the information in regards to the election of officers as identified within the agenda. Chairman Crispin expressed his frustration with local politics in particular the most recent involvement with the creation of a Solar Energy Facilities Law by the Planning Board. Chairman Crispin noted more recently the topic of establishing zoning regulations within the Town has come up to further his frustration with local politics. Chairman Crispin noted that the Planning Board has spent a considerable amount of time establishing local land use regulations in lieu of zoning.

MOTION: To recommend to the Town Board that Mike Crispin serve as the Chairperson to the Planning Board commencing January 1, 2025 through March 31, 2025 and will continue to serve as the Chairperson until such time that the Town Board officially designates said Chairperson.

MADE BY: Member Potts
SECONDED: Member Abrams

ROLL CALL VOTE:

Crispin: abstained
Abrams: yea
Comini: yea
Magiolda: yea
Gallup: yea
Potts: yea
DePaula: absent

MOTION: To nominate Jared Abrams serve as the Vice Chairperson to the Planning Board for the 2025 calendar year.

MADE BY: Chairman Crispin
SECONDED: Member Comini

ROLL CALL VOTE:

Crispin: yea
Abrams: yea
Comini: yea
Magiolda: yea
Gallup: yea
Potts: yea
DePaula: absent

VII. NEXT MEETING:

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

January 22, 2025
7:00 p.m.
Town Hall

VIII. CLOSE OF MEETING:

MOTION: To close the meeting at 8:55 P.M.

MADE BY: Member Abrams

SECONDED: Member Comini

VOTE: 6/0