

Town of Lake Luzerne  
Planning Board Minutes  
March 26, 2025

Chairman John Kurimski called the Planning Board meeting to order at 7:00pm.

Recited the pledge of allegiance.

Roll call was taken.

Members present: Chairman John Kurimski, Barbara Conway, Toni Springer, Francis Martindale, Josh Fisher, Rosalba Torre, Michael Panich, Pamela Petteys (Alternate), Maryellen Allison (Alternate), Zoning Enforcement Officer Karen Putney, Deputy Zoning Enforcement Officer Tucker Collums, and Town Attorney Mary Kissane.

The following items were on the agenda:

- I. Final Plat review for a 4 Lot Subdivision off Call Street for Dustin & Mary Canestorp. This is an existing 2 lots that they want to divide up into 4 lots. It is in the RT (residential Town zone, total acreage of the 2 existing lots is 6.03 acres, and RT requires 1 acre lots with a minimum width of 200 feet.
- II. Continued review for 18 Lot Conservation Subdivision—Sagamore Drive, Lake Tour Road and Milrose Lane, property owned by Luzerne Woods, LLC and Luzerne Estates LLC. Tax map numbers 298.16-3-50.1, 298.16-3-55, 298.20-1-34, 299.13-1-3 through 6. Properties are in the Hamlet Residential Zone and is a proposed Conservation Subdivision.
- III. Acceptance of minutes –February 26, 2025
- IV. Old/new business

**\*Item I—** Final Plat review for a 4 Lot Subdivision off Call Street for Dustin & Mary Canestorp. This is an existing 2 lots that they want to divide up into 4 lots. It is in the RT (residential Town zone, total acreage of the 2 existing lots is 6.03 acres, and RT requires 1 acre lots with a minimum width of 200 feet.

ZEO K. Putney	If anyone needs them. I have full size copies but I need them back. You've got ledger ones there.
Chairman J. Kurimski	This is one where we had to have a Public Hearing because of the road to the... Okay, does anybody have any questions about the Final Plat?
M. Panich	No.
Chairman J. Kurimski	Do we have a need for the Public Hearing? You don't have to have one. It's just if the Planning Board deems it necessary.
T. Springer	Have we got any correspondence about the subdivision from anybody?
ZEO K. Putney	No. Kristin Darrah is here representing the owner.
T. Springer	But from the neighbors or anything like that?
ZEO K. Putney	We've got nothing. We had all... We did that last month and...
Chairman J. Kurimski	Yeah, nobody was here for the Public Hearing either.
T. Springer	I don't think we need a Public Hearing. I mean nobody's questioned it or showed up for anything.
Chairman J. Kurimski	Yeah, this is something that's not mandatory. It's just that it's an option that the Board has to decide whether they want one or not.
M. Panich	Seems unnecessary. Kristin, is your stamp on the Final [Plat] that Karen's got?
ZEO K. Putney	Yes.
M. Panich	Okay.
ZEO K. Putney	And it's written Final Plat on here. She's got everything on here that she needs.
M. Panich	Okay.
T. Springer	Does anybody think we need a Public Hearing?
Chairman J. Kurimski	Any thoughts on Public Hearing?
M. Panich	Doesn't seem necessary. Do we need to.
Chairman J. Kurimski	We only have to have...
ZEO K. Putney	If you feel that these plans are in subsequent agreement with the preliminary plaque that you've already approved, you can waive the Public Hearing.
M. Panich	That's... We need to make the motion to do so.
ZEO K. Putney	Correct.
Town Attorney M. Kissane	You don't need to make a motion for that.
Deputy ZEO T. Collums	Okay
M. Panich	Well, then does this just...
Chairman J. Kurimski	We don't need to make a motion for it?
T. Springer	To wave the Public Hearing?
M. Panich	Is it just then...
Town Attorney M. Kissane	You're not waving it. I mean, it's not necessary. So unless...

Deputy ZEO T. Collums      You're not calling for one.

Town Attorney M. Kissane      You make a motion TO hold a Public Hearing there's no motion to make.

M. Panich made a motion to approve the Final Plat for 2025SD-1. T. Springer seconded the motion.

Roll call vote- all votes Yes, motion carried.

