

Town of Nassau Planning Board

Minutes

1/12/2021

The Town of Nassau Planning Board meeting was held remotely via ZOOM by order of the Town Supervisor and the Governor of New York State due to the COVID 19 Pandemic.

I. Call to order.

The meeting was called to order by Fran Hamblin, Deputy Chair at 7:10 pm. Members present: Charles Sullivan, Jamie Margelot, Bill Rice, Vanessa Beuschel, Joe Catalano, town attorney and Barbara Sears, Planning Board clerk. Members of the public, Mr. McKeough, Mr. Ashline and Mr. VanDeloo and Terry Nord.

II. New Business

Boundary Line Adjustment Application submitted by Frederick J. Metzger, P.L.S., PO Box 237, Latham, NY 12210 for property located at 80 Slivko Road, Nassau, NY (Tax Map #180.00-4-37.2) owned by James W. & Mary FB Truss, PO Box 22, E. Schodack, NY 12063. The boundary line adjustment is for additional lands for a buffer if the Truss's decided to sell remaining property. The receiving parcel owner are Vincent A., Jr. and Christine JB Fedorowicz at 80 Slivko Road, Nassau, NY 12123.

Mr. Metzger. Land surveyor is representing the applicant and gave details on the application. The Truss family wish to adjust the boundary line and add additional acreage to the Fedorowicz property. No new lots will be created, and the reshaped lots will comply with the size and setback requirements.

Mr. Hamblin asked if anyone on the Board had any questions or concerns about this application?

Mr. Catalano: Since this is a Type II SEQRA action, no review is necessary.

A motion by Fran Hamblin and seconded by Bill Rice to accept the Boundary Line Adjustment application and plat as complete.

Poll Vote

Mr. Hamblin	yes
Mr. Sullivan	yes
Mr. Rice	yes
Mr. Margelot	yes
Ms. Beuschel	yes

Mr. Hamblin will go to Town Hall Thursday afternoon and sign the maps. Mr. Metzger will call Town Hall to set up a time to pick up the completed/signed plats.

III. Old Business

Continuation of Public Hearing for a subdivision application submitted by American Land and Lakes, 5206 Paylor Lane, Sarasota, FL 34240 for property located at Totem Loldge Road, Nassau, NY for a 11.78- acre parcel to be subdivided into three lots (Parcel #1-4.10 acres, Parcel #2-5.00 acres and Parcel #3-2.68 acres. (Tax map #170.-3-1.30).

Michael Groff, INsite Northeast. Updated the Board. Mr. Groff noted that the applicant agrees with the Town's engineering consultant's comments and so, submitted revised plans reflecting changes that the Town's consulting engineer wanted. There will be no further subdivision. We included the Planning Board stamp on the map. Mr. Bonesteel addressed the comments from the Board in reference to the projects across the street. He also provided a letter showing the sewer connection would be over ½ mile away and that this property is not in the sewer district, and that we are too far away from the lake. There will be no dredging into the lake.

Mr. McKeough – These three properties do not have riparian rights to the lake.

Mr. Groff – The properties do not have lake frontage and do not have any rights to the lake. This is a total separate application from 2006-2007.

Mr. McKeough –The remaining lands from 2006-2007 were noted by the SEQR that all the residential lots had to be more than 5 acres.

Mr. Hamblin – This was never a part of the 2006-2007 subdivision. Two acres for the Fire Department and 11 acres were owner retained.

Mr. Sullivan – Are the 3 parcels south of Totem Lodge Road? And the other 18 lots were subdivided years ago.

Mr. McKeough – We are now talking about one 11-acre lot being subdivided into 3 lots.

Mr. Sullivan – That property was reserved or taken out of the application before the Board in 2006.

Mr. Catalano – At the Planning Board's November or December 2020 meeting there was a discussion about that property – it was removed from the application. 2006 was the 18 lots north of Totem Lodge Road.

Mr. Catalano – If we have to review any new subdivision – in the past it would be essentially to stop all further development in the new subdivision.

Mr. Sullivan – How far is this property from the sewer district line?

Mr. Catalano - The sewer line would have to be extended since they are beyond the sewer district boundary. This is beyond the Planning Board's job.

Mr. McKeough – Are there other avenues for the sewer district other than the septic system?

Mr. Groff – The plans for the septic system are now with the Rensselaer County Health Department for review. Mr. Bonesteel should be satisfied.

