

TOWN OF LAKE LUZERNE
PLANNING BOARD MEETING
MAY 21, 2008

MEETING WAS CALLED TO ORDER AT 7:00PM BY RICHARD DASHNAW,
CHAIRMAN.

MEMBERS PRESENT: RICHARD DASHNAW, JACK FAZIO, KATHLEEN
MCFARLANE, JOHN KURIMSKI AND WILLIAM EDDY. ALSO PRESENT: ZEO
SAHEIM AND LEGAL COUNSEL RUSSEL THARP.

A MOTION TO APPROVE MINUTES OF THE MARCH 19TH MEETING WAS
MADE BY EDDY, SECONDED BY MCFARLANE. ROLL CALL VOTE:
KURIMSKI, AYE, FAZIO, AYE, MCFARLANE, AYE, EDDY, AYE AND
DASHNAW, AYE.

AGENDA:

STEPHEN & JOAN DOWD
2 LOT SUBDIVISION RT ZONE
PARCEL # 318.1.53.5
LOCATION: 1753 CALL STREET

SECOND TIME IN FRONT OF THIS BOARD. PERK TESTS ARE DONE AND
INDICATED ON MAP. NOT IN APA AND MEETS ALL REQUIREMENTS,
DAUGHTER TO BUILD HOME IN THE BACK.

A MOTION TO APPROVE FINAL PLAT WAS MADE BY EDDY, SECONDED BY
FAZIO. ROLL CALL VOTE: KURIMSKI, AYE, FAZIO, AYE, MCFARLANE, AYE,
EDDY, AYE AND DASHNAW, AYE.

BRENDA BARROWS – REPRESENTATIVE DAVID BARRAS
2 LOT SUBDIVISION
PARCEL # 318.1-43.3
LOCATION: 71 DANIELS ROAD

APPLICANT WISHES TO SUBDIVIDE INTO TWO LOTS, ONE BEING ONE PLUS
ACRES AND OTHER TO BE 8 ACRES WHICH WILL INCLUDE THE EXISTING
HOME. APPLICANT WISHES TO BUILD ON THE SMALLER LOT AND CONVEY
HOUSE AND 8 ACRES TO DAUGHTER.

A MOTION TO APPROVE THE APPLICATION AS PRESENTED WAS MADE BY
MCFARLANE, SECONDED BY KURIMSKI. ROLL CALL VOTE: KURIMSKI,
AYE, MCFARLANE, AYE, FAZIO, AYE, EDDY, AYE, DASHNAW, AYE.

A MOTION TO CLASSIFY AS A MAJOR SUBDIVISION WAS MADE BY FAZIO, SECONDED BY EDDY. ROLL CALL VOTE: KURIMSKI, AYE, MCFARLANE, AYE, FAZIO, AYE, EDDY, AYE, DASHNAW, AYE.

A SHORT ENVIRONMENTAL ASSESSMENT FORM WAS PRESENTED. THE SHORT FORM CAN BE USED.

SEQR IS NON JURISDICTIONAL .

A MOTION TO ACCEPT THE SHORT FORM WAS MADE BY MCFARLANE, SECONDED BY FAZIO. ROLL CALL VOTE: KURIMSKI, AYE, MCFARLANE, AYE, FAZIO, AYE, EDDY, AYE, DASHNAW, AYE.

A MOTION TO ACCEPT THE SKETCH PLAN AS PRESENTED WAS MADE BY FAZIO, SECONDED BY MCFARLANE. ROLL CALL VOTE: KURIMSKI, AYE, MCFARLANE, AYE, FAZIO, AYE, EDDY, AYE, DASHNAW, AYE.

PUBLIC HEARING TO BE SET FOR JUNE 18TH.

SIEGFRIED BERGER, AGENT GARRY ROBINSON
2 LOT SUBDIVISION
PARCEL # 313.1-68
LOCATION: OFF RALPH ROAD

APPLICANT WISHES TO DO A 2 LOT SUBDIVISION OF A LARGE PARCEL, TEST HOLES AND PERK TEST ARE FINE AND ARE SHOWN ON MAP. PERK TEST ARE 2-4 MINUTES. BOARD QUESTIONS THE WAY THE DRIVEWAYS WERE SET UP. MR. ROBINSON EXPLAINED THAT DUE TO THE SLOPES, THIS IS THE MOST FEASIBLE WAY TO MAP THEM OUT. THE HOUSES WILL BE APPROXIMATELY 150FT BACK FROM THE ROAD. MR. FAZIO IS UNCOMFORTABLE WITH THE DRIVEWAYS IN REGARD TO EMERGENCY VEHICLES.

A MOTION TO ACCEPT THE APPLICATION AS COMPLETE WAS MADE BY MCFARLANE, SECONDED BY KURIMSKI. ROLL CALL VOTE: KURIMSKI, AYE, MCFARLANE, AYE, FAZIO, ABSTAINED, EDDY, AYE, DASHNAW, AYE. MOTION CARRIED.

