

**Planning Board
Town of Keene
Keene, NY 12942**

Date: Tuesday, June 14, 2022

Kind: Regular Planning Board Meeting

Place: Town Hall – Keene, NY

Board Present: Tom Hickey, Larry House, Travis Gagnon, Ron Hall, Linda LaBarge,
Brian Crowl

Board Absent: Mike Hartson

Others Present: Tina Preston Keene Clerk, Derrick Martineau, Code Officer, Christy
Brimhall, Tyler Mallette, Wesley Whitney, Patti Wright, Robert
Biesemeyer

Call to order: Tom Hickey called the meeting to order at 9:00 AM.

PLEDGE OF ALLEGIANCE: Tom Hickey – Flag Day

Approval of Meeting minutes:

A motion was made by Brian Crowl, seconded by Ron Hall, 6 yes votes to approve the minutes of the planning board held May 2022.

New Business:

K-22- 12 Tyler Mallette – Tree House

Tyler Mallette is looking to build a tree house at 3153 Rt. 73, Keene, NY. Mr. Hickey stated that this is a 426 Sq. foot Tree House with water, so this does have to come in front of this board. Mr. House and myself, could not find the property so we still need a site visit. Application, building permit application and plans are on file. The Tree House will have gray water tank and composting toilet. He wants to start as soon as possible. He has an APA permit for a Single Family Dwelling dated in 2004 and under 500 square foot he felt he did not need to do anything. Brain explained most APA permits expire with 5 years. Only thing needed now is a site visit Linda, Tom, and Larry are doing a site visit after meeting. Approved with condition of 1. Site Visit 2. New updated APA letter. Motion Travis Gagnon 2nd Ron Hall Carried 6-0 Yes

K-22- 13 Susan C. Brimhall & Jason M. Brimhall

Susan (Christy) & Jason are looking to build a Single Family Dwelling at 3307 NYS Rt. 73, Keene NY lot # 44.3-1-59.000. Tom & Larry met with Jason, they have a one-acre lot. They have filed an application, plans and map, and have a letter from their lawyer, Timothy Smith, stating that they are APA approved. There is well on site and old septic that is subject to review. Larry stated all looks good to them, Travis stated he has also visited the site in the past with plenty clearance on the property. They have all the information needed for new septic with a map which is in the file current distance is 40 feet. Brain stated that they need an APA Letter Non Jurisdiction. Larry House motion to approval 2nd Ron Hall with condition 1. Needs letter from APA Carried 6-0 Yes

K-22 –14 Wes Whitney – New Home

Wes Whitney had a new home delivered at 64 Beede Lane, Keene, NY. He had a new Mobile 14' X 60' Home delivered yesterday, and was unaware that he needed to come in front of the board for this. He had all the paper work done with the Code Enforcement Officer prior to delivery of home. Wes took out old Mobile home and replace new one in same foundation using existing water and sewer. Motion to approve Travis Gagnon 2nd Linda LaBarge Carried 6-0 yes

K-22-15 Phillip Langmann – Single Family Dwelling

Phillip Langmann is being represented here today by his caretaker Patti Wright. Mr. Langmann is looking to build a 2100 Square Foot home at 150 Hulls Falls Road, Keene, NY, Lot # 53.4-1-12.000. Tom and Larry made a site visit with Patti on June 14, 2022 prior to the meeting. Applications, Maps, APA letters are on file. Motion to approved by Linda LaBarge 2nd by Brain Crowl Carried 6-0 Yes

Old Business:

K-22- 11 Mason, Dave

Robert Biesemeyer presented today for a Single Family Dwelling at 30 Keene Knolls Way in Keene, NY 12942, Tax Map ID 53.2-1-54.002. 2500sq. foot home with a 700sq. foot garage attached by a walkway. This project has been APA approved. Colors have not been decided and construction will not begin until sometime in August 2022. At this time, Tom Hickey stated that a site visit would need to be done and Brian Crowl, Linda LaBarge, Ron Hall and Larry House were going to meet Bob Biesemeyer at the site after the meeting today to go over the project. At this time Planning Board has a completed application, however, it needs a site plan. Board discussed and determined that this would be tabled till next month meeting awaiting site plan. Not Approved.

June 14,2022 Meeting Update

Brian Crowl brought up that they needed to discuss the site visit they did after the last meeting. Mr. Hickey stated it was a satisfactory site visit, and Mr. House stated they needed a site plan. Mr. House stated he talked with Mr. Biesemeyer yesterday and he stated he had one. At that point Mr. Biesemeyer walked into the meeting with a map. 33 Acre has nothing but utility on it and proposed building will be marked on it when determined. Linda asked if once staked out do they need another site visit? Mr. Biesemeyer stated there is two (2) wells on the site. Brian Crowl asked about the APA Letter, and Linda LaBarge stated the 5-year expiration and Mr. Biesemeyer stated no that that was not correct that does not expire. Tom Hickey stated they only needed an updated letter. Mr. Biesemeyer stated none of us are Attorneys. Brian Crowl explained all we need is an APA letter, Mr. Biesemeyer will advise his client but he does not agree, As he is outnumbered by the board. He does not feel that the board should create laws but should just follow them. Mr. Biesemeyer then proceeded to call lawyer Mr. Timothy Smith and board had a discuss on the phone with Mr. Smith as well. Per Mr. Smith there are 2 types of APA Permits 1. Sub-division 2. Sub-division with Dwelling and permits run with the land not the owners. APA would not require a new permit according to Mr. Smith. Only question would be being where the proposed dwelling would go because now the APA requires that the proposed dwelling site location be attached to the permit. Per Mr. Smith he is not seeing any conditions on this permit but feels a call to Brian Ford at APA might give some good assurance. He does see that the permit references that in the northeast corner of the property there is 1.6 acres of hamlet although he assumes that the dwelling now being proposed is..... Mr. Biesemeyer interrupted Mr. Smith before he finished and Mr. Biesemeyer stated he would have Mr. Mason hire Mr. Smith to get this taken care of because he did not want to deal with it. Brian Crowl explained to Mr. Smith what they are looking for and what is stated in the Site Plan Review Law Book for Keene. Mr. Smith stated if you look at Page 3 we would see the condition of the agreement state on the 1993 permit and Mr. Hickey stated we don't have page 3. Mr. Smith stated he could send us a complete packet of permit packet if need. Mr. Hickey stated he either needs a new letter from APA or letter stating that 1993 letter is still valid. Pending Updated Communication from APA.

Side Note: Brian Crowl & Bob Biesemeyer - Bob stated I was on the Planning board for 11 years Chairman for 7 of them and we don't need to get in weeds of APA we don't have the resources for the APA. Brian stated that we only want letter or permit so that we don't need to deal with it. This way everyone is treated the same.

Next Meeting- Tuesday July 12, 2022

Adjournment motion made by Ron Hall 2nd by Linda LaBarge all in Favor carried 6-0

The Meeting was adjourned at 10:10

Respectfully submitted,

Tina L. Terry Preston, Clerk

Planning Secretary