

Town of Lake Luzerne

Planning Board Minutes

November 29, 2023

After reciting the pledge of allegiance, Chairman John Kurimski called the Planning Board meeting to order at 7:05pm with the following present: Dane Morton, Josh Fisher, Howard Schaffer, Michael Panich, Toni Springer, Barbara Conway, Zoning Enforcement Officer Karen Putney, Deputy Zoning Enforcement Officer Kristopher Kassay, and Town Attorney Mary Kissane. Also present: Matt Huntington, Matt Steves, Thomas Reed, and Justin Grassi.

Chairman Kurimski opened the meeting with the following items on the agenda.

- I. Public Hearing: Major Subdivision Evergreen Estates Revisions
Applicant: SRA Engineers for Evergreen Estates
Location: Off Call Street
Parcel numbers: 318.1-1-81 through 92
Town Zone: Residential Town (RT)
APA Land Use Classification: Not located in Adirondack Park
- II. Public Hearing: Major Subdivision Application 2023SD-1
Applicant: Thomas Reed (represented by Matt Huntington and Matt Steves)
Location: Off Hidden Valley Road
Parcel numbers: 286.-1-18, 286.-1-36
Lot Size(s): 93.30 acres, 2.15 acres
Town Zone: Residential Resort (RE)
APA Land Use Classification: APA Rural Use
- III. Continuation of Review: Minor Subdivision Application 2023SD-2
Applicant: Virginia Mason (represented by Justin Grassi)
Location: 834 Lake Avenue
Parcel number: 285.20-1-46.1
Lot Size: 9.78 acres
Town Zoning: Hamlet Residential (HR)
APA Land Use Classification: APA Moderate Intensity
- IV. Acceptance of minutes
- V. Old/new business

I. Public Hearing: Evergreen Estates Subdivision Revisions

The Planning Board meeting began by acknowledging that the public hearing for the Evergreen Estates Subdivision was still open. There were no new comments or presentations regarding this item as it proceeded with no one present on behalf of Evergreen Estates, nor were there any public comments on Zoom.

II. Public Hearing: Major Subdivision Application 2023SD-1

During the continuation of the public hearing for Thomas Reed's Major Subdivision application, Matt Huntington from Studio A, alongside Matthew Steves of Van Dusen & Steves Land Surveyors, revisited discussions regarding the town taking over the roadway and managing stormwater, which had been previously addressed with the Town Board with some favorability. The representative proposed a reduction of the subdivision roadway width to 24 feet, rather than the 28 feet stated in current subdivision regulations. The Planning Board stressed the necessity of adhering to the 28-foot width specified in subdivision regulations, barring any proven hardship. A decision to waive the regulation was postponed until further counsel could be sought regarding the board's authority to make such waivers and the implications of doing so. The public was reminded that challenges could be raised if a passage was attempted without establishing legitimate hardship.

The stormwater pollution prevention plan and grading plans were submitted for town engineer review, prompting discussion on whether the SEQRA part 2 and 3 could be continued. The Planning Board decided to proceed with SEQRA parts 2 and 3 but indicated additional time was needed for stormwater review.

Chairman Kurimski made a motion to adopt a negative declaration for the SnowGreen Valley subdivision, whereas the SnowGreen Valley subdivision located along Hidden Valley Road in the Town of Lake Luzerne has been classified as a type one action due to the project scope, whereas the Lake Luzerne Planning Board requested lead agency status from involved agencies for the above referenced project. Resolved, having completed part 2 and 3 of the FEAF, Lake Luzerne Planning Board as the lead agency hereby determines that the proposed project will result in no significant adverse impacts on the environment for reasons set forth in part 3 of the FEAF. Roll call vote:

**Panich: Yea
Springer: Yea
Kurimski: Yea
Fisher: Yea
Morton: Yea
Conway: Yea
Schaffer: Yea**

All in favor: 7, Opposed: 0, carried.

After further discussion, the representative inquired about the possibility of shifting to a homeowner's association (HOA) managed roadway, should the need to comply with the town-regulated width become a constraint. The question of whether personal hardships might allow for a narrower road was left to be examined by the town attorney.

There were comments regarding the submitted plans, where an error was noted in the septic layout plan, showing systems falling under the edge of a cul de sac, which was recognized as a 'copy and paste' issue to be rectified.

III. Continuation of Review: Minor Subdivision Application 2023SD-2

The meeting included a review of the application presented by attorney Justin Grassi for a 3-lot subdivision. The proposal included two buildable lots and one non-buildable "beach lot." The beach lot raised questions regarding potential landlocking and access. The applicant agreed to introduce an access easement as a condition of approval. A short-form Environmental Assessment Form (SEAF) was completed, with the board determining that there would be no significant adverse environmental impacts. No public hearing was deemed necessary for this minor subdivision.

Chairman Kurimski made a motion based on the information and analysis above and any supporting documentation that the proposed action for 2023SD-2 will not result in any significant adverse environmental impacts application, seconded by Dane Morton. Roll call vote:

**Panich: Yea
Springer: Yea
Kurimski: Yea
Fisher: Yea
Morton: Yea
Conway: Yea
Schaffer: Yea**

All in favor: 7, Opposed: 0, carried.

Dane Morton made a motion to not require a public hearing for 2023SD-2, seconded by Barbara Conway. Roll call vote:

**Panich: Yea
Springer: Yea
Kurimski: Yea
Fisher: Yea
Morton: Yea
Conway: Yea
Schaffer: Yea**

All in favor: 7, Opposed: 0, carried.

Chairman Kurimski made a motion to approve Subdivision Application 2023SD-2 with a condition that an easement for access to the landlocked beach lot is established, seconded by Dane Morton. Roll call vote:

**Panich: Yea
Springer: Yea
Kurimski: Yea
Fisher: Yea
Morton: Yea
Conway: Yea
Schaffer: Yea**

All in favor: 7, Opposed: 0, carried.

IV. Acceptance of minutes

No new minutes to accept.

V. Old/new business

During the discussion on old/new business, Dane Morton brought up a recent call with the county concerning recreational initiatives. The call focused on enhancing recreational resources and canvassed ideas for future improvements, such as pickleball courts.

Barbara Conway, who is an active player of both tennis and pickleball, advocated for converting existing tennis courts into pickleball courts considering the sport's growing popularity. They suggested that it would be beneficial if the town could facilitate such a transition, potentially aiming for grants or other funding opportunities.

The Board agreed to convey these suggestions to the town board and other relevant parties for consideration and potential action.

Chairman Kurimski made a motion to adjourn the meeting at 8:30pm, seconded by Toni Springer. All voted in favor of adjournment.

Respectfully submitted,
Kristopher Kassay