

Wilmington Planning Board
September 12, 2011
7:00 P.M.

Board members present: Robert Peters, Ginny Crispell, Bruce Huntington, Marilyn Moncsko, Judi Gould and Bert Yost.

Public present: Bob Guynup, Steve Corvelli, Doug & Barbara Stoner, Dave Baker and Shirley Lawrence.

MEETING CALLED TO ORDER AT 7:00 p.m.

ACCEPTANCE OF MINUTES-JULY 11, 2011 MEETING

*Motion to accept by Bert Yost, seconded by Judi Gould; carried unanimously.

OLD BUSINESS:

White Pines Subdivision

*A letter was sent to Mike Congedo after the July meeting. Judi Gould and Bob Peters met with Mr. Congedo on 7-22-11. This is no longer a Planning Board issue but is a civil matter between two residents.

*Mr. Stoner has sent a request to the Highway Superintendent and to the Town Board for acceptance of the upper part of the Juniper Hill road. No action has been taken on this measure.

*Mr. Stoner has written to the APA for a clarification of the original APA permit for Mr. Congedo. The following reply was received by Mr. Stoner from the APA:

August 25 2011

Douglas & Barbara Stoner
30 Edison Drive
Niskayuna, NY 12309

Re: Project No. 74-27 (Permits 77-39 A-D); Juniper Hill Subdivision; Town of
Wilmington, Essex County

Dear Mr. & Mrs. Stoner:

Thank you for your letter received at the Agency on August 3, 2011, regarding the above-noted Agency Permits. Specifically you have requested clarification of Condition 5 in Permit 77-39D, issued January 28, 2005, with regard to development of subdivision Lot 21 and subdivision Lot 22, which was merged with a 1.024 acre adjoining parcel. These two authorized properties are together identified as tax map parcel 26.1-2-5.160 on the Town of Wilmington real property tax maps.

The pertinent portion of Condition 5 stated: "...development may not be undertaken (on Lot 21 or Lot 22 merged with the 1.024 acre parcel) unless and until the proposed roadway and common underground water line (intended to serve the lot) are installed by the lot purchaser(s) and reviewed and approved by Agency staff as described in Condition d (1), (2) and (3) of Permit 77-39B."

In other words, this condition required that any purchaser of Lot 21 or Lot 22 install the common roadway and waterline in compliance with Permit 77-39B and obtain prior Agency approval of this installation prior to constructing any driveway or structure or otherwise developing the lot.

Agency records do not indicate that approval of a common roadway and waterline serving Lot 21 or Lot 22 as merged was ever sought or issued. Please note that Permit 2010-63, issued May 12, 2010, and Permit 2010-63A, issued March 8, 2011, now require that you install this common roadway and waterline, as neither had been constructed at the time you received the underlying property.

Thank you for contacting the Agency.

Sincerely,
Richard E. Weber, III
Deputy Director (Regulatory Programs)

- *Bob Peters pointed out that lots 21 & 22 were the lots owned by Mr. Congedo.
- *He also noted that the waterline installation was not an issue because wells were allowed by the DOH.
- *The issue of acceptance of the road is to be discussed at the Town Board meeting on September 13th.

William Eaton-4 lot subdivision on Route 86-no further updates.

Bill Bedford-4 lot subdivision on Route 86.

*A new application has been submitted to the APA for a 3 lot subdivision rather than 4 lots due to the wetlands on the property. He is revising the application and reconfiguring the lot lines.

Peter Coffrin--US Army Corp of Engineers permit to redesign the bridge and driveway into his Rolling Forest Development on John Bliss Road.

- *Discussion was held on requiring Peter to come back before the board since the plans have changed.
- *There was also concern over the weight and if the new plan for culverts would carry the weight load.
- *Peter has received approval from DEC and the US Army Corp of Engineers and has a NJ letter from APA.
- *The board asked Bob Guynup to invite Peter to the next meeting and inform him that a letter from Dave Magurk stating that the new bridge would meet the weight capacity of holding a fire truck or a cement truck.

Correspondence: Essex County Clerk Letter

*The Chairman receives a letter from Essex County when new drawings are filed. This letter is not dated. There was discussion on the Town Clerk stamping date received all envelopes when they are received by him.

Discussion: Zoning Law update.

- *The new zoning laws are now in effect .
- *There will be a joint meeting of the planning & zoning boards with Elan on October 18th at 7 p.m. at the Community Center.
- *Bob Peters will be away for the October 3rd meeting. Ginny Crispell agreed to be the sub-chairman for that meeting.
- *Copies of the new zoning laws are being printed.
- *There is training at the Crowne Plaza in Albany. (No one was interested-too expensive).

Meeting adjourned at 7:58 p.m.