

**TOWN OF FORESTPORT  
PLANNING BOARD MEETING MINUTES  
For  
November 10, 2014  
Planning Board  
6:30 P.M.**

**12012 Woodhull Road  
Forestport Town Hall**

## PLANNING BOARD MEETING MINUTES

November 10, 2014

6:30 P.M.

### MEMBERS PRESENT:

TJ Entwistle, Chairman

Mary Rieth

Ginger Swasey

Paul Rejman

Kim Kratzenberg, Secretary

### MEMBERS ABSENT:

Thomas Althoff, Co-Chairman

#### 1. Call Meeting to Order:

- Chairman Entwistle called the November 10, 2014 regular Planning Board Meeting to order at 6:30 P.M.

#### 2. Pledge of Allegiance:

- Recited

#### 3. Review and Approve Minutes:

##### A. October 14, 2014 Public Hearing Meeting Minutes – Petracca

\*\* A motion was made by Member Rejman and seconded by Member Rieth to approve the October 14, 2014 Public Hearing Meeting Minutes – Petracca as presented. The vote went as follows:

TJ Entwistle – YES  
Mary Rieth – YES  
Ginger Swasey – YES  
Paul Rejman – YES  
Thomas Althoff – ABSENT

##### B. October 14, 2014 Regular Planning Board Meeting Minutes

\*\* A motion was made by Member Swasey and seconded by Member Rejman to approve the October 14, 2014 Regular Planning Board Meeting Minutes as presented. The vote went as follows:

TJ Entwistle – YES  
Mary Rieth – YES  
Ginger Swasey – YES

Paul Rejman – YES  
Thomas Althoff – ABSENT

4. Subdivision / Parcel Line Adjustment Activity / Merge:

A. Renee Lee – 3 lot subdivision:

- 8.001-1-34.1
- A public hearing was held on tonight's date at 6:00 P.M.
- Mrs. Lee was present for this matter.
- The Planning Board Secretary presented the Planning Board with an "orange" packet for this matter.
- Chairman Entwistle spoke of the draft APA settlement agreement (E2014-0146) regarding the fact that part of the settlement agreement is the fact that lots 34.5 and 34.6 "there shall be no principal buildings located on proposed lots 34.5 and 34.6 ....."
- Mrs. Lee told the Planning Board that her attorney had reviewed the draft settlement agreement from the APA and all parties involved have signed it and it would be in tomorrow's mail back to the APA.
- Chairman Entwistle and Member Rieth stated that they are very familiar with Lot 19 because they had visited the right of way that would be used to gain access to these newly subdivided lots across the lake. They shared the fact that the land is very primitive and can understand the Townsend's concerns about parking and accommodating several or more vehicles and people.
- Mrs. Lee stated that Lot 19 (right of way) goes with the whole package – 34.1, 34.5. and 34.6. Her goal is to utilize Lot 19 for the buyer of 34.1 as well as her daughters so that they can access their lots, 34.5 and 34.6.
- Member Swasey asked Mrs. Lee if her daughters would be utilizing 34.5 and 34.6 for tent sites or leave the lots forever wild. Mrs. Lee stated that, in fact, the people who are purchasing the camp lot (34.1) are very interested in purchasing the other two parcels. The Lees have given the purchasers of 34.1 first option at buying 34.5 and 34.6. As far as Mrs. Lee knows, if that happens, they intend to keep the land at its present natural state.

- Mrs. Lee spoke of the 34.5 and 34.6 being used to access the Brandy Lake area of State Forest. Mr. Townsend stated that there is public access to Brandy Lake via a state trail.
- Chairman Entwistle asked Mrs. Lee if she would be willing to submit a letter of intent to the Planning Board outlining her intentions on how she would be correcting the illegal subdivision of lots 34.2, 34.3, and 34.4. Mrs. Lee stated that she had provided that letter dated 10/17/2014.
- Member Swasey stated that the even if lots 34.5 and 34.6 were purchased by the same person and joined back together, the Town would not allow any type of structure on the property. The “no building” stipulation would live with the life of these two lots.
- Chairman Entwistle stated that the Planning Board was not going to be able to vote on this matter until the APA Settlement Agreement is signed, sealed and filed with the Oneida County Clerk’s Office. Also the Planning Board has requested that the subdivision map show a “note” portion addressing the APA settlement agreement and the “no building” stipulation for lots 34.5 and 34.6.

