

# *Town of Horicon Planning Board*

Minutes of January 21, 2009

**Members Present:** Bill Bruce, Doug Paton, Harry Balz, Michael Raymond, Georgia McMeekin  
**Absent:** Jim Remington **Alternate:** Dennis Doyle

**Others Present:** Counsel to the Boards Mike Hill, Zoning Administrator Gary McMeekin, ZBA members: Gary Frenz, Town Board Member Bob Olson

**Guests Present:** Erin and Mike Hayes, Dan and Carol Feldt, Matt Fuller and others.

Chairperson Bill Bruce welcomed new member Michael Raymond to the board.

## **PUBLIC HEARING:**

**File # 2008-42 SD Tax Map 37.-1-69 Feldt, Dan and Carol** seeking a 2 lot subdivision involving wetlands located on Shaw Hill Rd. Dan Feldt explained that he would like to build a home on Lot #2 in the future and that he has received an APA permit. Bill Bruce asked if anyone had any comments or questions. Being no comments of questions, Harry Balz made a motion to close the public hearing, 2<sup>nd</sup> by Doug Paton. All Ayes.

The regular meeting of the Planning Board was called to order by Chair, Bill Bruce. Harry Balz made a motion to approved the December 2008 minutes as corrected, 2<sup>nd</sup> by Doug Paton. All Ayes.

## **UNFINISHED BUSINESS:**

**File # 2008-42 SD Tax Map 37.-1-69 Feldt, Dan and Carol** seeking a 2 lot subdivision involving wetlands located on Shaw Hill Rd. After a brief discussion Harry Balz made a motion to approve the 2 lot subdivision stating that an APA permit has been received and this project is exempt from SEQRA requirements, 2<sup>nd</sup> by Doug Paton. All Ayes.

**File #2009-05 Tax Map 72.13-2-9.4 Yvonne Butler** seeking a modification of a Boundary Line Adjustment approval granted to Olson Development. Bill Bruce stated that town counsel suggested that the public hearing by tabled so that further research could done. Doug Paton made a motion to table the public hearing for further research to be done by town counsel on this matter, 2<sup>nd</sup> by Harry Balz. All Ayes.

## **NEW BUSINESS:**

**File #2009-01 BL Tax Map 71.12-1-29 and 71.12-1-26 Pine Tree Properties LLC and Hayes** seeking a Boundary Line Adjustment to parcels located on Palisades Rd and off Pease Hill Rd in the R1-3.2 acre zones. **AND File #2009-01 CU Tax Map 71.12-1-29 Pine Tree Properties LLC** seeking a Conditional Use to build a townhouse on parcel located on Palisades Rd. Erin Hayes explained the project stating that the proposed project is to create a 3.2 acre parcel and construct a single building incorporating two (2) townhouse units that meet all

the required setbacks reconfiguring the 7.93 acre lot into a 5.8 acre parcel scaling down the project from the first proposal requesting that the Boundary Line Adjustment and the Conditional Use applications be addressed simultaneously. Brief discussion ensued as to the proper procedure of the applications. Erin Hayes stated that a new map is being produced showing that the proposed 5.8 acre parcel has been modified to reflect the road frontage and those maps would be provided to this board by the end of the week. Gary McMeekin stated that he has not had the opportunity to review the project and was unsure if any variances would be needed. Harry Balz questioned the applicant as to the knowledge of any variances needed. Doug Paton made a motion to deem both applications complete pending the submission of the proper maps and scheduling a public hearing, 2<sup>nd</sup> by Harry Balz. All Ayes.

### **REFERRAL:**

**Section 9.70 10 (B) MULTIPLE ACCESS DOCKS referral from the Town Board.** Information was submitted to the board from Gary McMeekin. Bill Bruce read the letter submitted requesting that this board recommend to the town board to eliminate section 9.70 10. Lengthy discussion ensued. Matt Fuller attorney representing the Brant Lake Heights HOA stated that he feels his clients are by targeted and this section applies to two (2) developments on Brant Lake requesting the board review this further before making any decisions. Gary McMeekin read Section 9.70 10 (B) (1) Any dock design parameters specified as part of the subdivision's original approval. Gary McMeekin continued to state that neither Adirondack Acres or Brant Lake Heights subdivisions show dock designs as part of the approval, prior Planning Boards have determined that they are pre-existing subdivisions with beach rights only and this has been upheld throughout the years. Harry Balz stated that more research needs to be done before this board can make any recommendations to the Town Board, suggesting that Town Counsel review this matter. Doug Paton made a motion to recommend that the Town Board authorize Town Counsel research this matter, 2<sup>nd</sup> by Harry Balz. All Ayes.

**Board Privilege:** Training reminder - Saratoga Wednesday, Jan. 28<sup>th</sup>  
Master Plan update - No meeting scheduled for February  
Correspondence received addressed to the Planning Board to be forwarded to the Zoning Board of Appeals as the project that is the subject of the letters is not a matter before this board.

Being no further business, Chair Bill Bruce adjourned the meeting at 8:15 PM

Respectfully Submitted  
Christine Smith-Hayes, Secretary