

MINUTES OF THE PLANNING BOARD OF THE TOWN OF KINGSBURY

Minutes of September 21, 2016

MEMBERS PRESENT:

Robert Dingman, Chairman
Justin Fehl
Karen LaRose
Tim LaSarso
Todd Murphy

MEMBERS ABSENT:

David Gauci (Excused)
Randy Getty (Excused)
Randy Weaver (Excused)
Cheryl Hogan – Alternate (Excused)

Code Enforcement Officer

Francis Cortese

TOWN ATTORNEY

Jeff Meyer, ESQ.

The meeting was called to order by Chairman Dingman at 7:00 P.M.

Roll call of all Members and Officials.

Chairman Dingman entertained a Motion to Approve the Minutes of August 17, 2016.

ON A MOTION BY MR. LASARSO, seconded by Mr. Fehl, the minutes of the August 17, 2016 meeting were approved.

AYES: 5

NAYES: 0

ABSTAIN: 0

MOTION CARRIED

1. **Site Plan Review - Robert Springer, R2M Holdings LLC**, contract vendee Tax Map # 137.-1-69.11, commonly known as Casey Road, Kingsbury, located in Zoning District, RA-1A is seeking Subdivision approval of one lot into three lots. Plans for proposal are available at Kingsbury Town Hall, 6 Michigan Street, Hudson Falls, New York during regular business hours.

Chairman Dingman introduced Robert Springer, R2M Holdings LLC and Kristin Darrah, PLS, Darrah Land Surveying, PLLC to address the Board.

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Mr. Springer stated the property is 15 +/- acres with 600 +/- feet of road frontage. He is proposing to subdivide this parcel into 3 lots each having 5 acres and each lot having 200 feet of road frontage.

Mr. Springer stated he is looking to build three larger colonial homes at this location. Each home will be 2,500 to 3,000 square feet with septic systems on each lot.

Mr. Springer stated they have done some test holes again as well as drainage testing and perc testing. The soils are wonderful. There should not be any questions with the normal septic systems. He will be having his engineer design and certify the septic and drainage plans.

Mr. Springer had an aerial map showing this property as well as the Caruso's property. Mr. Springer explained where he planned to build the houses on each lot. Where he is planning to build the houses does not affect the trees at all and he does not plan to cut any trees down. Mr. Springer stated he will not be putting any covenants in the deeds stating the home owners cannot cut any trees down. Mr. Springer will be having municipal water on each lot.

Mr. Springer stated at the last meeting he was asked to have a meeting with the Caruso's to try to work something out based on a buffer. They could not come to a monetary agreement. Mr. Springer did tell the Caruso's in conversations with them that he would start building on the lot furthest away from them to give them a chance to put their landscaping or buffer. By starting on the furthest lot it will give the Caruso's more opportunity to do something with their property.

Mr. Caruso stated that in conversation with Mr. Spring he did state he would start building on lot three as well as he will build as far away from the lot line on lot one as feasible. They did ask him about the conveyance. The Caruso's still have concerns about the drainage and the septic's. Mr. Caruso stated it has been very dry this year but in the past this area has been very marshy. There is vegetation and wet lands status in some parts, and they were told there are invasive species which are predominantly seen in wet areas

Ms. Darrah stated part of the survey is going to the DEC website for wetlands. There were not any wetlands noted on this property.

Mr. Caruso responded that they have talked to an Environmental Engineer and ask him to look at some photographs they had. The engineer said that there are some areas that are wet.

Mr. Caruso questioned if the septic system had to be engineered stamped.

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Mr. Cortese stated NYS states “generally” all new septic systems have to be engineered stamped. That being said, if the applicant brings in test results showing that everything looks like it is a simple conventional system, the code enforcement officer would sign off on. If there were any questions how he felt about the testing or soils he would want to get an engineer involved. Some municipalities say you have to have an engineer involved.

Mr. Cortese stated he is not sure how Washington County Code Enforcement does it.

Mr. Springer stated he will have his engineer do everything for the septic systems. The engineer will be there through the whole process.

Mrs. Caruso stated they appreciate the fact the Board and Mr. Springer listened to their concerns.

Nelson Chase, Kingsbury Fire Chief, questioned if there would be another fire hydrant located near this subdivision.

Mr. Springer stated Jim Chase, Kingsbury Highway Water Superintendent has not said anything about it. He will check with Jim Chase and if one is needed he will have it put in.

Chairman Dingman closed the Public Hearing.

The Board then reviewed the proposed Resolution.

Resolution No. 1 of September 21, 2016

SITE PLAN REVIEW – R2M HOLDINGS, LLC, authorized representative of Tax Map # 137.-1-69.11 commonly known as Casey Road, Town of Kingsbury, is seeking subdivision approval for a three (3) lot minor subdivision at this location. This action requires Planning Board approval pursuant to Section 240-3 of the Code of the Town of Kingsbury.

ON A MOTION BY JUSTIN FEHL, seconded by TODD MURPHY based on all of the evidence and materials submitted by the Applicant and the representations made at the meeting, the Application is hereby approved subject to the following conditions:

- (1) The proposed lots and residential dwellings shall be served by municipal water.

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- (2) The proposed residential structures as they may be located on the site, must comply with all of the setback distances, separation requirements, and all other regulations of the Town of Kingsbury, Washington County and the NYS Building Codes.
- (3) The septic systems for the proposed lots shall be designed by a licensed engineer based upon soil conditions present.

AYES: 5

NAYES: 0

ABSENT: 2

ON A MOTION BY MR. LASARSO, seconded by Mrs. LaRose all in favor, the meeting was adjourned at 7:30 P.M.

Michelle Radliff
Secretary