

**TOWN OF HAGUE
PLANNING BOARD
MINUTES OF:
DECEMBER 4, 2008**

PUBLIC HEARINGS:

There were no public hearings scheduled.

CALL MEETING TO ORDER:

Bruce Clark called the meeting to order at 7:00pm.

INTRODUCTION OF BOARD MEMBERS:

Bruce Clark (acting Chairman), Pam Peterson, John Brown and Martin Fitzgerald, Sr. and ZEO Cathy Clark

Absent: EJ Siwek, Rolly Allen and Dick Frasier.

APPROVAL OF MINUTES:

Martin Fitzgerald made a motion to approve the November 6, 2008 minutes with spelling corrections, Pam Peterson 2nd the motion.

Motion to approve, passed 4-0

SUBDIVISIONS:

Bruce Clark read the following:

1. CLARK (43.5-2-18, 19, & 20) 9015 Lakeshore Drive (Hamlet) at the request of the applicant; the current subdivision plat has been withdrawn (11-21-08). A survey with new lot arrangements will be submitted for Planning Board review.

The applicant is requesting a minor subdivision of three lots. If approved a total of 4 lots will be created.

Zoning issue: 150-6 Review of a minor subdivision.

Bruce Clark questioned, "If the applicant has been notified of the proposed sub-division condition".

ZEO, Cathy Clark stated that the applicant has been made aware of proposed sub-division condition.

CLARK (43.5-2-18, 19, & 20) 9015 Lakeshore Drive (Hamlet) Continue:

ZEO, Cathy Clark also stated, “The applicant is going to reconfigure the application more towards the 1st plat that was submitted, keeping the all the sub-divisions lots on the 2 lots to the South.”

The board then discussed the Subdivision Condition for Minor Subdivision as written by Town Attorney Dominick Viscardi and Chairman, E J Siwek. ZEO read the following:

“Future sub-division of any lot on this plat equaling a total of 5 or more cumulative lots, excepting those lots pre-existing prior to the enactment of the Adirondack Pack Act (May 22, 1973), will cause the plat to be deemed a major sub-division as warranted by the Planning Board.”

Board comments were as follows:

- 1) John Brown- “Is it warranted by the Planning Board or the Zoning Board?”**
- 2) Pam Peterson- “Subdivisions need to come before Planning Board.”**
- 3) Bruce Clark-“This is a legal interpretation of the Town Attorney, saying that, you can do a 4 lots subdivision and you are fine, (the cut off date is 1973), but if you subdivide the same lot(s) in the future and the total subdivision of land equals 5 lots or more the subdivision would be deemed a major subdivision by the Planning Board.”**

ZEO, Cathy Clark read the following:

2. RYPKEMA (24-1-2) 263 Summit Drive (OCI/OCII)

The applicant is applying for a two lot subdivision of a 200.23 Parcel. If approved Lot 1 will consist of 25.81 acres and Lot 2 will contain 174.42 acres. A 30 foot strip of land will provide access to Lot 2 from Summit Drive.

RYPKEMA (24-1-2) 263 Summit Drive (OCI/OCII) continued

Zoning Issues:150-6 Review of Minor Subdivision.

Public hearing was held on November 6, 2008 and tabled awaiting SEQR declaration.

Bruce Clark read the prepared impact statement and declared a “Negative Declaration.” See Short Environmental Assessment Form-Impact Assessment” attached.

John Brown made a motion to accept and approve SEQR determination, Martin Fitzgerald 2nd the motion, Roll call vote:

Ayes- Pam Peterson, Bruce Clark, Martin Fitzgerald, Sr. and John Brown

Nays-0

Motion to approve passed 4-0

RYPKEMA (24-1-2) 263 Summit Drive (OCI/OCII) continued:

Martin Fitzgerald made the motion to approve the subdivision with the condition that the plats and Mylar be stamped with the following condition:

“Future sub-division of any lot on this plat equaling a total of 5 or more cumulative lots, excepting those lots pre-existing prior to the enactment of the Adirondack Pack Act (May 22, 1973), will cause the plat to be deemed a major sub-division as warranted by the Planning Board.”

John Brown 2nd. the motion.

