

## PLANNING BOARD MINUTES

A hearing before the Village of Hudson Falls Planning Board was held on May 24, 2021 at 6:00 p.m.

Attendees: David Hutchinson, Chairman  
Joelle Timms, Board Member  
Diane Santa Croce, Board Member  
Lynn Leland, Board Member  
Deborah Breeyear, Board Member  
William Nikas, Village Attorney

Absent: Robyn Cronin, Board Member  
Richard Wagner, Board Member

Public Present: No members of public present

Chairman Hutchinson called the meeting to order at 6:02 pm.

The first item on the agenda is a Site Plan Review application submitted by John Shaw, P.O. Box 373, Hudson Falls, NY 12839 to subdivide the property known as 13 Feeder Street, Hudson Falls, NY 12839.

Chairman Hutchinson opened the floor to Mr. Shaw to explain his project to the board.

Mr. Shaw addressed the board, he stated he owns 13, 15, 17 and 19 Feeder Street. Mr. Shaw stated he is looking to modify lots 15 and 17 to make two 51ft. parcels and one 280'ft. parcel (Lot 13) that currently has a home and a stone driveway that will remain with the larger lot.

Attorney Nikas asked Chairman Hutchinson if it would be helpful if he gave the board some background on this property. Attorney Nikas explained that he represented Mr. Shaw when he first bought this property several years ago as well as doing work for the Village as Village attorney concerning this land back in 2016. The Village had interest in Lot 13 as it had a water line on the property and back in the day there was a bridge that went over the canal and connected to Ferry St. The street was abandoned, and Mr. Shaw acquired title to this property due to abandonment in a deed from his neighbor. When Mr. Shaw surveyed the property, he learned of this water line. The Village deeded to him any interest in the land in exchange for which they would reserve an easement to maintain those lines and that nothing can be built where those water lines are located.

Attorney Nikas gave the board a drawing showing this property is part of a prior filed subdivision map. The map shows lot numbers 15 and 17 have 60' foot frontage and were created as an approved subdivision. Mr. Shaw owns Lots 1, 2, 3, 4 and 5 (Lots 1, 2 and 3 on the proposed survey map are now designated as 13, 15 and 17 Feeder Street). So, in actuality, Mr. Shaw is not subdividing his property, he has three lots involved in this application and he is keeping three lots. What Mr. Shaw is doing, is relocating the boundary lines on Lots 1 and 2; they were 60' foot lots each and would now become 51' foot lots. He has taken 9' feet each from Lots 1 and 2 and merged it with Lot 3 so that the existing driveway stays within Lot 3. So, this application is actually adjusting boundary lines to accommodate an existing driveway by reducing the size of Lots 1 and 2 to 51' feet each, which is still within village code as the property is in a mixed used zone and code states lots must have 50' feet of frontage.

Chairman Hutchinson asked if the intent is to have homes on these lots. Mr. Shaw stated the intent is to sell these as building lots. Chairman Hutchinson asked if lot size for single family home was required to be 5000 square feet. Attorney Nikas explained this is a mixed-use zone which allows for the smaller lot size.

Chairman Hutchinson asked the board if they had any further questions. Chairman Hutchinson asked if any curb cuts or further work, would be covered under a building permit. Attorney Nikas stated yes, they would need a building permit and those issues would be covered there.

Chairman Hutchinson made a motion to open the public hearing, seconded by Board Member Breeyear and carried the public hearing was opened.

There being no members of the public present and on a motion made by Chairman Hutchinson, seconded by Board member Breeyear, the public hearing was closed.

Board Member Timms asked if the properties are under contract already and what the asking price is for the lots? Mr. Shaw stated there is a contract for Lot #3 which contains the existing home. The other lots have an asking price of \$30,000.00 and he does have an interested party. It was discussed that the easement for the Village to maintain the water line is on Lot #3 and will remain with the transfer of title. Board Member Timms feels the lots are too small for residential homes, she understands it is allowable per code as it is a mixed-use zone, but it is her opinion they are too small.

Chairman Hutchinson asked if there were any further questions from the board. There were no further questions from the board.

Village Attorney Nikas reviewed the short EAF form with the Board, the environmental assessment form questions were read aloud, and the Board answered each of them stating no or small impact.

Upon motion made by Board Member Santa Croce , seconded by Board Member Timms and carried it is

**RESOLVED**, after reviewing a short form EAF, the board has determined that the action does not present any adverse environmental impacts. The Board further determined that, based upon the foregoing, a negative declaration be issued.

AYES : Chairman Hutchinson, Board Members Timms, Breeyear, Santa Croce and Leland  
NOES : N/A  
ABSENT: Board Members Cronin and Wagner

Chairman Hutchinson asked for a motion to vote on the application;

Further discussion ensued regarding Board Members Timms concerns over the size of the lots for residential homes. She understands they can not put contingencies in place as it is an allowable size in the zoning law in a mix-used zone. She still struggles with the lot sizes but is willing to vote yes based on the Villages current code and no other choice for conditions.

Upon motion made by Board Member Timms, seconded by Board Member Breeyear and carried,

**NOW, THEREFORE, BE IT RESOLVED**, to approve the Site Plan Application for 13, 15 and 17 Feeder St. as submitted;

Duly adopted this 24<sup>th</sup> day of May 2021, by the following vote:

AYES : Chairman Hutchinson, Board Members Timms, Breeyear, Santa Croce and Leland  
NOES : N/A  
ABSENT: Board Members Cronin and Wagner

Upon motion by Board Member Breeyear, seconded by Board Member Leland and carried the minutes of the January 25, 2021 Planning Board Meeting were approved as submitted.

There being no further business to come before the Board the meeting was adjourned at 6:24 pm.

  
Deputy Clerk