**\*Item II**— Continued review for 18 Lot Conservation Subdivision—Sagamore Drive, Lake Tour Road and Milrose Lane, property owned by Luzerne Woods, LLC and Luzerne Estates LLC. Tax map numbers 298.16-3-50.1, 298.16-3-55, 298.20-1-34, 299.13-1-3 through 6. Properties are in the Hamlet Residential Zone and is a proposed Conservation Subdivision.

M. Roman  
Chairman J. Kurimski

Good evening.

Hi. So, as the Planning Board sees we also have resolutions to approve, deny, or depending on the Planning Board, we could table it till next month if you think we should. At this point, do you have any questions over the resolutions?

ZEO K. Putney

Can I just. I just want to fill everyone in briefly. They are going to be coming, Luzerne Woods subdivision is going to be coming to the Town Board at the Town Board meeting to ask for letters of intention to take over the roads, the water system, and the storm water system. But you can still either approve or deny tonight without that having been done. That's a Town Board approval. It's nothing to do with your approval of this Preliminary Plat. And I did, last meeting, I gave you this DOH form that they were looking to get some information from. I've received that information today from the water. He's not the Water Superintendent, but he works in that department that handles all that. We've gotten those numbers and we passed a Resolution at the Town. The last Town Board meeting for Gene Merlino to sign this form. So that will be complete for them and the SEQRA review is done. It's been put in the bulletin. And all that is left to do is for me to send out a final notice to the parties involved that we declared. That you declared a negative declaration and everything's been satisfied as far as the requirements there. And that has no bearing on your decision tonight either. If you decide to vote.

M. Roman

And just want to add, you know, it's our preference to have the Town take care of the roads and stuff. Everything will be built to Town specifications, and upon completion, everything will be reviewed. If not, then if that falls through, we'll still proceed and just. We'll deal with it internally.

T. Springer

And I think the only thing we asked them to change was the pedestrian path, and I see that's changed on the plans.

Chairman J. Kurimski

Right. That changed on the wordage too I believe.

T. Springer

That's the only thing we asked them.

M. Roman

Pedestrian path and we made it not as wide.

ZEO K. Putney

And the Town Engineer had asked for some of those notes. They weren't complete on the... They were cut off on the original set, and they fixed that, too. So that's...

M. Roman

Correct.

ZEO K. Putney

Corrected.

M. Roman

Yes.

Chairman J. Kurimski	Mary, I have a question. Sure. Once we decide and make a motion, do we need to read into the record? I think we probably do, right? I don't know. You tell me.
Town Attorney M. Kissane	So you can say you can make the motion upon the resolution as written, but because this has been so controversial, my preference would be that you read the entire Resolution, whichever one you pick.
Chairman J. Kurimski	Okay, so should we make a motion about the resolution first and then read it into the record before we vote, or how?
Town Attorney M. Kissane	Yeah, whoever makes a motion I would just say, "I make a motion" and then just read the whole thing.
Chairman J. Kurimski	Okay.
Town Attorney M. Kissane	Sorry, I know that's really irritating, but
Chairman J. Kurimski	I agree.
Town Attorney M. Kissane	[Come] Back here and do this again.
Chairman J. Kurimski	I agree. Yes, just checking. So I've read through this a couple times, actually. I'm looking at the approval. Does anybody have any questions where. As far as the wording or what we talked about at our last meeting, what we actually want them to do by the Final Plat? Because then again, we'll have to... they'll have to come back for the Final Plat. Correct? Any questions about the resolution [the way it's worded]?
T. Springer	I mean, I think we went over everything last meeting, all our pros, cons, in detail and then we wanted to...
Chairman J. Kurimski	Right.
T. Springer	Just think about it. I honestly don't have any additional concerns.
M. Panich	So whoever makes the motion must then read and then prior to getting a second.
Town Attorney M. Kissane	I'm afraid no one will make it.
T. Springer	I'll make the motion with this packet. Mary can read it. The resolution...that is
Chairman J. Kurimski	The approval.
T. Springer	The approval, that is.
M. Panich	All right.
T. Springer	Six pages long.
M. Panich	I will.
Town Attorney M. Kissane	Sorry.
M. Panich	I will.
M. Roman	It's not as bad as the SEQRA.
T. Springer	No
R. Torre	No.
T. Springer	Would you like to or no?
M. Panich	I will make the motion to approve the Preliminary Plat as follows. Do I start at the whereas or do I start from the very, very top?
Town Attorney M. Kissane	The whereas is fine

