

PLANNING BOARD MEETING  
CANAAN, NY 12029

OCTOBER 16, 2017

The meeting was called to order at 7:00pm. David Birch and Jeff Sotek were absent. Marlene Tuczinski arrived after the first application was approved.

Exempt Subdivision for Jon Harty at 13191 Route 22

Mr. Harty was in attendance. There were 3 outstanding items from previous meetings:

1. Need to reverse the number on each parcel to match the maintenance agreement.  
**okay**
2. Need to take the word approximate off of the map where the location of the septic field is.  
**okay**
3. Need to show 3 emergency pull offs on the driveway/R.O.W. **okay**

The Board had no more issues with this application.

MOTION TO APPROVE THE PLAN AS PRESENTED-Chad Lindberg

Second- Pierre Gontier All in Favor

Roll call Chairman Pierre Gontier-yes  
Jens Braun-yes  
Chad Lindberg-yes adopted  
Mark DeSanctis-yes

Pierre told Mr. Harty that he must file the maintenance agreement with the County when he files the approved maps.

Mr. Harty did not bring a check with him for the approval fee ( \$50.00). He will bring the money to the Clerk on Wednesday and then receive his maps.

Exempt Subdivision for David Patzwahl for property on Queechy Lake Drive

David Patzwahl said he and Brian Lassow bought a piece of land from Baselice and Latting. This property is behind the former Pyrenees restaurant. This property was previously reviewed by the Planning Board and was denied for approval for many reasons including a very narrow driveway.

There are 2 houses on the property, each with a well, septic and leach field. There is

narrow access from Route 30. Mr. Patzwahl said the R.O.W goes thru the land and comes out on Whittings Pond Road ( near Jack Leal’s house). It is only 8 feet wide off of Queechy Lake Drive and about 42.9 feet wide at Whittings Pond Rd. It is only 1.94 acres for the whole parcel. Mr. Patzwahl said there are actually 3 houses on site. He would like this to be grandfathered since the creation of this lot predates zoning. Pierre said if there is a subdivision, it would loose grandfathering.

Pierre also said he had looked at the property in the past and the travel lane is narrow. Pierre has spoken to the Town Attorney about this. The application has to be denied because if divided it would create non-conforming lots. The Planning Board cannot create non-conforming lots. It must be sent to the ZBA for variances ( both density and set backs).

MOTION TO DENY THE APPLICATION SINCE IT CANNOT MEET THE DENSITY OR SETBACK REQUIREMENTS-Pierre Gontier Second-Jens Braun

Roll call Chairman Pierre Gontier-yes  
Marlene Tuczinski-yes  
Jens Braun-yes  
Chad Lindberg-yes adopted  
Mark DeSanctis-yes

Mr. Patzwahl asked if he should have maps updated by Clark Engineering before he goes to the ZBA? The Board said to ask the ZBA this question.

Mark asked if the septic systems are registered with the County and should this Board say they want to look at that even though they are not approving? Pierre said all aspects of the septic system must be shown on the map and yes this Board has to look at that.

Mr. Patzwahl clarified that he must go the ZBA for a variance (s) and then come back to the Planning Board for subdivision approval. The answer was yes. Chad said there could be more items the Board might find as outstanding when new maps are presented.

Additional business

1. Mark said he saw a piece of property on Route 295 ( next to J. Bell) that looks like they are transferring the property into something permanent by having an RV there all the time. There is no house on site. He asked if the Board was aware of this and what can be done.

Pierre said there was a similar thing on Peaceful Valley Rd. with a camper. Pierre will look at it, speak to the ZEO and Town Attorney. Marlene said a complaint should be field with

the ZEO and this Board should not be involved.

2. Monolith Solar- Pierre advised the Board that Mr. Peterson said he would be at this meeting and at the last minute he sent an email to the Clerk stating he would not be here. Mr. Peterson did send in the electrical plans which are now certified ( these are okay). The landscaping plans ( 2 versions) have still not been submitted. Mr. Peterson sent in an aerial view as the landscaping plan. That is not acceptable. The Board had asked for a description to include the layout and type and number of plantings. Mr. Peterson had offered to do an elevation plan and the Board said yes to submit that.

Mark said he has several problems with the whole application and feels this will be a test subject for anyone who wants an array in the frontyard. Pierre said all applications are looked at individually. Mark said he still feels this will be a test case. Pierre said what is shown currently in an aerial view and established must be maintained. Pierre also stated that if this was any closer to the road, he would immediately say no on approval.

3. Pierre advised the Board that there are problems with continuing applications because they do not meet the deadlines nor submit outstanding paperwork. This had caused problems with not getting the information to the newspaper on time for the Public Notice. To eliminate this, from now on **all** applications ( including continuing ones) must notify the Clerk at least 10 days in advance if they want to be on that month's agenda.

Review and Approval of the September 18<sup>th</sup> minutes

MOTION TO APPROVE AS WRITTEN- Jens Braun      Second-Mark DeSanctis      All in Favor

Roll call      Chairman Pierre Gontier-yes  
    Marlene Tuczinski-yes  
    Jens Braun-yes  
    Chad Lindberg-yes    adopted  
    Mark DeSanctis-yes

There was no more business before the Board.

MOTION TO ADJOURN- Pierre Gontier      Second- Mark DeSanctis      All in Favor

Adjourned at 7:45pm.

Respectfully submitted,

Tammy C. Flaherty  
 Planning Board Clerk