

**Town of Waterford
Planning Board
65 Broad Street
Waterford, NY 12188**

Minutes of January 14, 2008

The meeting began at 7:30 PM with attendance taken. Present were members Peter Fletcher, David Wendth, Joe Lefebvre, Harriett Fusco, and Chairman David Woodin. Also present was Richard Hurst; Planning Director and Rene Lipatas; Clough Harbour.

The minutes of the December 10, 2007 meeting were read. A motion was made by Lefebvre to accept the minutes, seconded by Fusco. The motion passed 5-0 with voting as follows:

Fletcher	yes
Wendth	yes
Lefebvre	yes
Fusco	yes
Chairman Woodin	yes

The Chairman made a motion to reappoint Harriett Fusco as Secretary for the Planning Board, seconded by Fletcher. The motion passed 5-0 with voting as follows:

Fletcher	yes
Wendth	yes
Lefebvre	yes
Fusco	yes
Chairman Woodin	yes

Carl Walters came before the Board to discuss the possible subdivision of his property on Fonda Road.

Charles Hartnett, the engineer working with Mr. Walters, informed the Board that Mr. Walters would like to subdivide his property into three lots. One of the lots will contain the existing single family home. The lot dimension, 150 feet in depth, and the eight foot easement the County has on the property were discussed. This will affect the frontage.

The Chairman questioned why the easement of eight feet is relevant. This is an R100 zone and there is 100 feet of frontage and the total square feet meets the 15,000 requirement.

Mr. Hartnett stated he may have wrong information from an older map.

The Chairman stated that the lot of 228 Fonda Road looks ok, but 226 Fonda Road may not have enough square footage or frontage.

The Chairman and member of the Board reviewed the survey and discussed options.

The Chairman informed Mr. Walters that the Board is trying to give you more land by looking at other options.

Mr. Blaze, accompanying Mr. Walters, asked what is next in this process. Do they need a variance, or does Mario become involved.

Mr. Hurst asked what gets the applicant to the Zoning Board.

Ms. Lipatas stated that she will write a letter to the ZBA. The applicant should fill out the subdivision application. The Escrow account of \$1,000 for a minor subdivision was discussed.

Mary and Richard Wilcox came before the Board to discuss a subdivision of their property on Sage Road. They are hoping to start building a home next week which would be address 24 Sage Road. The Building Inspector informed them of an issue with their property.

The Chairman referred to a letter he read from Saratoga County regarding a possible illegal subdivision on Sage Road, which is the property owned by the Wilcox's.

Mr. Wilcox stated that his wife's father owned two lots and sold one lot to his daughter. They have the original deed from 1966 which states lots 28 & 29 were split. Starting sometime around 1980 there was one parcel shown on the tax bill.

The Chairman discussed the issue with the property. The property cannot be split unless it is subdivided, but it does seem to have been subdivided. The lots will fit the requirements, but the County has an issue with the property. The subdivision process was discussed as well as fees involved.

Mr. Wilcox stated that they had a plot plan done.

The Chairman informed the Board that the Tax Map shows one lot, but there is a dash line visible.

Mrs. Wilcox stated that this property is two separate lots, 26 and 28 Sage Road. She has the original deed.

The Chairman explained that there is one big lot shown on the tax map, you have to subdivide to build.

Mrs. Wilcox voiced her frustration at having to possibly divide her property which she stated has already been subdivided, having to pay fees and having to delay the building of her home. The tax map does not reflect what is on the deed.

The Chairman replied that the County looks at what you submit. The intent is to make this lot into two lots.

Mrs. Wilcox stated that the deed she has says two lots.

Mr. Hurst reiterated the issue at hand is that since 1980 there has been a tax bill sent which shows this property as one parcel. The property is actually two separate parcels, lots 28 and 29.

Mr. Hurst asked to see the design of the house and will the lot next to them remain empty?

Mr. Wilcox replied yes.

Mrs. Wilcox excused herself to return home and locate the original deed.

The Board went on to discuss the updates that have been done to the Building Department forms. The Zoning Verification form will need to also include a section for subdivision.

The Chairman replied that documents for Site Plan need to be delivered to the Planning Board, not the Secretary.

Mr. Hurst also stated that the Building Department needs a form from the Water Department notifying him that they have given their approval.

Mr. Hurst mentioned the current Town fee schedule and how the Board currently collects these fees. The fees are payable when the application is due, and then Escrow can be discussed as the plan develops further.

Mrs. Wilcox returned with her title search, but could not locate the original deed.

The Chairman replied that the Board would not be making any decisions this evening; they would turn this over to the Town Attorney to protect all parties involved.

Mr. Hurst was able to reach Town Attorney Craig Crist by phone and discuss the issue during the meeting.

Mr. Crist, speaking through Mr. Hurst, stated that there is a clear title search and the deed from 1966 shows two separate lots, the Board feels it does not need subdivision approval.

Per Mr. Crist, The Chairman made a motion waiving subdivision approval for this lot as all the paperwork is in order and the deed from 1966 shows two separate lots. The motion was seconded by Wendth. The motion passed 5-0 with voting as follows:

Fletcher	yes
Wendth	yes
Lefebvre	yes
Fusco	yes
Chairman Woodin	yes

Ms. Lipatas stated that corner lots in Riverbend currently state they are not recommended for conditional approval, this will be revised to state that the builder and Clough Harbour have meet and revisions have been agreed upon.

The Chairman informed the Board that he had taken a walk around the park in Riverbend and the drainage ditch had around two feet of water in it.

Mr. Hurst replied that the Town has money is Escrow for that.

Mr. Hurst asked the Board to help make a decision regarding the medians in the road in Rivebend. The options presented were stamped asphalt or concrete or cobblestones with grid framing. The other issue to consider is that most of the driveways are even with these centers and cars will be driving over them.

Mr. Hurst stated that the Highway Department will wreck havoc on certain designs.

Mr. Wendth stated that cobblestones will become uneven and require maintenance and the grass will still grow through them. The concrete will crack at some point.

Mr. Hurst will look into blacktop or asphalt.

The Chairman asked if Mr. Knight was all finished with the Planning Board.

Ms. Lipatas replied yes, but he still has fees to pay.

The Chairman replied that there is still no word on the Hajeck project.

The Chairman made a motion to close the meeting at 9:25 PM, seconded by Fusco.