

PLANNING BOARD REGULAR MEETING, AUGUST 23, 2023 at 7:01 pm

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Members present: Alan Hipps, Elisha Bartlett, Ken White, Mary Lou Fitzgerald, Daniel Berheide, Chris Maron, Robert King, Alt. Cheri Phillips

Code Enforcement Officer present – George Hainer

Planning Board Secretary: Catherine L. Simmer

Guests Present: Kevin Hall

First Item - Call meeting to order – 7:01pm. A full quorum is present.

Second Item - Motion to approve the July 26th Regular Meeting Minutes by Ken White, second by Alan Hipps with correction of Colin Wells name. No discussion. Passed unanimously.

- **Resolution 2023-32 Approval of the Regular Meeting Minutes from July 26, 2023**

Resolved: Accept the Regular Meeting Minutes from July 26, 2023 as submitted.

Moved by: Ken White

Seconded by: Alan Hipps

In Favor: Mary Lou Fitzgerald, Ken White, Chairperson Elisha Bartlett, Chris Maron, Alan Hipps, Robert King, and Daniel Berheide.

Opposed: None

Third item- Kevin Hall is present on behalf of Dwight B. Anson, Jr. whom currently owns approximately 70.44± acres, (shown on the attached Tax Map):

Narrative: The 70.44± acres being in two Land Use Districts for the APA and Town of Westport.

- Lands (12± acres) lying north of the centerline of Essex County Route 8, A/K/A as Elizabethtown Wadhams Road is APA Low Intensity Use (LIU) and Westport is Rural Residential (RR-3.2).

- Lands (58.5± acres) lying south of the centerline of Essex County Route 8, A/K/A as Elizabethtown Wadhams Road is APA Resource Management (RM) and Westport is Agricultural Lands District (AL).

The 70.44± acres being comprised of the following three Tax Map Parcels:

1. TM#57.3-1-7.111 ~ 48.02± acres all lying south of the road (RM & AL).
2. TM#57.3-1-7.112 ~ 7.35± acres all lying south of the road (RM & AL).
3. TM#57.3-1-7.113 ~ 15.07± acres bisected by the road.

The three tax maps comprise 58.5± acres lying south of the road (RM & AL) and 12± acres lying north of the road (LIU & RR-3.2) (to be sold).

The Essex County Filed Map No. 5708 showing 7.35± acre parcel survey was done for a mortgage and by filing the map at the County Clerk's Office, the Essex County Tax Map Office created the three current Tax Map Parcels assessed to Dwight B. Anson, Jr. Is this a Minor Division or a Subdivision under the Town Regulations? I need to know what constitutes a Lawful Lot under the Town Regulations to allow me to properly map the lands being retained by Dwight Anson. The intent is to just have two lots.

Discussion: The Town recognizes this as one property, on one deed with multiple tax parcels. This property has never been formally subdivided. All three parcels are on one deed. Mr. Hipps stated if this is a legal lot the buyer needs to be aware the Town does not know if the land will perc. Chairperson Elisha Bartlett questioned the number of building rights for the 12± acres. There could be three Principle Building Rights (PBR) for the 12± acres to the north. Mr. Hall agreed if the Town wants to go along with the APA PBR requirements. The APA rounds up so there could potentially be four PBR with the 12± acres lot to the north. The APA says there are no more PBR on the 58± to the south unless the Town says differently in which case it would go back to the APA. Mr. Hall said this would give clarification for the PBR for the 58± acre lot to the south.

Chairperson Elisha Bartlett stated this project was down for discussion and direction so if we intend to vote we need to have a resolution to move the item from discussion to review of application. We have a full quorum.

Ken White motioned to move the agenda item from discussion to review of the application and determination. Chris Maron seconded the motion. No further discussion. Passed unanimously.

