



# The Town of Franklin

P.O. Box 209, Route 3, Vermontville, NY 12989 • 518-891-2189 • Fax: 518-891-6389 • www.townoffranklin.com



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## Town of Franklin Board Meetings

**Special Board Meeting  
May 18, 2009 - 7:00 pm**

### Board members Present:

Supervisor Mary Ellen Keith  
Councilman Allen Berg  
Councilman Walt Kretser  
Councilwoman Janet Ordway  
Councilman Clifford Smalley  
Councilman Walt Kretser

### Others Present:

Town Clerk Sandra Oliver, Donald Goff, Ed Baltzly, Frances Oliver, Karen Smalley, Brad Merrill, Ed Martin, Sandy Hayes, Dave Whitson, Hugh Law, Harrison Ewing, Nathan Brown: Adirondack Daily Enterprise

### CALL TO ORDER

Supervisor Keith called the meeting to order at 7:00 pm. The Pledge of Allegiance was recited; the Town Clerk called the roll, introduced guests and stated the full board was present.

### NEW BUSINESS

**1. RESPONSE TO 2008 FINDINGS OF NYS COMPTROLLER AUDIT** Supv. Keith requested Board members to review and, if in agreement, sign the letter responding to the findings of the Office of the State Comptroller audit in 2008. The Board concurred. Supv. Keith mentioned that the findings of the audit and the Town's response thereto will be published in the press in due course.

Motion to accept draft letter to NYS OSC and sign (J.Ordway-C.Smalley m/s/p) ALL AYE

**2. SOCCER TOURNAMENT AT RECREATION PARK.** A request to use Kate Mountain Recreation Park for a youngsters' soccer tournament on Saturday August 15, 2009 was received earlier this month. The Recreation Committee was in favor of granting the request. Coun. Kretser asked if the organizers had all appropriate insurance coverage, and the organizers, in a telephone conversation with Supv. Keith, indicated they did. The Board agreed.

Motion to permit soccer tournament at Rec Park (C.Smalley-W.Kretser m/s/p) ALL AYE

**3. AGREEMENT BETWEEN HIGHWAY DEPT. AND LANDOWNER RE FILL.** The Highway Superintendent drafted this hold-harmless agreement, and read it. Coun. Kretser indicated Supt. DeMars, in discussing fill problems with another highway superintendent, learned of a town highway department which provided fill to a landowner, and the landowner deposited the fill into wetlands. NYS DEC held that town liable. Supt. DeMars obtained a copy of a fill agreement and adapted it to the Town of Franklin. The Board considered this a good idea, however, it was suggested that the Town's attorney review it.

Motion for resolution accepting contract for fill (W.Kretser-J.Ordway m/s/p) ALL AYE

**RESOLUTION NO. 19: ACCEPT REQUEST FOR FILL AGREEMENT BETWEEN HIGHWAY DEPT. AND LANDOWNER**

WHEREAS, taxpayers and property owners of the Town have expressed the need for excess dirt and materials ("fill") collected by the Town's Highway Department; and

WHEREAS, it is necessary that the Town be held harmless from any and all liability by requesting property owners regarding the final placement of said fill; NOW, THEREFORE,

BE IT RESOLVED that the Town Board of the Town of Franklin hereby accepts the following contract for fill, contingent upon legal review and approval, as follows:

"Dear Property Owner, You have requested fill material from the Town of Franklin Highway Department when it is available from highway maintenance near your property. The highway department will provide this fill to you at no cost, providing the following are met: your property is close to the site of operation, the trucks and/or equipment will be driving over solid ground, there will be no problems getting in and out of the property, and you agree to the following terms:

(1) The Town of Franklin Highway Dept. will exercise due care when on your property and will cease dumping upon request, however, we will not be responsible for any damages to your property such as tire rutting, or the collapse of unallocated pipes or other underground structures. The Town of Franklin Highway Dept. will not be responsible for the fill material after it is dumped on your property.

(2) You, the property owner, verify that there are no designated wetlands on your premises and that no fill material shall be requested to be dumped within 100 ft of any waterway.

(3) Also, you agree to defend, indemnify and save harmless the Town of Franklin Highway Dept. from any and all claim(s) arising out of services performed hereunder, including those specifically arising out of negligent acts or omissions of the Town of Franklin Highway Dept.'s employees and agents (if applicable) including any costs for legal services and defense of any said claims.

Please sign both copies of this letter which indicates you have read it and agree to its terms. Keep one copy and return the second copy to this office. Sincerely, Jacques J. DeMars, Highway Superintendent

To the Town of Franklin Highway Department: I/we certify that I/we are the property owners of record and agree to the terms and conditions indicated above relative to the dumping of requested fill material on my/our property located at \_\_\_\_\_. (Please indicate complete address where fill is to be delivered). The number of loads requested is \_\_\_\_\_ (1,2,3, etc. or unlimited). The type of fill requested is \_\_\_\_\_. Daytime phone number \_\_\_\_\_. Date \_\_\_\_\_ Signature \_\_\_\_\_ Print Name \_\_\_\_\_ Witness #1 \_\_\_\_\_ Witness #2 \_\_\_\_\_."

Those voting aye:

Supervisor Mary Ellen Keith  
Councilman Walt Kretser  
Councilman Al Berg  
Councilperson Janet Ordway  
Councilman Cliff Smalley

Those Absent:

None

Those Abstaining:

None

Those Voting nay:

None

**4. DAMAGE TO ELECTRICAL SERVICE OF LANDOWNER.** A property owner requested fill and in delivering same, the Highway Dept. cut electrical service line into the home. A quote for repair was obtained, but the Board, upon learning the property owner had signed the aforementioned Request for Fill agreement, suggested the Town's attorney review the proposed agreement and claim and that the cost of repair be submitted to the insurance company.

**5. SPORTS LICENSES.** The Town Clerk reported she learned from NYS DECALS that as of June 1, 2009, she would be unable to use the standalone DECALS computer system. In order to continue to sell sports licenses, new connector adapters for the DECALS printers for the Town's computer would have to be purchased. The Clerk reported sports license sales had decreased, and the amount of money generated by the Town in commissions for the past 5 years had not exceeded \$70. The owners of the Birch Bark Deli immediately across Route 3 from the Town Hall had applied for a permit to sell licenses, but DEC indicated it would not grant additional permits to sell licenses in Franklin County. The Birch Bark Deli hours are from 6:00am to 9:00pm, seven days per week; the Town Clerk hours are 9:00am to 3:00pm four days per week. Rather than purchase new printer adapters, the Clerk

suggested the Town discontinue sales of sports licenses, as long as residents of and visitors to the Town would have a convenient site to purchase fishing and hunting licenses. Presently, sportsmen can purchase licenses at the St. Armand Town Hall, Brighton Town Hall, Harrietstown Town Hall and at Blue Line in Saranac Lake. Coun. Ordway asked whether the Town, once it stopped selling licenses, it could start again, and the Clerk responded the decision would be NYS DECALS. Coun. Smalley stated if Birch Bark Deli could be granted a permit to sell sports licenses, it might bring attract customers and revenues to the Town, and he was in favor of it. Supv. Keith indicated that since the new owners of the store were related to her, she would abstain from voting.

Motion for resolution (C.Smalley-W.Kretser m/s/p) ALL AYE

**RESOLUTION NO. 20: CEASE DECALS SPORTS LICENSES SALES**

WHEREAS, the NYS DECALS sports licensing system will discontinue use of the standalone computer system as of May 31, 2009; and

WHEREAS, in order to continue sales of licenses the Town is obliged to use its own computer system for DECALS sales and purchase special adapters for DECALS printers; and

WHEREAS, commissions generated by sports licenses sales over the past five years have not exceeded \$70; NOW, THEREFORE,

BE IT RESOLVED, that the Town of Franklin will cease selling sports licenses through DECALS system as of May 31, 2009.

Those voting aye:

- Supervisor Mary Ellen Keith
- Councilman Walt Kretser
- Councilman Al Berg
- Councilperson Janet Ordway
- Councilman Cliff Smalley

Those Absent:

None

Those Abstaining:

None

Those Voting nay:

None

**OLD BUSINESS**

**1. SECTION 284 AGREEMENT TO EXPEND HIGHWAY FUNDS.**

As the amount to be received under CHPS funding was now known (\$128,208), and Resolution No. 17 adopted at the May 11, 2009 Town Board meeting had been adopted, Supervisor Keith asked each board member to sign the agreement between the Town Board and the Highway Superintendent, and the board concurred.

**2. SEQR REVIEW OF DRAFT SUBDIVISION REGULATIONS.** Richard Jarvis, Chair of the Citizens Advisory Committee on Subdivision Regulations, explained the proposed subdivision regulations were in draft form and had been submitted to special legal counsel for review. He explained that part of the legal process required by NYS Environmental Conservation Law was for proposed local land use regulations to go through the SEQR process to ascertain the environmental impact of any decision the Town Board might make. As a first step prior to the Town Board taking action involving a proposed local law to regulate large subdivisions of 5 or more parcels, SEQR classifies legislative action as a Type 1. Type 1 actions require a mandatory coordinated review and a long form environmental assessment form. Mr. Jarvis emphasized the need for the Town of Franklin to be designated as "lead agency" among the involved State agencies (Dept. of Environmental Conservation, Adirondack Park Agency and Dept. of Health). Copies of a set of documents describing the SEQR process and a copy of the completed SEQR Full Environmental Assessment Form were made available to the Town Board as well as all present (quoted from Mark Schachner, Esq. planning and zoning training session handout held in Brant Lake):

**"STATE ENVIRONMENTAL QUALITY REVIEW ACT (SEQR) REVIEW Introduction**

- A. What is SEQR?
- B. How does it work?
- C. Lead agency designation
- D. Public participation in SEQR Review

<b>SOME IMPORTANT SEQRA TERMS</b>	
<b>Action</b>	Negative Declaration
<b>Type II Action</b>	Conditioned Negative Declaration (CND)
<b>Unlisted Action</b>	Positive Declaration
<b>Type I Action</b>	EIS
<b>EAF</b>	Scoping
<b>Involved Agency</b>	DEIS
<b>Coordinated Review</b>	FEIS

<b>Lead Agency</b>	Findings Statement
<b>Determination of significance</b>	
<b>FREQUENTLY MISUNDERSTOOD SEQRA CONCEPTS</b>	
<b>Segmentation</b>	Scoping
<b>Coordinated review</b>	Acceptance vs approval
<b>Lead agency disputes</b>	Public comments and public hearing
<b>Involved vs. interested agency</b>	Time frames
<b>Type I presumption</b>	

### **A. What is SEQRA?**

State Environmental Quality Review Act - Environmental disclosure and review statute enacted in 1976, Article 8 of Environmental Conservation Law, child of National Environmental Policy Act (NEPA).

SEQR regulations promulgated by New York State Department of Environmental Conservation (DEC) - 6 NYCRR Part 617.

SEQR often described as more "procedural" than "substantive"

"Substantive" SEQRA mandate (really more procedural) - try to protect environment - take potential environmental impacts of "Actions" into account - require Environmental Impact Statements (EISs) when Actions may have significant (adverse) environmental impacts

When EIS prepared, weight benefits of Action (including social and economic) against potential environmental impacts

Only approve Action if 9a) environmental impacts are outweighed by benefits and (b) environmental impacts are minimized, avoided and mitigated as much as possible - "Positive" SEQRA Findings Statement - project approval - may impose conditions to protect environment from impacts identified in EIS

If environmental impacts outweigh benefits, then "Negative" SEQRA Findings Statement - project denial

### **B. How Does it Work?**

Agency must evaluate potential environmental impacts through preparation and review of Environmental Assessment Form (EAF) Projects of "Actions" are classified in three categories:

(1) TYPE II ACTIONS - Actions so minor that they have no potential environmental impacts or any such impacts are minimal - no EAF needs to be prepared - no SEQRA Review

(2) UNLISTED ACTIONS - those Actions (majority) falling in between Type I and Type II - may have some environmental impacts, but significance not presumed - "Short Form" EAF - individual Agency review

(3) TYPE I ACTIONS - Major projects and activities likely to have environmental impacts - potentially significant environmental impacts likely to be required - "Full/Long Form" EAF - Coordinated Review" - selection of Lead Agency from among Involved Agencies

Agency completes EAF answering questions regarding potential environmental impacts and decides whether EIS must be prepared:

(1) Significant (adverse) environmental impacts identified - SEQRA Positive Declaration - EIS must be prepared; or

(2) No significant environmental impacts identified - SEQRA Negative Declaration - EIS not required - may impose conditions

(3) Review standard/criteria - Take "hard look" and make "reasoned elaboration"

If EIS prepared, mitigation measures and alternatives analysis of paramount importance

If EIS prepared, Decision must be supported by SEQRA "Findings Statement"

(1) Findings consider, weigh and balance environmental impacts and "social, economic and other considerations"

(2) "Positive" Findings Statement - project approved

(3) "Negative" Findings Statement - project denied.