Findings of Fact : The subdivision fits all the subdivision regulations and their density guidelines.

Roll call vote:

Ayes- Pam Peterson, Bruce Clark, Martin Fitzgerald, Sr. and John Brown

Nays-0

Motion to approve passed 4-0

ZEO, Cathy Clark read the following:

3. BENWAY (2-1-21) 990 New Hague Road (OC1)

The applicant is requesting a two lot subdivision of a 12.20 acre lot. If approved Tax Map # 2-1-21 will consist of 11.78 acres with .42 acre to be merged with Tax Map # 11-1-6.1 (Kruger) 17.40 acre lot. The transfer of land is needed for a driveway entrance. Zoning issue: 150-6 Review of minor subdivision.”

Pam Peterson made a motion to deem the application complete, assuming that all of facts are correct, Bruce Clark 2nd the motion.

Roll call vote:

Ayes- Pam Peterson, Bruce Clark, Martin Fitzgerald, Sr. and John Brown

Nays-0

Motion to approve passed 4-0

A site visit was scheduled for 12/20/08 at 9am

Bruce Clark made a motion to schedule a public hearing for January 8, 2008, Martin Fitzgerald, 2nd the motion. Approved 4-0 vote

REFERRALS TO THE ZONING BOARD OF APPEALS: None

OLD BUSINESS:

ZEO, Cathy Clark, read the following:

1. HANNA (60.9-1-25) 83 Pine Cove Rd. (TR-1)

Applicant is requesting an 869 sq. ft addition to the 2nd story of an existing house. If approved a master bedroom, bath and deck will be added. The house is located within the Sewer District #2. No County Impact.

Zoning issues: 160-23 C. (g) new construction within 100' of the lake.

A motion to approve the application was made by Bruce Clark, with the condition the house will be connected to the Town sewer District #2 as soon as it becomes available. If the Town sewer system does not go through, the septic system must be upgraded, due to the fact that the current septic system does not meet the NYSDOH Appendix 75-A standards. The septic conditions will be reviewed by the ZEO. Gutters to be continued on the addition to the house for stormwater prevention measures.

The project meets the criteria in the Zoning Ordinance for Site Plan Review and the project fits the character of the neighborhood and will not create any significant environmental impact.

Martin Fitzgerald 2nd the motion.

Roll call vote:

Ayes- Pam Peterson, Bruce Clark, Martin Fitzgerald, Sr. and John Brown

Nays-0

Motion to approve passed 4-0

NEW BUSINESS: None

OTHER BUSINESS:

ZEO, Cathy Clark read the following

1. KOSHEL (43.5-2-15) 9850 Graphite Mountain Rd. (Hamlet)

The Town has received a request for information about reopening a bagel shop at the site of Mary's Ice Cream and Bagel shop (which closed at the end of the 2006 season.)

The property has been approved by the Planning Board for food service business, an Office center, and realty office and is assessed as commercial property

Board discussions

1) Property is in the hamlet.

2) The last Planning Board approval for this property was for a food service business.

4) Property is in Sewer District #1

5) Applicant needs to re-apply to Board of Health who oversee potable water, sewer, and food prep. equipment.

The Board agreed with the ZEO that no further review by Planning Board was needed for the reopening of a bagel shop.

2. RENTALS

**The Planning Board review the Proposed Regulations of:
ARTICLE IX Supplementary Regulations
§ 160-60. Rentals**

**Bruce Clark made a motion to forward Proposed Regulation to the Town Board,
as corrected, Pam Peterson 2nd the motion.**

Roll call vote:

Ayes- Pam Peterson, Bruce Clark, Martin Fitzgerald, Sr. and John Brown

Nays-0

Motion to approve passed 4-0

3. TELECOMMUNICATIONS:

Almost completed

ADJOURNMENT:

**8:10pm, John Brown made the motion to adjourn meeting, Martin Fitzgerald,
2nd the motion.**

Roll call vote:

Ayes- Pam Peterson, Bruce Clark, Martin Fitzgerald, Sr. and John Brown

Nays-0

Motion to approve passed 4-0

**Respectfully submitted by:
Kim Coffin
Recording Secretary**