

PLANNING BOARD REGULAR MEETING OCTOBER 27, 2021 AT 7:00PM

- 1 -

Members present: Chairwoman Severance, Dwight Anson, MaryLou Fitzgerald, Alan Hipps & Ken White. **Alternates present:** Daniel Berheide and Robert King

Guest Present: Catherine Simmer, George Hainer, Emily French, Kevin Hall

Chairwoman Severance: Called this regular meeting to order at 7:03 pm.

Chairwoman Severance: Welcomed everyone. First we have Emily French here for a new division of land as a gift from her uncle.

Mr. Hainer: Read aloud from the Town of Westport Land Use Law, including amendments through March 9, 2010; page 4; Section 2.064 Gifts, Devises and Inheritance (amend 2010)

The mere division of land resulting from a bona fide gift, devise or inheritance by and from natural persons shall not be subject to review by the Town.

- a. A subdivision map shall be presented to the Chairman of the Planning Board without Planning Board Review for his signature to facilitate record keeping of all subdivisions.
- b. In no case shall the use of this regulation create any lot with a substandard minimum lot size.

William Pierce, 285 Boyle Rd, Westport, NY Tax Map #56.4-1-13.000 will be gifting Emily French 3.87 acres of parcel area 99.34. The Board was very happy for Emily and offered her many congratulatory remarks. They asked if she plans to build a house? Emily is planning to build a single family dwelling on the land. The Board was very pleased to hear of Emily's plans. They also commented that it is wonderful to see young people stay in the community.

Chairwoman Severance: Congratulations Emily. This is very exciting for you.

Chairwoman Severance: Our next project is the Manning Subdivision. It's the last house on the right as you leave town. Mr. Hall is here to present this to us.

Mr. Hall: This property owned by Elizabeth Manning, 6800 Main St., Westport, NY, Tax Map #66.1-1-30.000 is proposing a two lot subdivision. The property is located in The Town Land Use District of RR-8.5N. Therefore, there are two unused Principal Building Rights (PBRs) associated with the parcel along with the dwelling that is currently on the property.

Narrative of the proposed two lot subdivision:

LOT 1 will be 8.48± Acres, being highlighted in orange on the attached map. This lot contains an existing dwelling constructed in 1949 and a Pole Barn. The water source for this dwelling is from a Private Line hooked to Town Water. The dwelling is serviced by an on-site septic system. This lot contains all of the road frontage along NYS Rt. 9N. This lot will be subject to two easements for access and utilities servicing LOT 2 as shown on the attached map.

PLANNING BOARD REGULAR MEETING OCTOBER 27, 2021 AT 7:00PM

- 2 -

LOT 2 will be 5.48± Acres, being highlighted in green on the attached map. This lot is vacant and will be assigned the two PBRs associated with the original parcel. The map shows the location of a site for one single-family dwelling. The water source for this dwelling will be a drilled well to be on the lot. The proposed dwelling is serviced by an on-site septic system. The access to NYS Rt. 9N will be through a private right of way 33 feet in width, through LOT 1 as depicted on the map, being highlighted in yellow. Utilities will be underground from an existing power pole, through LOT 1 as depicted on the attached map, being highlighted in pink.

The property contains APA Jurisdictional Wetlands which were flagged by Mary O'Dell from the APA and survey by me, see Note #5 on the map. These wetlands have been highlighted in blue.

On behalf of Elizabeth Manning, I sent a JIF to the APA for a proposed three lot subdivision. This was determined to be Jurisdictional. The proposed subdivision was reduced to two lots as depicted on the attached map. This was then determined to be Non-Jurisdictional by the APA.

This is a beautiful site. You can see Giant Mountain from the back lot. The DOT gave a permit for the driveway. The DOT determined where the driveway could be located. When they made this determination that changed the narrative from a three lot subdivision to a two lot subdivision. There is heavy clay at this property. There will need to be an engineered septic due to the heavy clay. There are water lines that serve the Manning House.

Mr. Maron: Is that the curved line to the east?

Mr. Hall: Yes. It's considered outer district user since the Town line ends just before the Manning property. The owners of the properties to the north installed the line and with permission from the Town tapped into the Town line. The new dwelling will be serviced by a private well.

Chairwoman Severance: Will this remain a two lot subdivision? Lot 1 is bigger and has the existing dwelling.

Mr. Hall: The property has three building rights with the APA. The driveway was within 50-feet of the wetlands. The DOT determined where the driveway was installed which caused the shared driveway to be too close to the wetlands for three lots. Precautions will be taken to protect the wetlands.

Ms. Fitzgerald: Are we doing a site visit?

Chairwoman Severance: Yes, we should. We had decided that will be done for all projects.

PLANNING BOARD REGULAR MEETING OCTOBER 27, 2021 AT 7:00PM

- 3 -

Brief discussion to derive a date for the site visit.

Chairwoman Severance: The site visit to 6800 Main St. will be Monday, November 1, 2021 at 3:00 p.m.

Mr. Hall: Park in the driveway near the house.

Chairwoman Severance: Will they have drawings of the single family dwelling?

Mr. Hall: They have no immediate plans to build.

Mr. Hainer: The planning board needs to deem the application complete and set the public hearing.

Chairwoman Severance: Do we deem this application complete? Do we need any additional information? We have the site visit scheduled. We can do the public hearing at the next meeting, November 17, 2021 at 7:00 p.m.

Mr. White: I'll make that motion to deem the application complete.

Ms. Fitzgerald: I'll second that motion.

Chairwoman Severance: All in favor? Approved.

- **Resolution 2021-19 Manning Subdivision Application Complete**

Resolved: To deem the application for the two lot Manning subdivision, 6800 Main St., Westport, NY, Tax Map #56.4-1-13.000 complete.

Moved by: Mr. White

Seconded by: Ms. Fitzgerald

In Favor: Mr. Anson, Ms. Fitzgerald, Mr. Hipps, Mr. White, and Chairwoman Severance

Opposed: None

Mr. White: I'll make that motion to schedule a public hearing for the Manning two lot subdivision.

Mr. Maron: I'll second that motion.

Chairwoman Severance: All in favor? Approved.

PLANNING BOARD REGULAR MEETING OCTOBER 27, 2021 AT 7:00PM

- 4 -

- **Resolution 2021-20 Manning Subdivision Schedule a Public Hearing**

Resolved: To schedule a public hearing on November 17, 2021 at 7:00 pm. for the two lot Manning subdivision, 6800 Main St., Westport, NY, Tax Map #56.4-1-13.000.

Moved by: Mr. White

Seconded by: Mr. Maron

In Favor: Mr. Anson, Ms. Fitzgerald, Mr. Hipps, Mr. White, and Chairwoman Severance

Opposed: None

Chairwoman Severance: Mr. Feldman is not present to discuss the All Tucked Inn further.

Mr. Hainer: There may be an interested buyer. He is not here, so for now it's on hold.

Chairwoman Severance: I did see that he put up signs and caution tape.

Mr. Hainer: Let's hope someone buys it.

The board agrees with Mr. Hainer's sentiment.

Mr. White: I move to adjourn.

Ms. Fitzgerald: I second that motion.

Chairwoman Severance: All in favor? Adjourned.

- **Resolution 2021-21 Adjournment**

Resolved: To adjourn the meeting at 8:44 p.m.

Moved by: Mr. White

Seconded by: Mr. Hipps

In favor: Mr. Anson, Ms. Fitzgerald, Mr. Hipps, Mr. White, and Chairwoman Severance

Opposed: none

Respectfully submitted,

Catherine L. Simmer, Secretary