M. Panich read the proposed resolution:

WHEREAS:

1. The applicants, Luzerne Woods, LLC and Luzerne Estates, LLC, submitted an application for Preliminary Plat approval to the Planning Board for approval of a major subdivision proposing an 18-building lot & 2-road lot subdivision on an approximate 33-acre parcel in the Hamlet Residential District located on Sagamore Drive, Lake Tour Road, and Milrose Lane in the Town of Lake Luzerne, Parcel ID Nos. 298.16-3-50.1, 298.16-3-55, 298.20-1-34, 299.13-1-3, 299.13-1-4, 299.13-1-5, 299.13-1-6.
2. The Preliminary Plat shows 18 proposed single family homes with onsite stormwater management, extension of public water mains, pedestrian paths and individual on-site wastewater treatment systems. 16.67 acres will be conserved through deed restrictions as undevelopable land.
3. This proposal was classified as a Type I Action under the State Environmental Quality Review Act (SEQRA). On October 23, 2024 the Planning Board declared lead agency status and subsequently sent all required notices regarding coordinated review.
4. On November 20, 2024 the Planning Board opened the Public Hearing on the Preliminary Plat, at which all interested persons were heard, and kept the hearing open through the February 26, 2025 Planning Board Meeting.
5. The proposal was referred to the Adirondack Park Agency who responded with a non-jurisdictional letter, as did the Army Corps of Engineers. The Applicant is also working with the New York State Department of Health (DOH) as they will also need approval from the DOH as well as the Town.
6. The Planning Board completed the Full Environmental Assessment Form Parts 2 and 3 on February 26, 2025, and determined that the proposal would result in no significant adverse impacts to the environment, and the NYS DEC Environmental Notice Bulletin published the negative declaration on March 19, 2025. The Public Hearing was closed after the SEQRA Review on February 26th.
7. The applicant has now submitted all materials requested and required by the Planning Board and the Lake Luzerne Subdivision Regulations.

NOW THEREFORE BE IT RESOLVED that upon review and consideration of the above proceedings, the application and Preliminary Plat, all relevant materials submitted, the review by the Town of Lake Luzerne and the Town Engineer, we find as follows:

1. The proposed subdivision is appropriate for the Town of Lake Luzerne community. The Town of Lake Luzerne put together a committee and hired a consultant to create a new comprehensive plan for the Town and one of the major developments of this comprehensive plan was the need for more housing for middle class families in the Town to increase the school district enrollment for the betterment of the community and businesses in Town. The developer has sought a conservation easement instead of putting the maximum number of houses allowed under the Subdivision Regulations which is appropriate for the Lake Luzerne Community. Additionally, the applicant has revised their plans at the request of the Planning Board during the review process to better suit the requirements of the Lake Luzerne Community.
2. The use of the conservation subdivision is the best use of the land being subdivided as it maintains the character of the lands surrounding the Lake and of the community around the subdivision. The use of deed restrictions outlined in the Preliminary Plat will conserve the character in the future as well.
3. The design of the streets in the subdivision meet all Town requirements. The use of the cul-de-sacs are appropriate for the volume of lots that are being developed. Additionally, cul-de-sacs make pedestrian traffic safer without the concern of high volume traffic. The cul-de-sacs and hammerhead designs meet all requirements for fire and safety emergency services.
4. On the Preliminary Plat, the applicant has considered the arrangement, location, and design of the streets. The applicant has designed the most appropriate solution to the existing conditions. Although there has been numerous public comment on concerns about the stormwater, it appears from the actual topography the stormwater will be contained within the subdivision itself. This concern has also been reviewed by the Town Engineer who does not think it will be an issue and whose opinion is accepted by the Planning Board, although the Town Engineer will fully review the final stormwater plan and the applicant shall address any concerns that may be identified through the detailed review as the applicant progresses the permitting process.
5. The location of the Town aquifer, which has been the topic of much public comment has been reviewed by the Town Engineer who has stated that the applicant has gone beyond the Department of Health requirements. DOH mandates that septic systems are at least 200 feet away from well heads. The septic systems in this subdivision are at least 600 feet away. Additionally, there is current development within the 600 foot range without concern. The new subdivision will have septic systems which are designed better and further from the aquifer than these existing septic systems and therefore, the Planning Board does not find these concerns

regarding the distance and location of the Town aquifer to be persuasive.

