

**TOWN OF JACKSON**  
**PLANNING BOARD MEETING**  
**October 4, 2022**

The Town of Jackson Planning Board met on October 4, 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

**Others Present:**

- Jeffrey D. Tucker
- John Hill
- Victoria Ruggles
- Jay Skellie (arrived during the Public Hearing)
- John Pederson

**PUBLIC HEARING**

The public hearing for Jeffrey Tucker's subdivision on Colfax Road was opened at 6:30 pm. Mr. Tucker presented the Board with a locus map of his property, which he plans to subdivide into 3 separate lots. The first lot will be an 18.67-acre lot on the west side of Colfax, the second lot is a 32.20-acre lot which contains his home and barns, and the third is a 64.35-acre lot located to the eastern side of lot #2 and contains his camp.

The Board opened the floor for public comments. Former Planning Board Chair John Pederson spoke to relay his concerns about the variance granted to Mr. Tucker at the September 6<sup>th</sup> meeting on account of his hardship acquiring a regulation 50 ft access point to his property and his deeded right away access with his neighbor. Mr. Pederson says the regulation 50 ft is important so that future planning can occur, and requested 50 ft be drawn to the road to create the road frontage. Mr. Tucker said that doing this would not work in the future if he decides to put a house there and could not work now due to where the boundary and the stream are by the road. He pointed out that this has always been the access point and the only property being sold is the property across from Colfax Road, not the two lots in discussion. If he was to sell, he could always add the 50 ft. road frontage. Mr. Pederson stated that creating this flag lot by drawing the access will not disturb the current project. He advised against granting variance because of the precedent it might set for future subdivisions.

At this time, Chair Amy Maxwell spoke to say that due to all of the information provided, it makes sense to grant the variance and move on with the project. Board member Erik Vandenberg also pointed out that any future projects would have to provide evidence of hardship in reference to Article 6 of the Town's Subdivision Regulations. If you could not provide such proof, you would not be granted variance. There were no further comments and the Public Hearing closed at 7:02 pm.

**OPEN REGULAR MEETING: 7:03 PM**

**MINUTES**

A **motion** was made by Irene Headwell and seconded by Erik Vandenberg to approve the July 5, 2022 meeting minutes as written.

Motion carried in favor 4-0.

Roll Call:

Kelly Donahue	Aye	Mark Mahoney	Aye
Amy Maxwell	Aye	Steve Chuhta	Aye

A motion was made by Kelly Donahue and seconded by Tim Thomas to approve the September 6, 2022 meeting minutes with the correction of noting Jeffrey Tucker's subdivision Public Hearing as well as the date and time.

Motion carried in favor 7-0.

Roll Call:

Erik Vandenberg	Aye	Irene Headwell	Aye
Mark Mahoney	Aye	Amy Maxwell	Aye
Steve Chuhta	Aye	Kelly Donahue	Aye
Tim Thomas	Aye		

**JEFFREY TUCKER**

**224 Colfax Road**

**Parcel Id#: 239.-2-52**

**Surveyed by: Brian Holbriiter**

**Survey Completed: June 19, 2022**

A motion to approve the subdivision was made by Mark Mahoney and seconded by Tim Thomas.

Motion carried in favor 6-0 with Mark Mahoney abstaining.

Roll Call:

Erik Vandenberg	Aye	Irene Headwell	Aye
Mark Mahoney	Abstain	Amy Maxwell	Aye
Steve Chuhta	Aye	Kelly Donahue	Aye
Tim Thomas	Aye		

**JOHN HILL**

Mr. Hill was present with an updated survey map for his property (parcel id #231.02-2-1) that contained clear boundary lines and adjacent property owner information. Chair Maxwell stated that this was what was missing on his previous maps and that this is what is required every time. The Board all agreed that the map looked good. Mr. Hill stated his confusion with what is required for the map and that his surveyor did not understand either. He was reminded by the Board that going by the checklist and making sure the surveyor does the same would help with some of this confusion, but they will also be going over said checklist to make sure it is more concise and follows subdivision regulation guidelines.

At this time, Chair Maxwell requested he get his Mylar map prepared and set the date for his Public Hearing to November 1<sup>st</sup> at 6:30 pm.

**SUBDIVISION CHECKLIST**

Chair Amy Maxwell opened a discussion on what could be changed or revised on the current subdivision checklist to help applicants to better understand what is being asked of them. Board Member Mark Mahoney said it would be best to compare the checklist with Town regulations to know what should be changed and if what the law currently states equate to what should be required. The Board discussed how the checklist currently says that sketch plans are optional, something that should be changed because they are essential. They also discussed adding definitions, required access points, clear and concise boundary lines and approximate acreage so applicants can be guided in a proper direction when beginning the process of subdividing. Board Member Steve Chuhta recommended they add names and addresses onto the checklist for the Survey of the Plat so surveyors might not have that confusion again.

The Board also discussed the agriculture law and if the Agriculture Statement currently adheres to that. Chair Amy Maxwell asked if anyone on the Board would be willing to continue going through the checklist and corresponding paperwork. Board Member Kelly Donahue offered to revise and compare the checklist and regulations and come up with a draft for the November meeting.

## SOLAR LAW DRAFT

Chair Amy Maxwell shared some revisions of the Solar Law draft given to her by Attorney Terresa Bakner. Board Member Kelly Donahue pointed out some formatting issues that caused confusion. The Board discussed mega wattage for solar panels and how to best define what utility scale is for people to know the difference between what is commercial solar vs. what is not. They also discussed how to best approach Solar and agriculture land use so as to promote an idea of responsible planning.

The Board hashed out several ideas to adjust the law to serve those visually impacted by solar use and what the proper procedures should be for notifying neighbors of projects. Chair Maxwell and Board Member Donahue will be setting a meeting with Ms. Bakner to further go over discussion points and ideas.

### New Business

- Chair Amy Maxwell will be requesting the Town Board extend the Solar Moratorium for another 6 months so the Planning Board can continue to work on the Solar Law and set a time for a joint PB/TB meeting to go over the draft.
- Chair Maxwell recommended any Board member that is interested attend a Oct. 17<sup>th</sup> training in the County building that will go over “Hot Button Land Uses and The Short Environmental Assessment Form”. The classes begin at 5:30 pm.

A **motion** was made by Board Member Steve Chuhta and seconded by Erik VandenBerg to adjourn the meeting at 9:01 pm.

Motion carried in favor 7-0.

### Roll Call:

Erik VandenBerg	Aye	Irene Headwell	Aye
Mark Mahoney	Aye	Amy Maxwell	Aye
Steve Chuhta	Aye	Kelly Donahue	Aye
Tim Thomas	Aye		

**Next Meeting:** Tuesday, November 1, 2022, @ 6:30 pm

**Adjourned:** @ 9:01 pm

Respectfully submitted,

Molly Dixon, Town of Jackson