

Minutes for the Ticonderoga Planning and Zoning Board Meeting held on July 2, 2024, commencing at 6:00 p.m. with a Public Hearing regarding Chilson Properties, LLC

Present: Chairman Dr. W.D. McTyier, Walt Lender, Mike Powers, Ben Leerkes, Attorney Matthew Fuller, Town Clerk Tonya Thompson

Absent: Don Meserve

Others: Steve & Kit Miller, Jamie Easton, Robert Singer, Hannah White and Zoning Officer Dave Burrows

Chairman McTyier opened the meeting with the Reciting of the Pledge of Allegiance.

Public Hearing

Chilson Properties LLC – NYS Route 22 (150.2-2-6.120) 60 Multi-Family Unit/4 lot subdivision Special Use and Site Plan Review

Mr. Easton informed the board that Regan Development has contracted with an attorney and a letter from them was sent just yesterday. He understands that this was a little late to get in front of the board so he understands that they may not have had time to look at it yet. This letter is discussing the sewer recommendation from the firm. In summary, and in speaking with Derrick Fleury, they identified two different areas in the Town where we can probably do this and we felt the best location was Champlain and McCormick Street, right there at that intersection and take that water, take the storm water out to the river and make sure the pipe is sized for future connections as things go along. So, infrastructure and lots of engineering still to do. He did provide a sketch of the area that they would be looking at; that area could get bigger until we get the numbers, he can't tell you that right now. It will not get much smaller than that in his past experiences and calculations. We basically need to take about 2 ½ - 3 acres of area to mitigate a 4 to 1 ratio for the new sewer being generated by the project. That is where we are at. He did follow up with Walmart, it has kind of fallen into a black hole; corporate has not gotten back to him, the local representatives have reached out numerous times, but there has been no response back. A walking path right to our property line is in the plan now, unless we get some communication back from Walmart, there is nothing more we can do.

Mr. Leerkes reiterated that you will still be doing a path to your property line and Walmart. (Yes) He also asked about the DOT letter – signage on the bike trail?

Mr. Easton agreed that was for signage on the DOT right-of-way for the bike trail. That was previously shown in the documents and will be to DOT requirements. DOT recommended we extend the sidewalk and push pulls at the intersection – this was a recommendation, but it is not a requirement and due to environmental constraints and grading constraints, we just couldn't do it. There will be another discussion with them, but again those were just recommendations in the letter.

Mr. Leerkes asked about the paper road as shown on maps.

Mr. Easton stated that there will be a path to the power lines (Wayne Avenue), but there are no plans for anything else around (Third Avenue) the area.

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Mr. Leerkes asked about the impact on SEQR.

Mr. Fuller agreed, he was under the impression that the letter was going to request the board to do something.

Mr. Easton stated that the letter was left open ended, there will be a more formal request for the board at next month's meeting.

Mr. Fuller understood and explained that next month the board may get a request under these proposals for a conditional SEQR. This board is lead agency and will need to publish certain language to this effect when it is received. You will need to adopt the proposed conditions possibly at the September meeting with the proposed storm and sanitary separation plan. They have some work to do on their end still.

Resolution #54-2024PZB brought by Ben Leerkes, seconded by Walt Lender to table the Chilson Properties LLC– NYS Route 22 (150.2-2-6.120) 60 Multi-Family Unit/4 lot subdivision until the Regular Planning and Zoning Board meeting on August 1, 2024, at 6:00 p.m. **4 – Ayes, 0 – Nays. Carried.**

Site Plan Review

Nelson – 10 Virginia's Path (150.59-8-3.100) New Residence, accessory structure & driveway

This application is still waiting on some documents.

Resolution #55-2024PZB brought by Ben Leerkes, seconded by Doug McTyier to table the application for Nelson – 10 Virginia's Path (150.59-8-3.100) New Residence, accessory structure & driveway until the Regular Planning and Zoning Board meeting on August 1, 2024, at 6:00 p.m. **4 – Ayes, 0 – Nays. Carried.**

Zoning Interpretation/Appeal

Singer – 481 Baldwin Road (160.33-2.5.000) Addition

The original application from Mr. Singer for a Variance was in front of this board back in April. They are here tonight with another application for a Zoning Appeal. The Board reiterated their original decision which is binding that they resolved to denying the Variance due to there being an already existing non-conformation use on the property and the Board confirmed their decision that you cannot add to that already non-conforming use.

Hannah White spoke on behalf of the Singer application, she noted that she is aware of the 30 day time limit to appeal a decision, but she would like the opportunity to discuss this. She questioned wording in the Resolution that suggested another way to put this addition on. She understands in the Town's Zoning rule that you can expand a non-conforming use and she believes that this would fit there. The board does have the authority to grant the non-conforming

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use. The design submitted is the only and obvious place to put the addition. She personally does not see an alternate solution to this.

Resolution #56-2024PZB brought by Ben Leerkes, seconded by Walt Lender to reconsider the denial decision in Resolution #20-2024PZB at the April 4, 2024, meeting for the application from Singer – 481 Baldwin Road (160.33-2.5.000) Addition. **By Roll Call Vote** Doug McTyier – No, Walt Lender – No, Mike Powers – No, Ben Leerkes - No. Don Meserve – Absent.
Resolution to reconsider did not Pass.

Other Business

Resolution #57-2024PZB brought by Ben Leerkes, seconded by Doug McTyier to accept the minutes from the June 6, 2024, meeting. **4 – Ayes, 0 – Nays. Carried.**

Meeting adjourned at 6:30 p.m.

Respectfully submitted, Tonya M. Thompson, Town Clerk