



Town of Canaan

Planning Board Regular Meeting Minutes –
April 15, 2024

Present: Chad Lindberg, Deputy
Jens Braun, Planning Board Member
Brian Lossow, Planning Board Member
Marlene Tuczinski, Planning Board Member
David Birch, Planning Board Member
Jillian Kasow, Planning Board Member

Absent: J. Pierre Gontier

Others Present: 4 people including Jeanne Nightingale

I. Meeting (In-Person) Call to Order

Deputy Chad Lindberg called the Regular Meeting of the Planning Board to order at 7:00 pm.

II. Minutes Review/Approval

The minutes of the March 18, 2024 meeting were not yet finalized and it was agreed that the March 18, 2024 meeting notes would be reviewed and approved once finalized. Motion made by Deputy Chad Lindberg and seconded by Brian Lossow. The vote carried, as follows:

J. Pierre Gontier, Chairman	Aye
Chad Lindberg, Deputy	Aye
Marlene Tuczinski	Aye
Brian Lossow	Aye
Jens Braun	Aye
Jillian Kasow	Aye
David Birch	Aye

Result: Motion Carried

III. Other Business

IV. Exempt Subdivision Preliminary Review For Theodore S. Bombola Jr, 47 Maple Drive, East Chatham, New York, Parcel #48.-1-25.100.

The discussion resumed regarding the March request for addition information of, a Grade Profile and a Driveway Maintenance agreement to be presented at this April meeting.

Revisions were made and discussed wherein, Applicants provided draft of current maps showing the parcels in question with the requested updates to the driveway entrance and proposed driveway improvements with turnouts/turn around and added 12-foot width, fire apparatus, clear labelling of each parcel, elevation profile. Copies of driveway permits were provided and submission of easement line for driveway.

Questions were raised regarding a road adjoining two parcels. Additionally, questions as to whether this is an Easement or a Way. The definitions of an Easement and Way were reviewed for clear understanding and to make a determination as to which definition supports the current road shown on the provided maps. Thereafter, review regarding the creations of the lots and whether or not everything has been completed to create the proposed lots. Due to the possible need for frontage, the question remained regarding whether this is an Easement across the remaining portion or, a 60-foot width “way”. If it is a way, there is proper frontage.

The question also arose if this could be a private road. If so, it would be its own space and not part of the lot. As shown with the current updates to the map provided, it currently meets code for the back parcel.

Land surveyor _____ indicated that what they are creating is a Parcel 1 and parcel 2

Question: Does the road belong to the properties?

Question: Could the frontage be considered on “the way”

Way Definition was reviewed.

It was indicated that they own the land and that his father would own part of a remaining parcel.

It was indicated that as currently shown, if someone purchased a house, they would need to maintain the road or request an easement in the future. There would be the need for an Easement Agreement.

After reviewing the aforementioned and the necessary updates and changes, it was indicated that they felt they have made all of the necessary changes and that everything is covered. Applicants indicated that they wanted to answer any questions the Board may have and ensure they have made all of the necessary changes and updates.

Deputy Indicated that Lot 2 has no right or use of the easement and has its own driveway permit. It was requested that when the survey is completed, details on easement should be provided.

Board requested to take a few minutes to review the approval process to define issues, pieces and questions for applicant.

Thereafter, there was a review of Page 15 – What zoning district are we in.

Additionally, the Review of the Town of Canaan Zoning Map.

RA2 (2-5 acres) & RA4(10 acres)

Town of Canaan definition of subdivision reviewed and read aloud.

Property indicated as an Exempt subdivision because of the existence of three lots. Review of letter from Town Assessor took place. 10 year look back shows a subdivision creating three lots with the subdivision done in 2013 and completed as part of an estate. Due to the estate was not filed and therefore not a subdivision.

It was also indicated that there does not appear to a major difference between minor or exempt subdivision for these lots. This also does not affect the procedure the applicant

expects to complete for exempt subdivision. Review of explanation of Exempt subdivision took place and it was indicated that, if determined to be an exempt subdivision they may be required to add note to the map. Suggestion that maps from 2013 that were reviewed by planning board be provided. According to records the parcel was created in 2016 with the approval date and file date being three years apart.

Board continued forward under the assumption that this is a minor subdivision which will also require a survey. In review of letter from Assessor, the lot was created within the 10 years, and it was decided and agreed to by the board that they will proceed with the review under a minor subdivision for conditional approval and the applicants could move forward with the survey. Request for review of the lots proposed to be created to see sizes, show setbacks and buildable areas and plans to meet the necessary dimensions.

Lots 3 needs to be labelled. Additionally requests that the notes be added that will be a part of final drawing. - Meet NYS fire code 20-foot turnouts surface needs to support firetruck, 12-foot width, minimum acreage is 2 and maximum is 5.

Additional review of Minor Subdivision while checking off each as reviewed, if completed with the decision to classifying today as a Minor Subdivision and reviewing the submission. Surveyor took photo of requirements provided by Brian Lossow.

Request to review common driveway.

Request to show and specify each parcel on the map.

Applicants indicated that there were no plans of future additions to parcels at this time, Emergency services turn around will be added with repairs and development of driveway from current Agricultural Driveway indicating that they will improve said driveway at the length of the Easement as included in driveway agreement.

No further questions or updates to be resolved time for vote – all in favor – unanimous.

Reviewed each line of the seqra short form and all were determined to have no or small impact. A vote was taken to make a determination of a negative deceleration.

Motion made

Seconded

Unanimous Motion Passed

Deputy Motion to make a determination that this is an unclassified type 2

Seconded Brian Lossow

Determine negative declaration of seeker – all in favor

Granted Conditional Approval to allow Applicants to move forward with the survey

Motion to grant conditional approval – seconded and all in favor

**Granted conditional approval

V. Meeting Adjourned

Meeting was adjourned at 8:27 pm, motion by _____ and seconded by Deputy, all in favor.

Submitted by: