

Town of New Baltimore Planning Board

Public Hearing Minutes

3809 County Route 51 Hannacroix, NY 12087

March 13, 2025

7:00 PM

Present: Josh Boehlke, Ann Marie Vadney, Rob VanEtten, Robert Court, Frank Orlando, Charles Irving, Bill MacDonald

Public Hearing for Land and Lakes Major Subdivision

The clerk received the green certified mail cards. There was receipt of all neighbors being sent certified letters and 10 out of 19 cards were returned with signatures of proof they were received by the adjacent landowners to the Subdivision project. With one being returned unable to send.

Representative Alan Lord presented a map and addressed all those in attendance and gave a brief description of the project. The proposed subdivision consists of a 91-acre parcel along County Route 51 and County Route 26 proposing to subdivide into 10 lots ranging from 2.7 to 28 acres, averaging about 9 acres per lot. All lots made by this subdivision will be sold as vacant land. There is a 100 ft buffer zone on the back of the property to protect the wetlands adjacent to the Cocksackie watershed. There are covenants that will run with the subdivided lots including no further subdivisions of the properties. The covenants were mailed by Mr. Lord with the certified notification letter to the neighboring properties.

The Chairman of the Board then opened the Public Hearing for comments.

Brent Bellnier spoke to the board expressing concern about the storm water run-off, it all flows downhill onto proposed lot 6. Also, there was concern about how new well drilling may impact the yield of existing wells and the impact building on the lots may have on the animal habitats in the area.

Response Lot 6 is 6.5 acres giving whoever may buy the land plenty of space to navigate around any runoff that may occur. All the wells in the area yield a sufficient amount of water and they do not suspect there will be a large impact if any on the yield of the existing wells. Animals will most likely not be driven from the area due to building on the proposed lots and suspect they will continue to coexist in the space.

Nick Dellisanti expressed concerns of adjacent leach fields leaching onto other properties. Suggested maybe a separate covenant depicting where the wells and septic's will be located on the new lots with concern of septic's leaching onto his property.

Response The lots that border Mr. Dellisanti's property are 25 acres, and 15 acres. Mr. Lord pointed out that everything flows away from his property. Since there is adequate acreage on both adjoining lots Mr. Lord does not expect anyone who buys the property would want to build that close to the property line. Mr. Lord had previously presented a map to the Planning Board with proposed septic's as there was concern of leach fields and runoff in regard to proximity to the wetlands. On the lot in question the proposed septic was set over 600ft from Mr. Dellisanti's property line. Since Mr. Lord is not building on the property he cannot determine where someone would choose to build a house or place a septic. Although he has ensured that each parcel has adequate space to accommodate. All these parcels will be sold as vacant land, and it will be up to the new landowner and a hired engineer to figure out where the best placement will be on the properties. There are minimum setbacks to property lines and from septic's to wells, and all wetlands are protected.

David Faul expressed concerns that the hill they are on drains through a culvert and there can be a considerable amount of water going through the culvert. The properties south of the culvert may have issues with water runoff onto their parcels. Also, he was curious why Land and Lakes did not offer to buy the property behind his parcel.

Response Drainage is always a concern the Board questioned whether it was seasonal or continuous. The conclusion was that it is mostly seasonal but almost always wet with mud where the culvert is affecting proposed lot 3. Lot 3 consists of 7.2 acres giving whoever purchases the lot plenty of space to work around any wetness from drainage. Mr. Lord took down Mr. Faul's phone number for future contact.

Joe Bucci expressed concerns with runoff as well. He questioned the deference of runoff when someone purchases a lot with substantial runoff. Will the deference of the water affect existing homes and properties. He also questioned if there can be a stipulation on where the house and septic can be built.

Response The board pointed out that the water runoff does eventually meet the wetland area and with a lot of over 7 acres in size it gives the new landowner flexibility to divert the water or build away from the culvert. It is also covered in the covenants that the culvert cannot be blocked. There is nothing in the code that states you need to provide specific placement of houses and septic's for subdivisions. Mr. Lord did create a map with the

placement of proposed septic systems on each parcel but ultimately it will be up to the purchaser of the land and a professional engineer to determine where the best placement will be.

John Suchy had questions about agricultural zoning of the new parcels. He questioned if solar projects could come in and build. If there are chain link fences it will affect the wildlife in the area. He asked if someone would be able to come and put in a cannabis farm, with concerns to his young children.

Response there is no commercial use in the proposed lots of this subdivision, and it states in the covenants that these lots shall be used for single family homes only. Agricultural use and non-commercial with the exception of home offices. The board told Mr. Suchy that if someone wanted to create a cannabis farm it would have to come through the Planning Board and it is undefined in our town code whether that would be considered agricultural or commercial. The covenants include no industrial or commercial use allowed and the Board does not foresee anyone being able to make a profitable cannabis business on the size lots in that subdivision.

Kelly Downes had concerns about the village of Medway. She questioned if the well and septic on lot 6 will pull water from the existing lots in the village. She stated that there are places in Medway that don't have water or don't have an adequate flow of water. The concern is if the drilling of new wells will draw water from the existing wells.

Response The board replied it depends on the depth of the well and where the aquifer is. They are only placing houses so it should not be drawing so much water on a daily basis that it should take away from someone else several yards away.

A *citizen* in attendance questioned if most of the lots they subdivide get built on or do they mostly stay vacant.

Response Mr. Lord conducted a study for the Adirondack Park subdivision they did for their build ratio. They have a 23 % build ratio in a 10-year period. So about 25% over 10 years roughly 1 in 4 lots will have a house in it in the next 10 years. Land and Lakes had previously done a subdivision in the Town of New Baltimore in 2015 there were 16 parcels as a result of the subdivision and only 1 new house has been built. Also last year they did another major subdivision, all the parcels have been sold and as of now no new houses have been built and no land has been cleared. Mr. Lord followed up that in his previous subdivisions in the Town of New Baltimore most of the parcels were actually purchased by the neighbors. He also informed all in attendance that everyone who received a certified letter will also receive a letter before the properties go on the market as a first offer to the neighbors for purchase.

Mr. Faul questioned if they had any plans for the barn on the property across the road from his house.

Response Mr. Lord replied no, the barn will stand and hopefully when the sell the land someone will do something nice with it.

A *citizen* in attendance mentioned there used to be a pizza shop, is there allowances for other businesses to go in those locations.

Response No not on these properties there is no commercial business allowed on these parcels it is in the covenants. The Board explained that the covenants are deed restrictions and cannot be changed so once this subdivision is done that is it. All parcels will have to follow the covenants, including no further subdivisions and no commercial business.

Motion to close the Public Hearing for the New York Land and Lakes Pine Haven Major Subdivision

Made by Ann Marie Vadney, Seconded by Frank Orlando

Ayes: 7 Nays: Abstain: Absent:

Motion Carried

Public Hearing Closed at 7:39 p.m.