

PRESENT: David Stringfellow Chairman
 Paul Ziarnowski Vice Chairman
 Jennifer Lucachik Secretary
 Dave Bowen
 Mitch Martin
 Mary Ann Rood
 Elizabeth Schutt

ABSENT: Jim Liegl
 Jay Boardway Town Board Liaison
 Michael Kobiolka Town Attorney

ALSO Thelma Faulring Secretary to the Boards and committees
 PRESENT: Bill Solak Applicant – Quaker Estates II – Duplex on Brown Hill Road
 Sandra Quinlan Town resident
 Shane Quinlan Town resident

Chairman Stringfellow called the meeting to order at 7:31 PM. and asked if there were any additions or corrections to the draft minutes of February 9, 2016.

Mr. Stringfellow had corrections that did not have any effect on motions; with these corrections Mr. Bowen made a motion to accept the minutes, seconded by Dr. Ziarnowski and carried.

CORRESPONDENCE

Secretary Faulring reported:

- Town Clerk letter dated February 18, 2016 to Elizabeth Schutt advising of her appointment as an Alternate member; term expiration December 31, 2018

In folders this evening:

- NYPF Conference registration for Conference April 17 – 19, 2016 at the Gideon Putnam in Saratoga Springs
 - o Please return registration form as quickly as possible so that your request can to put on Town Board agenda for approval
 - o No advance payment is necessary
 - o Please make your own hotel reservation
- Updated copy of Boards and Committees Directory, those served by Secretary Faulring

At point correspondence:

- Town Engineer Hannon’s review for Brown Hill Road duplex

SITE PLAN REVIEW – Duplex on Brown Hill Road

Mr. Stringfellow: We tabled this last time because looking at the plot it appeared that some lots had already parceled from this lot and we wanted to be sure that it was not exceeding the limit of a total of five lots that requires subdivision.. Mr. Ziarnowski?

Dr. Ziarnowski distributed a section of the tax map displaying this and surrounding parcels of property, most of the following discussion was referring to and pointing to the tax map and survey supplied by Quaker Estates, Dr. Ziarnowski went on to explain:

The question was how did this property get to way the property was; and I went to the assessor’s office and there’s a little bit of discrepancy of what we have on this and what actually she has on record. She has no idea that these two places were Quaker Estates and the Emerling Family LLC are now separated, still has it as one continuous hook of land. The other thing is that on here it looks like starting from the corner of Trevett Road going up Brown Hill the Schictel’s Nursery property there’s actually a parcel of this property sold to them to make their property line a little straighter and then you have the town hall building going up the road, Town Boston building, and then the property owned by Bowman; there were actually two pieces of property sold to them to make their – on the left hand side the one that’s 738 feet and then the one that’s kind of an ‘L’ shaped that goes across the top of the property 538 feet and down back to Brown Hill Road at 178 feet.

So here is one piece of property, two pieces of property, three pieces of property and then if you split this you’ve got four, you got five pieces of property that are split off of that original LLC, or off of Quaker Estates.

Mr. Solak: I don’t know that that was split off of Quaker Estates, I don’t.

Dr. Ziarnowski: How did the dividing line come to be 48 acres, is what I’m saying.

Mr. Solak: Because these pieces of property, as far as I know, were there and split off long ago.

Mr. Stringfellow: Do you have dates on those Bill?

Mr. Solak: I don't have dates

Dr. Ziarnowski: What was it split off of though? I guess it doesn't make a difference if it were split off the whole piece of property or if it was split off the smaller piece of property. In other words the whole existing...you gave us a deed from 2014 correct?

Mr. Solak: Yes and that's still in the hands of the lawyer, that's why I got a 'copy' because they have it.

Dr. Ziarnowski: So the whole piece of property before it got separated from Quaker Estates, where did those pieces of property come from then that made these other two pieces complete? What was that split from? You can only split property so many times.

Mr. Solak; I believe this was at one point was part of this as was all of these pieces was part of...

Dr. Ziarnowski: The 48 acres?

Mr. Solak: And I don't know when that got split off; it was years ago.

Dr. Ziarnowski: If it was part of this entire piece of the 100 acres, it's still since there is no time limit on it; it shows separate pieces of property and that was done after 2010 because the assessor had no records before 2010 that she could pull out to show me.

Mr. Solak: I know that these lots up were up here because these people lived here Bowman's lived up here; this was a piece of property that the Town owned,

Dr. Ziarnowski: We're not talking about the existing's we're talking about the pieces that were added to it to make the existing property lines the way they are now. This was existing I'll take you for that, this was existing I'll take you for that but then this had to come from, this came from this property. This came from this property and this came from this property according to the Assessor, so if you add them up you got 1, 2, 3 and then this split between here and here, you've got 5 splits already.

Mr. Solak: Let me understand the splitting process if one individual owns all this property and splits it off, that's one thing, but these were different individuals.