Mr. Catalano – Mr. Wayne Bonesteel was retained by the Town of Nassau for engineering counsel.

Mr. Catalano – Has the septic system design been reviewed? A cursory review has been done and the final review is with the County Health Department.

Mr. McKeough – The information on the drawing that explains the construction of the septic – we are concerned about the steep slope.

Mr. Groff – this is a non-realty subdivision.

Mr. McKeough – We feel it is very difficult to install a sewer system on those lots.

Mr. Groff – The septic system is under review with the County.

Mr. Catalano – Are there any further comments?

Mr. Sullivan – We have another email from Mr. Vandeloo.

Mr. Vandeloo – While reviewing the application which refers to the previous subdivision. Note on the subdivision - No further subdivisions.

Mr. Catalano – It is a bit confusing! The 3 lots before us are Parcel C on the original map – remaining lands of Gold. Restriction on the lots from the subdivision from 2006 which does not apply to Parcel C.

Mr. Vandeloo – On the subdivision map in the right hand corner – lots A, B and C are listed.

Mr. Catalano - The Board does not want this parcel to be further subdivided.

Mr. Vandeloo – Subdivision is permissible – no smaller than 5 acres.

Terry Nord – 68 Helenwood Lane, Averill Park, NY – Lot and parcel is a very fine line. Is the Planning Board going to consider until we can look into if the sewer district might handle the new subdivision properties? Can the Planning Board allow time for that?

Mr. Catalano – Your comment is noted.

Mr. Sullivan – Planning Board may delay – and approve independent from the subdivision.

Mr. Catalano – Agrees with Mr. Sullivan.

Ms. Nord – The environmental studies, 5 acre lots, be opposed to the subdivision and look into extending the sewer district?

Mr. Sullivan – This is not in the Planning Board jurisdiction.

Ms. Nord – We should talk to the Town Board about that?

Mr. Groff – Concern about erosion? We have been working with the developer on this problem.

Mr. Bonesteel – Measures have been put into place and DEC is aware of those actions.

Mr. Paul Ashline, 2 Andrews Way, Averill Park, NY – I am not talking about 18 lots, why when we spent time and money, wasn't that included?

Mr. Catalano – Good Question. The Town Board developed the sewer system – because of concerns from the Burden Lake citizens. Contact the Town Clerk, comment in writing or be on a Zoom meeting to comment.

Ms. Nord – How long does the Planning Board take to make a decision?

Mr. Catalano- Not tonight. Planning Board sends report to the County Planning Department and has 60 days for their review and final decision.

Mr. Vandelloo – Process? Proximity to the County Highway and town road.

Mr. Catalano - County has 30 days to respond. Planning Board does not have to follow County – but has to consider their recommendation.

Mr. Sullivan to Mr. Catalano – Waiting for confirmation from SHIPO re archeologic connection.

Mr. Bonesteel – once we receive the official letter from SHIPO we can continue and file for a county driveway permit.

A motion was made to close the public hearing by Fran Hamblin and seconded by Charles Sullivan. All were in favor.

Poll Vote

Mr. Hamblin	yes
Mr. Margelot	yes
Mr. Rice	yes
Mr. Beuschel	yes
Mr. Sullivan	yes

Mr. Catalano will file a referral to the County Planning Department this week.

Mr. Sullivan – in the event we approve the three lots-the documents should simply be a plat indicating each subdivision lot. Because I still have a concern that we are approving engineering beyond our capability.

Mr. Catalano – It is a matter of how the applicant is planning on filing with the County.

Mr. Groff - We will be happy to do what the Planning Board decides.

Mr. Catalano – Conditions of any Planning Board approval – so they can be duly endorsed by the County Clerk's office.

Mr. Groff – Subdivision plat, with the County, counts the sheets and they get filed. SHIPO letter as soon as you receive it?

Mr. Sullivan – use bar scale from the plats we get from applicants. A Bar Scale is one inch equals 50 feet – usually on the bottom of the map.

Mr. Catalano – Will speak to the surveyor to be sure he knows.

Mr. Rice – His office does that!

Mr. Sullivan - Effectively immediately, a person submitting the original paper copy, plat or other document to the Town of Nassau Planning Board must also submit an electronic copy of each document in pdf format.

Adjourn –

A motion was made by Fran Hamblin and seconded by Bill Rice to adjourn the meeting at 8:30 pm. All in favor.

Draft minutes prepared by Barbara Sears, clerk, Planning Board