- **Resolution 2023-33 Move Dwight B. Anson Jr. County Route 8, Tax Map # 57.3-1-7.111 & 7.113 from discussion to review and determination.**

Resolved: Move Dwight B. Anson Jr. County Route 8, Tax Map # 57.3-1-7.111 & 7.113 from discussion to review and determination.

Moved by: Ken White

Seconded by: Chris Maron

In Favor: Mary Lou Fitzgerald, Ken White, Chairperson Elisha Bartlett, Chris Maron, Alan Hipps, Robert King, and Daniel Berheide.

Opposed: None

Daniel Berheide motioned to deem the application complete. Ken White seconded the motion. No further discussion. Passed unanimously.

- **Resolution 2023-34 Deem the application for Dwight B. Anson Jr. County Route 8, Tax Map # 57.3-1-7.111 & 7.113 Minor Division complete.**

Resolved: Deem the application for Dwight B. Anson Jr. County Route 8, Tax Map # 57.3-1-7.111 & 7.113 Minor Division complete.

Moved by: Daniel Berheide

Seconded by: Ken White

In Favor: Mary Lou Fitzgerald, Ken White, Chairperson Elisha Bartlett, Chris Maron, Alan Hipps, Robert King, and Daniel Berheide.

Opposed: None

Daniel Berheide motioned to designate the project as a Type II SEQR. Ken White seconded the motion. No further discussion. Passed unanimously.

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- **Resolution 2023-35 Designate the Minor Division for Dwight B. Anson Jr. County Route 8, Tax Map # 57.3-1-7.111 & 7.113 a Type II SEQR Action.**

Resolved: Designate the Minor Division for Dwight B. Anson Jr. County Route 8, Tax Map # 57.3-1-7.111 & 7.113 a Type II SEQR Action.

Moved by: Daniel Berheide

Seconded by: Ken White

In Favor: Mary Lou Fitzgerald, Ken White, Chairperson Elisha Bartlett, Chris Maron, Alan Hipps, Robert King, and Daniel Berheide.

Opposed: None

Alan Hipps motioned to approve the minor division with 4 PBR on the north lot and no additional PBR on the south lots. Ken White seconded that motion. No further discussion. Passed unanimously.

- **Resolution 2023-36 Approve the Minor Division for Dwight B. Anson Jr. County Route 8, Tax Map # 57.3-1-7.111 & 7.113 with 4 Principle Building Right on the north 12± acres and no additional Principle Building Rights on the south 58± acres.**

Resolved: Approve the Minor Division for Dwight B. Anson Jr. County Route 8, Tax Map # 57.3-1-7.111 & 7.113 with 4 Principle Building Right on the north 12± acres and no additional Principle Building Rights on the south 58± acres.

Moved by: Alan Hipps

Seconded by: Ken White

In Favor: Mary Lou Fitzgerald, Ken White, Chairperson Elisha Bartlett, Chris Maron, Alan Hipps, Robert King, and Daniel Berheide.

Opposed: None

Other Business-

Chairperson Bartlett shared with the Board that there is a survey on the Town website. It's the Westport Main Street Improvement Strategy Community Survey. Also, on Wednesday, August 30, 2023 there is a Main Street Walking Tour from 12:30-1:30 pm and an informational open house from 2:00 pm to 5:00 pm at the Town Hall.

Chairperson Bartlett will need to have coverage for the October 25, 2023 meeting or the Board can decide to reschedule. Alan offered to cover the meeting in Elisha's absence.

Daniel Berheide motioned to adjourn the meeting. Alan Hipps seconded. There was no discussion, and all were in favor.

Adjourn at 8:01pm

- **Resolution 2023-37 Adjournment**

Resolved: To adjourn the meeting at 8:15 pm.

Moved by: Daniel Berheide

Seconded by: Alan Hipps

In Favor: Mary Lou Fitzgerald, Ken White, Chairperson Elisha Bartlett, Chris Maron, Alan Hipps, Robert King, and Daniel Berheide.

Opposed: None

Respectfully submitted,

Catherine L. Simmer, Secretary

DRAFT