

**Minutes for a Ticonderoga Planning and Zoning Board Meeting
commencing at 6:00 p.m. On October 17, 2024**

Present: Chairman Dr. W. D. McTyier, Mike Powers, Walt Lender, Town Clerk Tonya Thompson

Absent: Ben Leerkes, Don Meserve

Others: Jamie Easton, representing Regan Development (Chilson Properties LLC)

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

Chairman McTyier asked Mr. Easton if there were additional comments, documents or other information that he wanted to bring to the board's attention.

Mr. Easton explained that they are in the process of surveying the areas for run off, they have looked at the PenStock, but realized that we cannot go through the park for the storm water run-off involved with the project.

Chairman McTyier acknowledged that there was no public to speak tonight and the board members had no additional questions or comments on the project.

Resolution #74-2024PZB brought by Doug McTyier, seconded by Walt Lender to close the public hearing for Chilson Properties LLC – Special Use & Site Plan Review- 60 Multi-family unit (150.2-2-6.120) **3 – Aye, 0 – Nays. Carried.**

Resolution #75-2024PZB brought by Doug McTyier, seconded by Walt Lender to grant Conditional Site Plan and Special Use Permit Approval for Application of Regan Development Corp as follows. **3 – Aye, 0 – Nays. Carried.**

Resolution Granting Conditional Site Plan and Special Use Permit Approval
For Application of Regan Development Corp.

Whereas, Regan Development Corp. (the "Applicant") has applied to the Town of Ticonderoga Planning and Zoning Board (the "Board"), for subdivision, site plan and special use permit approvals for the proposed construction of a mixed use development consisting of 60 dwelling units, approximately 6,900 square feet of retail space, on a 9.8 acre parcel of land located off NYS Route 22 and 74 in the Town on tax map parcel 150.2-2-6.120 (the "Project"); and

Whereas, the Project includes improvements for drinking water distribution and sanitary sewer service which the Applicant intends to connect to the Town's water and sewer systems, respectively; and

Whereas, the Property is located in a Town water district, it is not located in a Town sewer district, and will require an extension of the sewer district; and

Whereas, after months of hearings and submissions, and the Applicant and its engineers working with Town engineers and staff, the applicant has proposed that the Board issue a conditioned negative declaration pursuant to SEQRA, as the Applicant will be required, in order to

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extend sewer service to the Property, to undertake certain offsite improvements that have not yet been finalized; and

Whereas, the Applicant and the Board have worked through all other site plan and special use permit impacts including water, traffic, lighting, pedestrian access, recreational provisions, and other similar matters required for the review of matters such as the Project; and

Whereas, the Board previously adopted a conditional negative declaration pursuant to SEQRA; and

Whereas, the Board is prepared to grant conditional site plan and special use permit approval as set forth below.

Now, therefore, be it:

Resolved, that the Board confirms and adopts the conditional negative declaration previously published and disseminated to the involved agencies; and be it further

Resolved, that the Board hereby grants conditional site plan and special use permit approval for the Project with no final approval being granted until the following conditions have been met:

1. Pursuant to the Conditional Negative Declaration, the applicant must apply for and obtain from the Town Board an extension to the Town's sewer district for the property included in the Project, whereby as part of such extension, the applicant will deposit a sum with the Town sufficient to pay for an I&I reduction or removal project, in a form and substance acceptable to the Town Board. This condition will mitigate the impact the project may have to the Town's sanitary sewer system;
2. The applicant shall satisfy all application requirements and approvals for connection to the Town's drinking water system;
3. The Project shall include a constructed pedestrian access, ADA compliant, for connection to adjoining WalMart facilities;
4. The applicant shall provide to the Town any and all applicable permits needed for the project to move forward to include but not limited to, NYS DOT approval, NYS DOH approval and NYS DEC approval.

; and be it further

Resolved, that no certificate of occupancy shall be issued until such time as the Town Board has accepted full dedication of any water and sewer infrastructure, in form and substance acceptable to the Town Board; and be it further

Resolved, that in the event any conditions of this approval are not met, or the Project is not constructed in strict conformity with the plans and specifications as submitted to this Board, no certificate of occupancy shall be issued, and any deviation from said plans and specifications shall require Board approval.

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Resolution #76-2024PZB brought by Mike Powers, seconded by Walt Lender to adjourn at 6:16 p.m. **3 – Aye, 0 – Nays. Carried.**

Respectfully submitted, Tonya M. Thompson, Town Clerk