6. The conservation easement is the best scenario for the Town in terms of lot sizes and arrangements as it achieves the goal of the Town in encouraging more development without the cost of affecting the soul and character of the Town. The Preliminary Plat as designed fits into the overall landscape of the proposed area of the subdivision.

7. The sanitary systems will be self-contained to each lot which is the desire of the Town. Although the water pressure is below the desire of the Department of Health, it is still sufficient to meet the requirements. The Department of Health will ultimately decide whether the water pressure is sufficient which relieves the Planning Board of the duty to decide this issue.

8. The lands around this proposed subdivision are already subdivided and developed therefore future development of adjoining lands not yet subdivided is irrelevant.

9. The waivers being requested by the developer will not impact the character of the development nor will they jeopardize the public health, safety, morals, and general welfare. These waivers have been requested and explained in a letter dated February 24, 2025 from Environmental Design Partnership, LLP attached to this Resolution and have been reviewed and approved by the Town Engineer and the Highway Superintendent. Specifically, the waivers will not impact the character of the development nor will they jeopardize the public health safety morals and general welfare because:

a. The Subdivision Regulations do not allow a road slope of more than 10%. However, Milrose Lane will contain a slope of 12%. This slope was reviewed by Warren County Fire Prevention and Building Code Enforcement, the Town Engineer, the Town Highway Superintendent, and Fire Chief Novotarski who determined that this slope would not affect emergency services and the County would approve this slope.

b. The Subdivision Regulations require a pavement width of 28 feet however the legs of the tee-turnarounds of two roads have a pavement width of 22 feet. 22 feet is sufficient to turn an emergency vehicle and/or tow truck and exceeds the requirements in Appendix D of the NYS Fire Code as stated by Warren County Fire Prevention & Building Code Enforcement.

c. The Subdivision Regulations limit cul-de-sac roads to 800 feet in length, however Milrose Lane has a proposed length of 1,712 feet. This length was reviewed by both Warren County Fire Prevention and Building Code Enforcement and Fire Chief Novotarski who did not find an issue with the road length and the County approved of the extended road length.



d. The Subdivision Regulations require cul-de-sac roads to have a maximum grade within 150 feet of centerline intersections. Road A will have a maximum slope of 3% from the centerline of Milrose Lane. However, Milrose Lane has a slope of 12% at the intersection. This is a three-leg intersection. Vehicles approaching Milrose Lane from Road A will be required to stop. Road B will have a slope of less than 3% for the first 50 feet from the intersection with Lake Tour Road. Vehicles entering Lake Tour Road from Road B will be traveling uphill at slow speeds and any risks of vehicles sliding out into Lake Tour Road is minimal.

e. The Subdivision Regulations limit roadside ditches to no longer than 400 feet. Milrose Lane contains a proposed roadside swale totaling 680 feet. Because of the condition of the soil, swales will allow for infiltration and filtration of stormwater runoff prior to entering downstream stormwater management devices. In steeper areas check dams will be installed in the swales to slow flows, reduce erosion and promote infiltration.

10. The developer will furnish a bond, before the commencement of any construction on the Subdivision, sufficient to cover the complete construction of the subdivision infrastructure including but not limited to the completion of the roads, pedestrian pathways and storm water systems.

BE IT FURTHER RESOLVED that based upon the above findings this Planning Board approves the application for Preliminary Plat approval. The applicant shall comply with required permitting process and address any future Town Engineer comments, if required, prior to Final Plat approval and commencement of construction.