### **C. Lead Agency Designation**

If only one Involved Agency, then it is the Lead Agency

If more than one Involved Agency and Unlisted Action, then can have "Uncoordinated Review" - but not efficient, recommended or advisable

If multiple Involved Agencies and Type I Action, then Coordinated Review required - designation of Lead Agency from among the Involved Agencies

Factors and criteria for designation of Lead Agency if more than one Agency seeks Lead Agency status:

(1) Which Agency is "principally responsible for undertaking, funding or approving the action"

(2) Whether the anticipated impacts of the Action are primarily of statewide, regional or local significance

(3) Which Agency has the broadest governmental powers for providing the most thorough environmental assessment of the proposed Action

Designation of Lead Agency by agreement among Involved Agencies is preferable - if no such agreement can be achieved, then Lead Agency "dispute" decided by DEC Commissioner

**D. Public Participation in SEQRA Review**

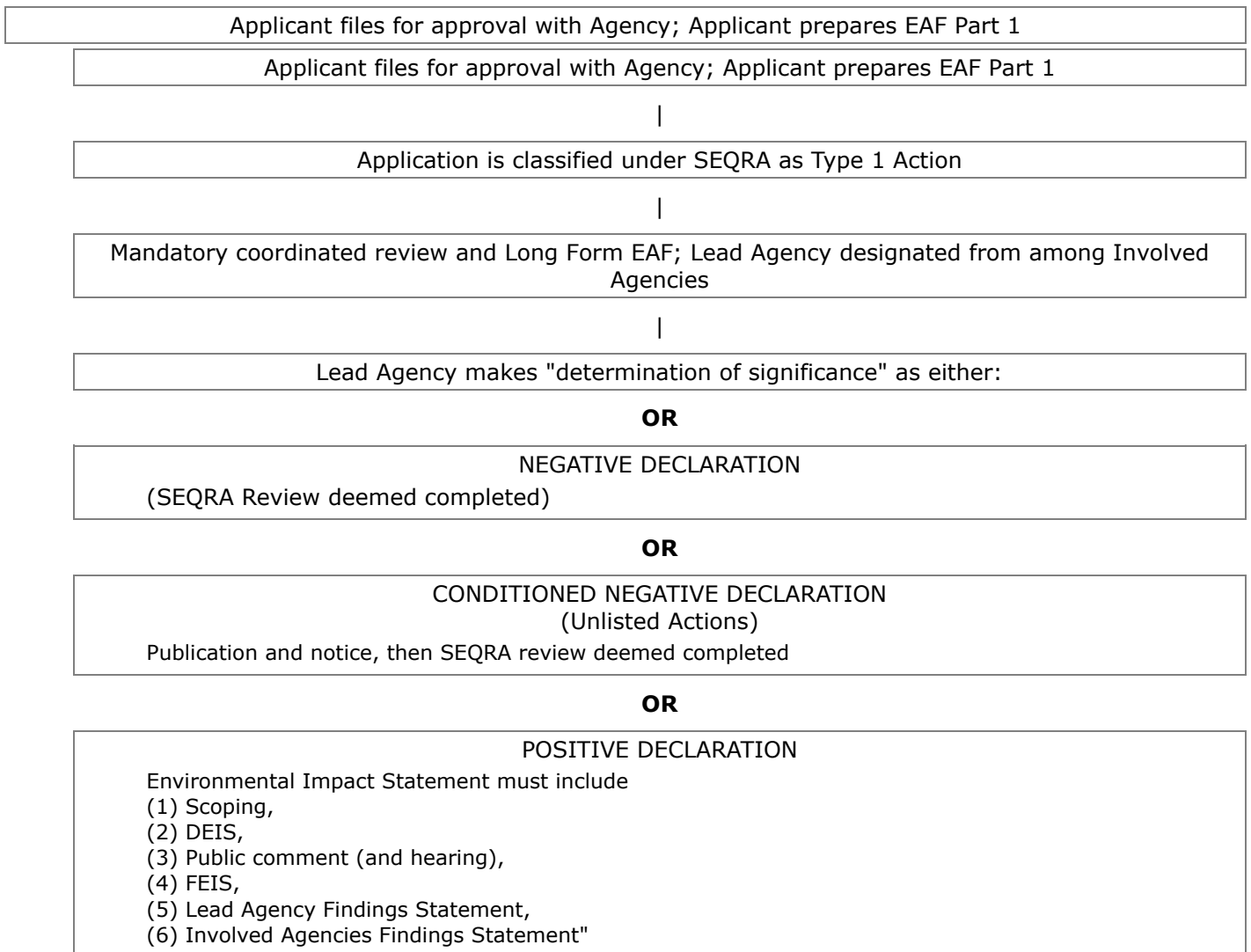
EAF COMPLETION

- (1) No public input formally required by SEQRA, but Agencies (especially local planning boards and zoning boards of appeals) typically have public hearing or public discussion
- (2) Issuance of Negative Declaration may be conditioned on mitigation (but Conditioned Negative Declaration or "CND" only allowable for Unlisted Actions and includes formal notice and comment period)

EIS PREPARATION

- (1) Scoping - optional process to identify issues to be included in EIS - if scoping conducted, mandatory opportunity for public participation
- (2) Draft EIS - public comment period required, public hearing optional (but always held) - comments must be addressed in Final EIS
- (3) Final EIS - mandatory 10 day "waiting period" - purpose is to afford Agencies and the public a "reasonable time period" to consider Final EIS before Lead Agency issues its Findings Statement - however, no Agency obligation to accept or respond to public comments."

Mr. Jarvis then continued, reviewing the SEQRA flowchart from the assembled pages, taken from the same Brant Lake planning and zoning training session handout. (Note that sequences reproduced here cover a "Type I Action" only; copies of the entire document distributed at this meeting are available at the Town Hall):



Mr. Jarvis then reviewed the completed Long Form Full Environmental Assessment Form Part 1 with the Board and members of the public. He stated it would be beneficial for the Board to familiarize itself with the form, as it can be used by subdivision applicants and the decision-making board. He explaining each section of the document (as evidenced by the above flowchart, Part 1 of the EAF form is the only section required to be filed by the Town at this time). Mr. Jarvis noted the purpose of this document is necessary for all agencies (Town, APA, DEC and Dept. of Health {NYS DOH reviews projects of 50+ lots}) to determine whether there will be any environmental impact as a result of the Town adopting the proposed subdivision regulations. In addition, a "Lead Agency" must be designated, and Mr. Jarvis recommends that the Town of Franklin be named Lead Agency:

**Part 1 - Project Information**

A - Site Description - This section provides a brief explanation of purpose of "project", i.e., the adoption of Town of Franklin Major Subdivision Control Law covering all privately-held lands in the Town, or 67,602 acres. It references other NYS governmental agencies for specific data, and sets forth Town recreation areas and waterways in the Town.

As the contemplated action covered by the form is legislative in nature, and not specific to specific parcel(s), the designation "TBD" was used throughout the form to indicate "to be determined by individual subdivision applications."

B - Project Description - TBD

C - Zoning and Planning Information - TBD - however, no lot sizes are required by the Town (the Town of Franklin currently has no land use regulations).

D - Informational Details - Outlines proposed legislation.

Attachments to the form include maps of aquifers, agricultural districts, Natural Heritage Program Sites, and listing of Town Historic Sites and Buildings.

The designated Lead Agency reviews this form and completes Parts 2, 3 and 4, if necessary. Reference above flow chart: the Lead Agency makes a "determination of significance" as either "Negative Declaration" - no negative impact and SEQR process complete, "Conditioned Negative Impact" - requires publication and public review, and then SEQR process deemed complete, or "Positive Declaration" - in which additional information and review processes are mandated before SEQR process is deemed complete.

Mr. Jarvis emphasized that the proposed subdivision regulations do not involve zoning and that there will be ample time for public review of the proposed regulations prior to a public hearing on the matter.

The Town Board noted that Mr. Jarvis had spent considerable time compiling the data and documentation required to complete the EAF and complimented thoroughness of his efforts.

## QUESTIONS AND COMMENTS

Coun. Smalley requested clarification of phrase in Part D (page 6 of EAF) "The draft major subdivision control law will apply to subdivisions of land of 5 or more lots within any consecutive 10 year period . . ."

Mr. Jarvis explained that a property owner might subdivide a land into 4 lots in Year 1 and then another 5 lots in Year 6 without being subject to the provisions of the proposed regulations. This language would place the subdivision under Town rules.

Coun. Kretser commented that the proposed subdivision regulations will not constitute any physical disturbance to the environment.

