

**JANUARY 5, 2023**  
**PITTSTOWN PLANNING BOARD**

**ATTENDANCE:** Member Phillips, Member Luskin, Member Herrington,  
Member Monahan, Member Welch, & Chairman Bushway

**MINUTES:**

Member Herrington made the motion to adopt the minutes of November 3, 2022 with Member Welch seconding the motion. A vote was taken. The motion was carried unanimously by the Board with Member Herrington abstaining.

**Arthur Miclette – 573 Otter Creek Road – Johnsonville Road – Minor Subdivision**

Arthur Miclette received his variance from the Zoning Board. Once the project is approved tonight the applicant can separate 2 of his parcels. Once the 3<sup>rd</sup> parcel has the bungalow decommissioned he will be able to sell that parcel. Once the bungalow is decommissioned there will only be one residence on the parcel. Member Welch questioned how will we know if the applicant sells before the bungalow is decommissioned? The board discussed this question. The only way to know if this happens is by a deed transfer. The Board reviewed the short environmental assessment form. Member Herrington made the motion to grant this project a negative declaration under SEQRA with Member Monahan seconding the motion. A vote was taken. The motion was carried unanimously by the Board. Chairman Bushway read the resolution that was before the Board. Member Herrington made the motion to adopt the following resolution with Member Monahan seconding the motion:

“The Town of Pittstown Planning Board acts as follows on an application for Minor Subdivision Approval submitted by Arthur S. Miclette on January 5, 2023 to create three residential lots from a portion of TMP 34.-1-24.1 located on 573 Otter Creek Road – Johnsonville Road as depicted on a survey map entitled “Survey & Subdivision Plat prepared by William A. Wiley”

1. Has determined upon review of the Short Environmental Assessment Form that the proposed action, an Unlisted Action under SEQRA, will cause no significant adverse effect on the environment and has issued a negative declaration of significance.
2. This approval is with Town of Pittstown Zoning Board of Appeal Condition of the Special Use Permit – on December 20, 2022.
3. Grants Subdivision plat approval with the Chairman authorized to stamp and sign the subdivision plat upon the applicant submission within the next one hundred eighty (180) calendar days of survey drawings in the required number and form specified within the Town’s Subdivision law.
4. Advises the applicant that the Subdivision plat once signed by the Chairman must be filed within 60 calendar days in the Rensselaer County Clerk’s office to complete the subdivision plat approval process.

A vote was taken. The motion was carried unanimously by the Board.

**Frank Berard – 14 – 47 Berard Way – Classification Simple Subdivision**

Brian Holbriiter representing the applicant. Applicant is proposing to create a 2.45 acre parcel for his daughter and son in law. Member Welch questioned if Berard Way is a Town road. Chairman Bushway responded that it is not. Way roads are private right a ways. Member Herrington made the motion to classify this project as a Simple Subdivision with Member Monahan seconding the motion. A vote was taken. The motion was carried unanimously by the Board. Chairman Bushway read the resolution that was before the Board. Member Herrington made the motion to adopt the following resolution with Member Monahan seconding the motion:

“Resolved to classify as a Simple Subdivision and an Unlisted Action under SEQRA, a sketch plan application submitted by Frank E. Berard & Christine Berard on December 27, 2022 to create a 2.45 acre building lot from a portion of TMP 64.-3-8 located on 14-47 Berard Way as depicted on a survey map entitled Survey & Subdivision Plat Lands N/F of Frank E. Berard & Christine Berard prepared by Brian R. Holbriiter P.L.S. Land Surveying & Site Development on December 22, 2022. The applicant is authorized to submit an application for Simple Subdivision approval and all other supporting documentation as required by state and local law.”

A vote was taken. The motion was carried unanimously by the Board.

**Vincent Grilli – Jim Daus**

Applicant did not attend the meeting. Chairman Bushway and the Board discussed the proposed project. Vincent Grilli is proposing to create a parcel behind his property as a nature preserve. The land is landlocked and has no value. They would like the forever wild lot to be 16 acres. The Board questioned who they would be donating the nature preserve property to. Who is going to control this property? This will not need to come to the Planning Board if the property is being donated. How are they going to donate the property?

**Adjournment**

Member Herrington made the motion to adjourn with Member Monahan seconding the motion. A vote was taken. The motion was carried unanimously by the Board.

Respectfully Submitted By:



Colleen Thomas  
Planning Board Clerk

/ct