

**TOWN OF JACKSON  
PLANNING BOARD MEETING  
September 6, 2022**

The Town of Jackson Planning Board met on September 6, 2022, at 6:30 pm at the Town of Jackson Town Hall. The following people were in attendance-

**Board Members:**

- Amy Maxwell
- Irene Headwell
- Steve Chuhta
- Kelly Donahue
- Eric Vandenberg
- Tim Thomas
- Mark Mahoney (absent)

**Others Present:**

- Jeffrey D. Tucker
- Brian Dunn
- John Hill

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**The meeting was called to order at 6:30 pm.**

**Minutes**

Approval of July minutes was tabled until the October Planning Board Meeting for enough voting members present from the July meeting to approve the minutes appropriately.

A **motion** was made by Eric Vandenberg and seconded by Irene Headwell to approve August 2, 2022, minutes as written.

Motion carried in favor 4-0.

Roll Call:

Tim Thomas	Aye	Eric Vandenberg	Aye
Kelly Donahue	Aye	Irene Headwell	Aye
Amy Maxwell	Abstain	Steve Chuhta	Abstain

**JOHN HILL**

John Hill proposes a minor subdivision of his property at 6203 Dot Hill Way, tax map number 231.-02-2-1. The minor subdivision is an approximate 2-acre lot from a 28-acre parcel with direct access from Shields Road.

The Board reviewed the Mylar Map submitted. After review, the Board requested a revision to the map to include Mr. Hill's remaining land and the names and tax information of deed holders surrounding the property.

The Board discussed how this request is unclear in the current site plan review checklist available on the website, and the list needs to be revisited and discussed. This discussion was tabled until a later meeting.

**BRIAN DUNN**

Mr. Dunn presented a Part 1 short environmental assessment form for a subdivision of their property at 2673 State Route 22. The tax map number is 239.-2-41. The 6+/- acres with farmhouse and barn would be subdivided from an 81-acre parcel that abuts other land owned by the occupant. The new lot would be approximately 410 feet deep from Route 22. The 81-acre property has approximately 720 feet of total road frontage. Roughly 140 feet would be retained for frontage to the remaining 75-acre lot, and about 580 feet would transfer to the new lot.

The Board reviewed the application for subdivision, and the only change was in part D's responsibility for Roads. A change was made to declare State responsibility as the property is located on Stae Route 22.

The Board reviewed the short environmental assessment form.

A **motion** was made by Eric Vandenberg and seconded by Irene Headwell to classify the project as an unlisted action. Motion carried in favor 6-0.

Roll Call:

Tim Thomas	Aye	Eric Vandenberg	Aye
Kelly Donahue	Aye	Irene Headwell	Aye
Amy Maxwell	Aye	Steve Chuhta	Aye

A **motion** was made by Eric Vandenberg and seconded by Tim Thomas to accept a negative declaration of the SEQR Shortform for the Dunn Property subdivision at 2673 State Route 22 with stipulations that changes be made to question 5, changing both a. and b. to N/A, to question 13 changing a. to no and question 17 changing to no. Motion carried in favor 6-0.

Roll Call:

Tim Thomas	Aye	Eric Vandenberg	Aye
Kelly Donahue	Aye	Irene Headwell	Aye
Amy Maxwell	Aye	Steve Chuhta	Aye

Chairperson Maxwell requested the applicant to return with a formal survey to include a Locus Map at a future meeting once the survey is complete.

#### **JEFFREY TUCKER**

Jeffrey Tucker was in attendance regarding a minor subdivision of parcel 239.-2-52 on 224 Colfax Road, which includes Lot 1. 18.67 acres Westerly, Lot 2. 64.35 acres, which includes a hunting cabin and Lot 3. 32.2 acres, including the house and remaining lands.

After discussing a deeded right-of-way access with his neighbor, Mr. Tucker requested a waiver to the at least 50-foot wide access rule for proposed Lot 2. The current access point is approximately 20 feet wide, which is the current access point and the only access to this property that will easily work for proposed Lot 2.

After the last planning board meeting, the board clerk asked our town attorney about the 50-foot wide right-of-way access. At the time of the September meeting, the Board had not yet received a response from the town attorney.

Planning Board Member Eric Vandenberg cited our Town of Jackson Subdivision Regulations. **Article 6, section 1 Variances** reads – Where the Planning Board finds that extraordinary and unnecessary hardships may result from strict compliance with these regulations, it may vary the regulations so that substantial justice may be done and the public interest secured; provided that such variations will not have the effect of nullifying the intent and purpose of the official map, the master plan, of the zoning ordinance if such exists.

After the planning board discussion of the language in the variance section of the Town Subdivision Regulations, a motion was made.

A **motion** was made by Eric Vanderberg and seconded by Steve Chuhta to grant a variance according to Town of Jackson Subdivision Regulations article 6 section 1 to give a variance to the proposed Lot 2 of the Tucker parcel 239.-2-52 subdivision access point of fewer than 50 feet due to the hardship of Jeff Tucker’s application. Motion carried in favor 6-0.

Roll Call:

Tim Thomas	Aye	Eric Vandenberg	Aye
Kelly Donahue	Aye	Irene Headwell	Aye
Amy Maxwell	Aye	Steve Chuhta	Aye

The applicant’s Public Hearing was set for October 4th at 6:30 pm. Chairperson Maxwell requested the applicant return with a formal survey to include a Locus Map at the date of the hearing.

#### **John Hill**

Mr. Hill requested additional clarification the revised survey map on his property, tax map number 231.-02-2-1, and the boundaries of surrounding lands missing from his current survey Map. He is seeking to provide a clear direction to the surveyor. The Board requested that he ask his surveyor to show the boundaries of all his remaining lands and that of his neighbors matching the town’s site plan review checklist.

Mr. Hill was requested to bring an updated survey map to the next planning board meeting.

#### **SOLAR ENERGY LAW LANGUAGE**

Chairperson Maxwell led a discussion providing an update on the development of the Solar Energy Law. The current draft is with Attorney Terresa Bakner at Whiteman Osterman Hanna Law Firm for her review, suggestions, organization, and updates.

Chair Maxwell will attend the September town board meeting. She will provide an update on the solar law draft and request a joint session of the Town Board and the Planning Board to review the draft. She will also request an extension of the current Solar and Renewable Energy Moratorium. Additionally, Planning Board Clerk Vicki Ruggles shared that she has received two requests for more information about the Town of Jackson from Solar Companies in the past 30 days.

New Business

- Planning Board Member Chuhta requested attorney protocol for responses to the planning board requests and a discussion on the subdivision checklist be added to the next planning board meeting agenda.
- Planning Board Clerk Victoria Ruggles gave her resignation. The Board thanked Ms. Ruggles for her service to the community.

A **motion** was made by Board Member Steve Chuhta and seconded by Irene Headwell to adjourn the meeting at 8:09 pm.

Motion carried in favor 6-0.

Roll Call:

Tim Thomas	Aye	Eric Vandenberg	Aye
Kelly Donahue	Aye	Irene Headwell	Aye
Amy Maxwell	Aye	Steve Chuhta	Aye

**Next Meeting:** Tuesday, October 4, 2022, @ 6:30 pm

**Adjourned:** @ 8.09 pm

Respectfully submitted,

Victoria Ruggles

Town of Jackson, Planning Board Clerk