Coun. Berg inquired about the population of the proposed decision-making board and did not comprehend how the Town Board could make a decision on this matter without knowledge of the individuals to be appointed what qualifications they held.

Mr. Jarvis indicated the proposed regulations are currently under legal review, and whether the Town Board or a special board of appointees would make decisions was not known. However, this is part of the process.

Coun. Kretser commented that ample training opportunities are available for whoever is appointed to the subdivision board.

Coun. Kretser asked Mr. Jarvis what the next step in the process is.

Mr. Jarvis replied the next step was for the Board to adopt a resolution.

Coun. Smalley read the resolution requesting the Town of Franklin be designated Lead Agency into the record (see below).

Coun. Berg stated it was problematical for him to vote to enact a law without knowing who will people the decision-making board.

Coun. Smalley replied that the EAF form was being submitted only so that the Town would be designated Lead Agency. He acknowledged that the draft regulations were in process of being reviewed by special counsel, and that special counsel will advise the Town Board as to the form and population of the decision-making board.

Mr. Jarvis stated that this is only about a legislative action planned by the Town Board. The Town Board will still need to determine who will be appointed to the decision-making board. It is possible that the Town Board might name itself as the decision-making body; it is also possible the Town Board could create a planning board to administer subdivision regulations. If a planning board is created, it would make decisions on individual applications under SEQR, and there are specific training requirements for those individuals to meet. However, at this time, this SEQR process only involves the Town Board as a legislative body. The Town Board will not be adopting a resolution for or against subdivision regulations - it is the beginning of a legislative process.

Coun. Smalley inquired about the special legal counsel and the process used to contract with one.

Mr. Jarvis stated that the Citizens Advisory Committee on Subdivisions had contacted three different attorneys for quotes, and Tim Smith, Lake Placid, submitted an estimate for \$1,950, the lowest. He will submit his written report by Friday, May 22nd.

Motion for resolution to designate Town as Lead Agency (C.Smalley-J.Ordway m/s/p) ALL AYE

## **RESOLUTION NO. 21: LEAD AGENCY DESIGNATION REQUEST FOR STATE ENVIRONMENTAL QUALITY REVIEW PROCESS RE PROPOSED TOWN OF FRANKLIN MAJOR SUBDIVISION CONTROL REGULATIONS**

WHEREAS, The Town of Franklin has undertaken significant efforts begun in 2007 and continuing through 2009 to draft a town law to regulate subdivisions of five or more lots due to recent development experiences, wanting to guide future development , and to create a fair, consistent, and public review process, and

WHEREAS, The Town of Franklin town board at its May 18, 2008 regular meeting created a Citizen's Advisory Committee (CAC) to assist the board in drafting a local law and to aid it in various tasks of the process, and

WHEREAS, a community survey mailed to all property owners based on the current tax roll in March 2009, with a 25 percent response, demonstrated support for the concept of a local subdivision control law with guidelines for development and a public participation process by a 2 to 1 response, and

WHEREAS, decisions by local governments which may effect the environment are subject to Article 8 of the Environmental Conservation Law and its implementing regulations 6 NYCRR Part 617, known as State Environmental Quality Review Act (SEQR), and

WHEREAS, legislation or adoption of rules, regulations or procedures by a government agency or decisions on policies such as land use plans are deemed type I actions (section 617.4), and

WHEREAS, the town board is undergoing review of the draft law by the CAC and is in the process of seeking expert legal review of the draft law before it prepares the draft law for public review and public hearings, and

WHEREAS, SEQR requires that the agency proposing a type I action is normally the lead agency and there is a process to establish lead agency, and

WHEREAS, the lead agency should circulate a letter, Part 1 of the Environmental Assessment Form (EAF), and appropriate supporting information, to other potentially involved agencies, before it makes a determination of significance, and

WHEREAS, the town board has completed and reviewed Part 1 of the EAF dated May 11, 2009; NOW, THEREFORE, BE IT RESOLVED, that the Town of Franklin Town Board directs the Supervisor to formally submit the appropriate information to other potentially involved agencies advising of the proposed Major Subdivision Control Law as a type I action, requesting that the Town Board become lead agency for purposes of SEQR, requesting the all other involved agencies to state their interests and concerns regarding the designation of lead agency and potential impacts of the overall action. The letter should note that an agency's failure to respond within 30 days of the date of the letter will be interpreted as having no interest in the choice of lead agency and having no comments on the action at that time.