A MOTION TO CLASSIFY AS SEQR 2, WITH NO FURTHER ACTION TO BE TAKEN WAS MADE BY EDDY, SECONDED BY MCFARLANE. ROLL CALL VOTE: KURIMSKI, AYE, FAZIO, AYE, MCFARLANE, AYE, EDDY, AYE, DASHNAW, AYE. MOTION CARRIED.

A MOTION TO CLASSIFY AS A MINOR SUBDIVISION WAS MADE BY KURIMSKI, SECONDED BY EDDY. ROLL CALL VOTE: KURIMSKI, AYE, MCFARLANE, AYE, FAZIO, AYE, EDDY, AYE, DASHNAW, AYE. MOTION CARRIED.

A MOTION TO ACCEPT THE SKETCH PLAN WAS MADE BY KURIMSKI, SECONDED BY DASHNAW. ROLL CALL VOTE: KURIMSKI, AYE, MCFARLANE, AYE, FAZIO, AYE, EDDY, AYE, DASHNAW, AYE. MOTION CARRIED.

A MOTION TO WAIVE A PUBLIC HEARING WAS MADE BY EDDY, SECONDED BY KURIMSKI. ROLL CALL VOTE: KURIMSKI, AYE, MCFARLANE, AYE, FAZIO, AYE, EDDY, AYE, DASHNAW, AYE. MOTION CARRIED.

A MOTION TO ACCEPT THE FINAL SKETCH WAS MADE BY MCFARLANE, SECONDED BY KURIMSKI. ROLL CALL VOTE: KURIMSKI, AYE, MCFARLANE, AYE, FAZIO, AYE, EDDY, AYE, DASHNAW, AYE. MOTION CARRIED.

PUBLIC HEARING:

DONNA COVELL
CONDITIONAL USE, ROADSIDE RETAILING
PARCEL # 305.8-2-1
LOCATION 74 LAKE AVENUE

PUBLIC HEARING OPENED AT 7:25PM BY CHAIRMAN DASHNAW. APPLICANT WISHES TO OPERATE A PLANT STAND BUSINESS FOR THE SUMMER MONTHS. THERE WERE NO PUBLIC COMMENTS. PUBLIC HEARING CLOSED AT 7:27PM BY CHAIRMAN DASHNAW.

A MOTION TO ACCEPT APPLICATION AS COMPLETE WAS MADE BY MCFARLANE, SECONDED BY FAZIO. ROLL CALL VOTE: KURIMSKI, AYE, MCFARLANE, AYE, FAZIO, AYE, EDDY, AYE, DASHNAW, AYE. MOTION CARRIED.

ZONING OFFICER MADE APPLICANT AWARE THAT THIS APPROVAL IS FOR A TWO MONTH APPROVAL EFFECTIVE IMMEDIATELY.

A MOTION TO GRANT FINAL APPROVAL FOR CONDITIONAL USE WAS MADE BY MCFARLANE, SECONDED BY FAZIO. ROLL CALL VOTE: KURIMSKI, AYE, MCFARLANE, AYE, FAZIO, AYE, EDDY, AYE, DASHNAW, AYE. MOTION CARRIED.

PAUL FREDERICK
2 LOT SUBDIVISION
PARCEL # 317.08-1-54
LOCATION: EAST RIVER DRIVE

APPLICANT WAS GIVEN FINAL APPROVAL AT PREVIOUS MEETING AND HAD 62 DAYS TO FILE MAPS WITH WARREN COUNTY AND MISSED THE DEADLINE. APPLICANT WISHES TO PRESENT A NEW SET OF MAPS AND RECEIVE A NEW APPROVAL DATE AND SIGNATURE.

A MOTION TO RE-APPROVAL MAP WAS MADE BY MCFARLANE, SECONDED BY FAZIO. ROLL CALL VOTE: KURIMSKI, AYE, MCFARLANE, AYE, FAZIO, AYE, EDDY, AYE, DASHNAW, AYE. MOTION CARRIED.

TIM BURKE
USE VARIANCE
PARCEL # 305.12-1-4
LOCATION 871 EAST RIVER DRIVE

APPLICANT IS SEEKING A RECOMMENDATION FROM THE PLANNING BOARD TO THE ZONING BOARD OF APPEALS IN REGARD TO A CABIN PURCHASED THAT WAS ORIGINALLY CONSTRUCTED AS A STORAGE SHED AND SOLD TO APPLICANT AS A LIVABLE CABIN. APPLICANT IS LOOKING FOR ZONING REVERSAL TO "RESIDENTIAL" THAT WILL ALLOW THE CABIN TO BE USED AS A SUMMER CAMP. IF THAT HAPPENS, APPLICANT WILL THEN NEED TO ADDRESS THE SET BACK DEFICIENCIES, SEPTIC, APA, ETC....THE STRUCTURE IS ASSESSED AS A STORAGE BUILDING AT THIS TIME.

A MOTION TO PASS WITHOUT RECOMMENDATION TO ZBA WAS MADE BY FAZIO, SECONDED BY MCFARLANE. ROLL CALL VOTE: KURIMSKI, AYE, MCFARLANE, AYE, FAZIO, AYE, EDDY, AYE, DASHNAW, AYE. MOTION CARRIED.