Dr. Ziarnowski: No, we're not even talking about these, we left them out we didn't go back that far Even though this was split twice like 4/100 of an acre, twice, there were merged, there was a split here on this piece of .11 acres. We have what you showed us originally as this big piece of property so now you're showing us this property but off of this property this happened, this happened and this happened. The assessor said this came, this came and this came out of this big hunk of property and then this property was split.

Mr. Solak: So if this individual that has nothing to do with this piece of property bought a piece of this, which is what it looks like happened, so that's considered a subdivision then, that's subdividing this piece of property.

Mr. Stringfellow: If you divide a piece of property into five or more lots you must go through subdivision approval.

Mr. Solak: So that means in the life of this piece of property if that ever happens, is that what you're saying?

Mr. Martin: It's at that point now so you would have to put in a request for it to be subdivided, which there is limit on how many times you can request to be subdivided, but you have to put the request in.

Dr. Ziarnowski: And at this point in time that would be a rubber stamp, basically we'd look at it and we'd say I'm sure of an objection but, that gives the Town Board or Planning Board a say in what you put up on that hillside and how you put it up on the hillside and how close are you to your neighbors and what the drainage effect is to the neighbors and things in that regard. So it's not like sticking it to anybody it's just that that's the rule.

Mr. Solak: So I understand it can I keep this piece?

Dr. Ziarnowski: Absolutely.

Further discussion regarding the division of of property; plans for future development of remaining property.

Dr. Ziarnowski read from Town Engineer Hannon's review: 'further in the minutes of the February 2016 meeting, concern about the potential development of the remaining 47.78 acres of the property was expressed by one or more of the Board members. This is a valid concern for subdivision review, site plan review and from an environmental review standpoint SEQR should not be circumvented by segmentation. If the applicant has further development plans, they should be revealed so that the project can be evaluated as a whole. Site plans should not be submitted and approved piecemeal over time for the purposes of staying below environmental thresholds that would mandate stricter regulation if the plan was initially submitted and evaluated as a final completed project.' So I guess what he's saying is what we were talking about, David correct me if I'm wrong but this project now would be the trigger point that would say you've got to have an overall plan for the property.

Mr. Stringfellow: It certainly looks that way. One more point that I want to bring up is the deed that you provided to us starts here, goes to here and all the way around and back to here. It's 100 acres not 48. The deed is an attachment, I did go through it and that's where it came out. It was a transfer from Emerling Family LLC to Quaker Estates II LLC both of which to the best of our knowledge is Roy Emerling..

More discussion followed regarding the splits.

Mr. Solak: That's why this is a copy the lawyers had to work on this because they were piecing this off; part of this had been sold just recently and that's why it's only this portion that we were talking about putting the duplex on, because part of it had gotten sold off.

More discussion continued regarding subdivision of any portion.

Mr. Solak: At this point I will have to go. back and review this process here, because I'm not familiar with...

Mr. Martin: We're not objecting to what you're proposing, we just to do it right and think about the future.

Mr. Stringfellow: I'm thinking it's time to table this again unless there is something else you want to bring up.

Mr. Solak: No not until I find out what happened here.

Mr. Martin: If we table it a second time, you can only table something twice, so then he would have to come back the next time; so maybe it should be withdrawn at this time. With Roberts' Rules of Order if we table it a second time action must be taken on I the next time we meet and if that means turning it down, it would be better for him to withdraw.

Mr. Stringfellow: Would you like to withdraw it at this time?

Mr. Solak: I can resubmit it correct?

Mr. Martin; Yes, that would be the best way to do it.

Mr. Solak thanked the Board Secretary and Board members for all the assistance and information that has been given to him the past couple of weeks.

A lengthy discussion followed following the withdrawal of the application.

PLANNING BOARD SCHEDULE FOR NEW APPLICATIONS

Mr. Stringfellow distributed his suggested changes to the members for review before the next meeting.

Mr. Stringfellow: I would like to have Sarah look at everything and determine that everything required is there, is complete before we look at it. I think that should work.

Board members asked for a brief report from Sarah advising of the project being reviewed.

LIAISON – COUNCILMAN BOARDWAY

Mr. Stringfellow: Our Liaison is not here this evening. Did he leave any report?

Secretary Faulring: No.

TOWN ATTORNEY KOBIOŁKA

Mr. Stringfellow: Our attorney is not here this evening. Did he leave anything?

Secretary Faulring: No sir.

Mr. Stringfellow: I will recommend that we refer the following to the Town Attorney for his review and recommendations:

- How far back in time do we go in determining when the subdivision of land began
- Time limits/constraints of new construction in a subdivision

ADJOURNMENT BY MOTION

Mr. Stringfellow asked if there were any further business for this evening. Being none Dr. Ziarnowski made the motion to adjourn (8:12 PM) seconded by Mrs. Schutt and carried.

Respectfully submitted,

Thelma Faulring
Secretary to the Boards and Committees