Those voting aye:

Supervisor Mary Ellen Keith  
Councilman Walt Kretser  
Councilman Al Berg  
Councilperson Janet Ordway  
Councilman Cliff Smalley

Those Absent:

None

Those Abstaining:

None

Those Voting nay:

None

## **CORRESPONDENCE.**

Supv. Keith directed the Board's attention to the flyer announcing the annual meeting of the Adirondack Association of Towns and Villages, scheduled for June 7 and 8 in Lake Placid. Although she did not plan to attend, she requested board members contact her if they wished to attend.

## **QUESTIONS AND COMMENTS**

You adopted that resolution without questions and comments from the Town Board and the public. Roberts Rules of Order call for a discussion among board members and from the public.

## **N.B.:**

The Board discussed the proposed resolution. Further, the Board adopted 2009 Resolution No. 1 which was amended by Resolution No. 9, "Rules of Procedures for Town Board Meetings" which supersedes Roberts Rules. The Town's Rules of Procedures permit questions/comments from guests only at intervals specified on the Agenda for the meeting.

Your EAF form is 90% incomplete; TBD does not answer the questions, and you cite state websites and documents.

Mr. Jarvis responded the comment might be correct if the Town were planning a specific project with specific parcels in mind; however, as stated previously, this EAF is for proposed legislative action. He further stated he consulted with APA and researched how other municipalities dealt with land use regulations; he observed some applications which used the designation "N/A" (not applicable). Other municipalities also used state websites and documents on their applications.

Does this town have the ability to provide applicants with a 30-40 page application form? Do you have legal counsel for these proposed regulations? Also, all these town regulations mirror the APA regulations.

If you adopt these new regulations, applicants will need approval from the Town, then from APA and then DEC. That's too many steps and that's triple the bureaucracy, and it's not needed.

Mr. Jarvis replied that each agency would have its own individual jurisdiction, .e.g., 9 lots in low density subdivision means that APA would NOT have jurisdiction.

Which agency's rules would have final authority?

Mr. Jarvis replied that the agency with the most restrictive rules would prevail. Applicants would be required to comply with decisions of all involved agencies, however, the intention of the proposed subdivision regulations is that all agencies would cooperate in the review and approval process.

Was the \$1,950 paid to Tim Smith for legal review budgeted? Which account

Supv. Keith replied Account A1420.4 Attorney CE, budget allocation \$10,000

How long will it take for an application to move through the Town review and approval process?

Mr. Jarvis replied the proposed regulations will follow the SEQR calendar: 62 day time period between deeming application complete and holding public hearing. A public hearing must be held within 62 days, and then the decision-making body would have 62 days to decide. The critical date is when the application is deemed complete.

What do you estimate it will cost to implement and enforce this law?

We don't have that information yet, and we are not discussing the 2010 budget this evening.

APA does not have jurisdiction in the hamlets but DEC has jurisdiction over aquifers. The map you have as an attachment to this EAF form is not accurate as to the location of aquifers.

Coun. Smalley responded that the guest's comments and questions were very specific and were more appropriate for a public hearing rather than this meeting.

My family have lived here for 4 generations, and I want to express belief that the Town is heading in a good direction to adopt a land use plan. Several years ago I would have sided with those of you who oppose this law, but after dealing with APA over the Stickney Point Subdivision, I'd rather deal with a local authority staffed by local people.

My comments were not accepted because I disagree with you, but you allowed comments from someone who does agree with you.

Supv. Keith suggested looking at the responses to the March 2009 survey on subdivision regulations which show a 2:1 preference among taxpayers for land use law.

Disagree with the need for your proposed law. When selling my Saranac Lake residence had to deal with that board, and locals have their own agendas. I met every obligation but two people on that board held my sale up, and it cost me thousands trying to sell the property. You can't tell someone they can't subdivide their own property.

This all came about because of the Stickney Point subdivision. I went to those APA hearings on Stickney Point, and although they were polite and listened to residents' concerns, APA did not have to take our concerns into consideration before approving that subdivision, so they didn't because the Town of Franklin had no land use legislation. We're taking the first step tonight.

## ADJOURNMENT

There being no further business to conduct the meeting adjourned at 8:45 PM (W.Kretser-A.Berg m/s/p) ALL AYE

Respectfully submitted, Sandra J. Oliver, Town Clerk

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