

PLANNING BOARD MINUTES
CANAAN, NY 12029

DECEMBER 19, 2016

The meeting was called to order at 7:04pm. All Board members were present.

Proposed Subdivision for Philip & Bernice Baselice and Harold & Lucy Latting at 25 Queechy Lake Drive

Dan Russell, surveyor presented the application. He stated this is a 3 acre parcel on Queechy Lake which was created in the 1970's. It was purchased by the current owners (all 4 people) in the 1990's. According to Mr. Russell, they no longer like each other at all and want to dissolve their joint ownership. They went to court to settle this and this proposed subdivision is the result. The 3 acres is proposed to be subdivided into 1.96 acres and 1.04 acres. It is located in an RA-2 zone.

Pierre said this cannot be subdivided as requested due to numerous issues:

1. This zone needs 2 acres minimum per parcel.
2. To subdivide, it must have 1 house on each parcel so this does not meet zoning requirements.
3. The easement is only 25 feet wide and 60 feet is required
4. The driveway ends at the Goldberg (abutting neighbor) ROW. That ROW would have to be extended to parcel 2, would need to be at least 25 feet wide and end in a cul-de-sac.
5. This subdivision will not meet setback requirements.

Pierre said the Planning Board cannot approve and if the applicants want to go further with this, it would have to go to the ZBA.

MOTION TO DENY THE SUBDIVISION DUE TO ACERAGE, DENSITY AND THE PUBLIC WAY (supported separately in a written document by the Chairman)- Pierre

Gontier Second- Mark De Sanctis All in Favor

Roll call Chairman Pierre Gontier-yes

Jens Braun-yes

Marlene Tuczinski-yes

Chad Lindberg-yes

adopted

Jeff Sotek-yes

Mark De Sanctis-yes

David Birch-yes

Pierre will write up a denial letter and get it to the ZBA. Pierre stated that since the

driveway will be over 500 feet, it must have a pull off for emergency vehicles (every 500 feet) and it must be 12 feet wide. Pierre said he does not see how it could be approved at all, even with a variance from the ZBA, due to safety reasons. There is no exit. He said it must meet current zoning and it cannot on many issues.

Pierre will email the denial to Mr. Russell. Mr. Russell will have to contact the ZBA. The Clerk advised Mr. Russell that the ZBA should be on 12/27/16, if there is one.

Review & approval of the August 15, 2016 minutes

This had been tabled since David wanted wording that had not been said. The Clerk relistened to the tapes and wrote a transcript of David’s portion (his words) of the tapes. The wording David wants does not match the tapes. The Clerk advised the Board there were a few options:

- 1. Approve as written
- 2. Approve with amendments
- 3. Approve David’s wording even though it does not match the tapes. If this is done, the Clerk advised she must add a statement to the minutes that the approval does not match the tapes.

MOTION TO APPROVE THE AUGUST MINUTES WITH DAVID’S INSERTION EVEN THOUGH IT DOES NOT MATCH THE TAPES- Pierre Gontier

Second- Jens Braun

Roll call Chairman Pierre Gontier-yes

Jens Braun-yes	
Marlene Tuczinski-abstain	absent on 8/15
Chad Lindberg-abstain	absent on 8/15
Jeff Sotek-yes	
Mark De Sanctis-yes	
David Birch-yes	adopted

Review & Approval of the 10/17 minutes

MOTION TO APPROVE AS WRITTEN- Pierre Gontier

Second- David Birch

Roll call Chairman Pierre Gontier-yes

Jens Braun-yes
Marlene Tuczinski-yes

Chad Lindberg-yes
 Jeff Sotek-abstain absent on 10/17
 Mark De Sanctis-yes
 David Birch-yes adopted

Additional business

MOTION TO RECOMMEND PIERRE GONTIER AS CHAIRMAN FOR 2017- David
 Birch Second- Chad Lindberg

Roll call Chairman Pierre Gontier-abstain
 Jens Braun-yes
 Marlene Tuczinski-yes
 Chad Lindberg-yes adopted
 Jeff Sotek-yes
 Mark De Sanctis-yes
 David Birch-yes

MOTION TO REAPPOINT JEFF SOTEK FOR A FULL TERM EXPIRING 12/31/23-
 Pierre Gontier Second- David Birch

Roll call Chairman Pierre Gontier-yes
 Jens Braun-yes
 Marlene Tuczinski-yes
 Chad Lindberg-yes adopted
 Jeff Sotek-abstain
 Mark De Sanctis-yes
 David Birch-yes

MOTION TO REAPPOINT TAMMY FLAHERTY AS CLERK- Pierre Gontier
 Second- Mark De Sanctis All in Favor

Roll call Chairman Pierre Gontier-yes
 Jens Braun-yes
 Marlene Tuczinski-yes
 Chad Lindberg-yes adopted
 Jeff Sotek-yes
 Mark De Sanctis-yes
 David Birch-yes

General Discussion on subdivisions

Chad thinks the Baseline/Letting proposed subdivision is very interesting. It is a good educational tool for the Board. The Public feels they can do whatever they want and they do not understand that grandfathering pertains until a change is made. Then the current zoning is in effect.

Mark asked Pierre if he envisioned ZBA approval. Pierre said no. He said if the ZBA sends it back, he will not change his view on this and it should not be approved. Chad said if they approve a variance, you might as well throw out the Zoning Laws.

No more discussion or business.

MOTION TO ADJOURN- David Birch

Second- Jens Braun

All in Favor

Adjourned at 7:55pm.

Respectfully submitted,

Tammy C. Flaherty
Planning Board Clerk