\*\* A motion was made by Member Rejman and seconded by Member Rieth to table this matter until December 8, 2014 pending a “Final” settlement agreement with the APA and Subdivision Map changes requested by the Planning Board. The vote went as follows:

TJ Entwistle – YES  
 Mary Rieth – YES  
 Ginger Swasey – YES  
 Paul Rejman – YES  
 Thomas Althoff – ABSENT

B. Joseph Petracca – 3 lot subdivision with 2 parcel line adjustments:

- A public hearing was held on October 14, 2014 at 6:15 P.M. for the proposed three (3) lot subdivision with 2 parcel line adjustments of lands of Joseph Petracca (1.004-1-1.1, 2.003-1-2.1, 1.004-1-45.1, and 1.000-1-6).
- A motion was made at the October 14, 2014 Planning Board Meeting to conditionally approve the subdivision/parcel line

adjustment proposal of Mr. Petracca pending the clarification of the acreage discrepancy discussed.

- The Planning Board Secretary had several discussions with the surveyor Mr. Moncrief via telephone and email. Mr. Moncrief assured the Secretary that his survey is correct to the best of his knowledge and that if there were any questions or concerns that he would not have stamped and sealed the survey.
- The Planning Board is willing to accept the “map showing the subdivision survey map of the Joseph Petracca Property on Lake View Drive, Town of Forestport, County of Oneida, N.Y.S.” dated 2/05/13 with a print date of 9/11/14, Project No. 12112, revised 9/11/14.
- The Planning Board secretary will contact Mr. Moncrief to obtain one (1) mylar and five (5) paper copies of the map for filing in the Oneida County Clerk’s Office.

\*\* A motion was made by Member Rejman and seconded by Member Rieth to remove this matter from the Agenda. The vote went as follows:

TJ Entwistle - YES  
Mary Rieth – YES  
Ginger Swasey – YES  
Paul Rejman – YES  
Thomas Althoff – ABSENT

C. Walter & Kathy DeLong – 2 lot subdivision:

- A public hearing was held on tonight’s date at 6:15 PM for the proposed two (2) lot subdivision of Walter and Kathy DeLong.
- The Planning Board Secretary presented the Planning Board with a “yellow” packet for this matter.
- 85.002-1-85.1 & 84
- The Planning Board secretary checked with the Oneida County Map Room and found out that the Board has 60 days from the date of approval by the Board to file the approved subdivision map within the County.
- The Planning Board secretary will check with the DeLongs to see if 85.002-1-84 will be merged with 85.002-1-85.1.

\*\* A motion was made by Member Swasey and seconded by Member Rieth to approve the two (2) lot subdivision of Walter and Kathy DeLong as presented

on “Survey Map Property of Walter H. & Kathy L. DeLong, Town of Forestport, Oneida County, NY done by LaFave, White & McGivern dated 6/28/94 and revised on 9/22/14, file no. 94-D9-B”. The vote went as follows:

TJ Entwistle – YES

Mary Rieth – YES

Ginger Swasey – YES

Paul Rejman – ABSTAIN (conflict of interest)

Thomas Althoff – ABSENT

D. Allan Woodruff – 2 lot subdivision:

- 13.000-1-13.1
- No one was present for this matter.
- The Planning Board will keep this matter on the agenda until the December 8, 2014 meeting.

5. Old Business:

- None at this time.

6. New Business:

A. Sewer Dye Testing:

- Discussion to take place regarding the Sewer Feasibility Study that was recently completed by Jack Dodson.
- Mr. Dodson assured the Town that at this time, no areas that were studied, have an immediate unbearable load being placed on them. Mr. Dodson had also spoke of exploring the idea of mandatory sewer dye testing done for waterfront properties within the Town of Forestport.
- Chairman Entwistle had previously asked the Planning Board Secretary to research any neighboring towns that have a sewer dye testing program. The Secretary contacted the Town of Webb and discussed in length their sewer dye-testing program.
- Discussion took place with the Board and the Board will continue to explore this idea.
- Dye testing is a good way to detect the failure of a system before it becomes catastrophic to not only the property owner but surrounding property owners and precious waters.

B. Proposed Local Law regarding Illegal Subdivisions:

- Discussion to take place about a proposed local law regarding illegal subdivisions.
- Chairman Entwistle stated that after a trip to the County Finance Office and County Clerk's Office to try and figure out how these illegal subdivisions take place, the Board feels there really needs to be, at the local level, a law put into effect to stop the illegal subdivisions taking place.
- Chairman Entwistle asked the Board to explore this idea and possibly do some research regarding the after effects and how a town handles illegal subdivisions.

7. Open Discussion:

- Took place throughout the meeting.

8. Adjourn Meeting:

\*\* A motion was made by Member Rejman and seconded by Member Swasey to adjourn the November 10, 2014 Planning Board Meeting at 8:10 P.M. The vote went as follows:

TJ Entwistle – YES  
Mary Rieth – YES  
Ginger Swasey – YES  
Paul Rejman – YES  
Thomas Althoff – ABSENT