JAMES & FLORENCE VAUGHAN, AGENT: ETHELANN RITUNO
AREA VARIANCE, LOT WIDTH
PARCEL # 318.1-1-72
LOCATION: 2035 CALL STREET

APPLICANT WISHES TO SUBDIVIDE AND BACK IN 1988 THEY PETITIONED FOR A LOT WIDTH VARIANCE TO PUT TWO BUILDINGS ON ONE LOT AND IT WAS GRANTED. NOW IF THEY SUBDIVIDE, THE TWO LOTS WILL BE DEFICIENT IN LOT WIDTH BUT WILL MEET ALL SETBACKS. APPLICANT IS SEEKING A RECOMMENDATION TO ZBA.

A MOTION TO STAY NEUTRAL WITH NO RECOMMENDATION WAS MADE BY FAZIO, SECONDED BY MCFARLANE. ROLL CALL VOTE: KURIMSKI, AYE, MCFARLANE, AYE, FAZIO, AYE, EDDY, AYE, DASHNAW, AYE. MOTION CARRIED.

HARRIS TRUST, AGENT: ALL POINTS SURVEY JOSEPH FUERST
3 LOT SUBDIVISION
PARCEL # 285.2-56.11
LOCATION: INTERSECTION OF DUNKLEY & POTASH ROADS

THIS SUBDIVISION RECEIVED APPROVAL BACK IN 2003 BUT WAS NEVER FILED. THERE WERE APA ISSUES, GOT BOUNDARY LINE ADJUSTMENT BUT WAS NEVER FILED. APPLICANT IS SEEKING RE-APPROVAL TO CLEAN UP THE PRIOR LOTS, AND HAS RECEIVED SETTLEMENT AGREEMENT FROM APA.

A MOTION TO RE-APPROVE PRIOR MAP TO RE-DATE FOR FILING WAS MADE BY FAZIO, SECONDED BY MCFARLANE. ROLL CALL VOTE: KURIMSKI, AYE, MCFARLANE, AYE, FAZIO, AYE, EDDY, AYE, DASHNAW, AYE. MOTION CARRIED.

A MOTION TO CLASSIFY AS A MAJOR SUBDIVISION WAS MADE BY FAZIO, SECONDED BY EDDY. ROLL CALL VOTE: KURIMSKI, AYE, MCFARLANE, AYE, FAZIO, AYE, EDDY, AYE, DASHNAW, AYE. MOTION CARRIED.

A MOTION TO APPROVE APPLICATION AS COMPLETE WAS MADE BY MCFARLANE, SECONDED BY FAZIO. ROLL CALL VOTE: KURIMSKI, AYE, MCFARLANE, AYE, FAZIO, AYE, EDDY, AYE, DASHNAW, AYE. MOTION CARRIED.

A MOTION TO CLASSIFY AS A SEQR TYPE 2 WAS MADE BY FAZIO, SECONDED BY MCFARLANE. ROLL CALL VOTE: KURIMSKI, AYE, MCFARLANE, AYE, FAZIO, AYE, EDDY, AYE, DASHNAW, AYE. MOTION CARRIED.

A MOTION TO APPROVE SKETCH PLAN AS PRESENTED WAS MADE BY MCFARLANE, SECONDED BY FAZIO. ROLL CALL VOTE: KURIMSKI, AYE, MCFARLANE, AYE, FAZIO, AYE, EDDY, AYE, DASHNAW, AYE. MOTION CARRIED.

PUBLIC HEARING SET FOR JUNE 18, 2008.

CHARLES BENNETT
2 LOT SUBDIVISION
PARCEL # 292.15-1-8
LOCATION: OFF 9N AND MCFARLANE DRIVE

APPLICANT IS BACK FOR FINAL APPROVAL WHICH WAS DELAYED
BECAUSE A MAINTENANCE AGREEMENT WAS NEEDED. EVERYTHING IS
COMPLETE AND ATTORNEY HAS THE AGREEMENT.

A MOTION TO GRANT FINAL APPROVAL WAS MADE BY FAZIO, SECONDED
BY KURIMSKI. ROLL CALL VOTE: KURIMSKI, AYE, MCFARLANE, AYE,
FAZIO, AYE, EDDY, AYE, DASHNAW, AYE. MOTION CARRIED.

CHAIRMAN DASHNAW GAVE THE BOARD INFORMATION ON A TRAINING
TO BE HELD AT THE QUEENSBURY TOWN HALL ON JULY 23RD. ALL BOARD
MEMBERS ARE REQUIRED TO HAVE 4 HOURS OF TRAINING PER YEAR.

A MOTION TO ADJOURN THE MEETING WAS MADE BY FAZIO, SECONDED
BY EDDY. ROLL CALL VOTE: KURIMSKI, AYE, MCFARLANE, AYE, FAZIO,
AYE, EDDY, AYE, DASHNAW, AYE. MOTION CARRIED.

RESPECTFULLY SUBMITTED,

LORRI HOLCOMB
SECRETARY