Town Attorney M. Kissane	We can write that in.
M. Panich	Okay. All right. Well, that's the end of it.
ZEO K. Putney	Mike Panich, made a motion. Does anyone second it?
T. Springer	seconded the motion.

Roll call vote – All votes Yes, motion carried.

**\*Item III—** Acceptance of minutes –February 26, 2025

Chairman J. Kurimski made a motion to approve the minutes for the February 26<sup>th</sup> Planning Board Meeting. F. Martindale seconded the motion.

All voted in favor, motion carried.

**\* Item IV—** Old/ New Business

Chairman J. Kurimski	Okay, old or new business before anybody has any, Karen has something to say about the emails.
ZEO K. Putney	Did everyone get your email notice? Pam did not get it. The notices for the meeting and all of the materials, did everyone else receive?
Multiple Members	Yes.
ZEO K. Putney	Okay, so I'll check again Pam... And the only other thing that I have is I was. The Office received notice this week from Eric Sandblom on that Evergreen Estate subdivision that we worked on over on Call Street. They have DOH approval. So they will be coming back probably I'm thinking next month for Final Plat review and approval. So just so that you're aware of that.
Chairman J. Kurimski	I had a question about that. This was one that was approved years ago, correct?
ZEO K. Putney	Correct.
Chairman J. Kurimski	So it still needs a Final Plat approval?
ZEO K. Putney	Well, they modified the road.
Deputy ZEO T. Collums	Yeah, they had to scale it back a little bit just because of the...
ZEO K. Putney	Wetlands.
Deputy ZEO T. Collums	They're outside of the APA and since DEC has upped their regulations, they had...to scale it back because of the new...
Chairman J. Kurimski	Okay.
Deputy ZEO T. Collums	The new modification.
ZEO K. Putney	Wetlands.
Deputy ZEO T. Collums	Yeah.
Chairman J. Kurimski	They're still going with the 28ft though, correct?
ZEO K. Putney	Yep, as far as I know. I haven't gotten the final set, but as far as I know, yes.
Chairman J. Kurimski	Okay.
ZEO K. Putney	And they're still looking for the Town to take over the road and storm water there as well.
Chairman J. Kurimski	So I know the first Public Hearing that we had open for a long time, nobody. Nobody ever came.
ZEO K. Putney	Yeah.
Chairman J. Kurimski	But. Okay.
ZEO K. Putney	I will. I have that. I will get to. I don't know. Rosalba, did you read... that's been in the works. Not in the works for about a year.

R. Torre  
ZEO K. Putney

M. Panich  
ZEO K. Putney  
Chairman J. Kurimski  
T. Springer  
Chairman J. Kurimski  
T. Springer  
Town Attorney M. Kissane  
Chairman J. Kurimski  
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Chairman J. Kurimski  
M. Panich  
Town Attorney M. Kissane  
M. Panich  
Chairman J. Kurimski  
ZEO K. Putney

Multiple  
M. Panich  
R. Torre  
Chairman J. Kurimski

You probably don't have any of the paperwork on that one Call Street Lake Luzerne?  
The name is familiar, I may have something.  
I will at least get the maps to the newest members, and maybe the last cover sheet that covers all of the action that the Board has done up to that point. Okay? That's all I have.  
Is April 23. The next scheduled?  
Yes, I believe it is.  
April 23, which is the week the kids are out of school.  
No, I think they're out before.  
Oh, they are, before Easter?  
Yeah, they're out before Easter this year.  
Oh yes, they are. That is true.  
Yeah, because Easter's kind of late.  
[I won't be here.]  
What was that?  
I thought it was a on vacation, but I'm not, unfortunately.  
Unfortunately?  
I half thought you said you weren't going to be...  
If you are, do we pause and skip a month like...  
No, we send someone else  
Can we function without.  
Or they move it at a different week.  
I know. I want to personally thank Mary for all of her [work] in this subdivision.  
Yes.  
This and everything.  
Thank you.  
Appreciate you writing up the approval for us. Anybody have any older new business?

With no further business, Chairman J. Kurimski made a motion to adjourn at 7:33PM. T. Springer seconded the motion.

All in favor, motion carried.

Respectfully submitted,

Tucker Collums  
Deputy Zoning Enforcement Officer