

TOWN OF NEW BALTIMORE PLANNING BOARD
Public Hearing
Lands of Jacqueline Davis- Minor Subdivision Application
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Location: 13703 Route 9W
of Lots: 2 – Parcel #1: 20.72 acres
Parcel #2: 19.68 acres

Planning Board Chair Rob Van Etten opened the Public Hearing at 7:00 p.m. Other Board Members in attendance were Anne Marie Vadney, Bob Court, Pat Bruno, Bill Boehlke and Lee Salisbury. Jean Horn was absent. Ms. Davis came forward presented green cards, white receipts and her maps. Mr. Van Etten advised that Ms. Davis was dividing her 40-acre parcel into lots of 20.72 acres and 19.68 acres.

Green cards were presented for certified letters sent to:

Steven Busch	Hektar Holding Co. LLC
Charles Cary	Preston & Margarite Lambert
Paul Schiller	

White receipts for the certified letters sent to:

Louis LaFalce	Eagle Development Company
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The Clerk advised that all requiring notification had been contacted.

In response to the invitation to come forward to view the maps, ask questions and/or offer comments, bordering property owner Charles Cary came forward. He advised the Board that he did not have an issue with the subdivision but the issue he had was with it going to be a horse pasture. The fences are in atrocious condition; a lot of them are falling down. He questioned if there were any laws on the books that say they have to clear the fence lines which he believed were on Mr. LaFalce's side. He clarified if you go up in back where the ledge/stone wall is, the fences are falling over. There is also a lot of brush growing over on his property which he is having to clear off since nothing is being done about it. Ms. Davis clarified that that was on her property, the part that would not be going to her brother, Louis LaFalce. Mr. Van Etten explained the Planning Board is not involved in property maintenance. Mr. Cary reiterated that he did not have a problem with the subdivision. He knew that it was going to be a horse pasture and was not going to change.

Mr. Court asked to see the revised maps. Ms. Davis advised that her attorney, Mr. Biscone, has started the process of creating the new deeds so that the parcel she was subdividing from her own could be merged with her brother's parcel. He would proceed with it just as soon as the subdivision is approved. Ms. Davis invited Mr. Cary to view the map to see where the subdivision line is. She further advised that they were taking down most of the fences she had. She was selling her property and moving since the company she worked for was transferring her to Virginia.

It was noted that the Board had a concern with wording or lack thereof on map presented at last month's meeting. Current map contains wording with regard to Lot #2 that it is to be merged by recorded deed with bordering property currently owned by Louis E. LaFalce, thereby alleviating the Board's concern of the parcel becoming a landlocked parcel.

Since the time allowed for the Public Hearing had not totally lapsed, the Board went through Part 2 of the Short EAF with the questions answered as follows:

1. *Will the proposed action create a material conflict with an adopted land use plan or zoning Regulations?* - **NO**
2. *Will the proposed action result in a change in the use or intensity of use of land?* - **NO**
3. *Will the proposed action impair the character or quality of the existing community?* - **NO**
4. *Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?* - **NO**
5. *Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?* - **NO**
6. *Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably*

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available energy conservation or renewable energy opportunities? - **NO**

7. *Will the proposed action impact existing:*
 a. public/private water supplies?- **NO**
 b. public/private wastewater treatment utilities? - **NO**
8. *Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?*- **NO**
9. *Will the proposed action result in an adverse change to natural resources (e.g. wetlands, waterbodies, groundwater, air quality, flora and fauna)?* - **NO**
10. *Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?*- **NO**
11. *Will the proposed action create a hazard to environmental resources or human health?* - **NO**

At 7:12 p.m., it was moved by Van Etten and seconded by Court to close the Davis Public Hearing.

Ayes: 6 Nays: 0 Abstained: 0 Absent: 1

Respectfully Submitted by
Marjorie Loux, Planning Board Clerk