

**TOWN OF NEW BALTIMORE PLANNING BOARD**  
**Public Hearing**  
**Lands of Patrick Pacheco, Keith Batten & James McLaughlin**  
**Minor Subdivision Application**  
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Location: Mirror Lake Road & Route 26  
# of Lots: 2 – 8.76 acres  
101+/- acres

The Public Hearing was opened at 7:15 p.m. by Chair Rob Van Etten. Other Board Members in attendance were Ann Marie Vadney, Bob Court, Pat Bruno, Bill Boehlke, Lee Salisbury and Frank Orlando. Present on behalf of the applicant was authorized representative Surveyor Gary Harvey.

Green cards were provided for certified letters sent to:

Mark Grennan  
Charles Boehlke Family  
Gerald Weisenburn

And white receipts for:

Schoenborn Associates  
Margaret Bruch  
Gary Hodges  
Domenico Flavoni  
Patrick Pacheco  
Tom Delp

All requiring notification were so notified.

Maps were laid out. Mr. Harvey explained they have approximately 119 acres left of the Mirror Lake property. They are going to convey out an 8.76 acre parcel for Patrick Pacheco to be used in conjunction with his adjoining land, his six-acre lot on Route 26. The 8.76 acre parcel will be combined with the parcel he currently owns. In essence the line between the acre and newly created parcel will come out making the parcel the 14.98 acres. There is a note on the map so indicating intent of merger. An existing stone wall is basically used as boundary line to create the new parcel. Approximately 101 acres will remain in the big parcel.

It was noted property in the back is owned by Delp and by Misuraca in the front. Mirror Lake Road and Route 26 were pointed out. Question was raised with regard to the Wood Road reflected on the map. Mr. Harvey explained it was part of an arrangement dating back many years between Delp and Misuraca. The road comes out where Misuraca's chicken coop is; it comes down his driveway. It is right across from the swamp on the Boehlke property. Mr. Harvey could find no written evidence of it being a right-of-way over Misuraca's property to the Delp property but noted it does run all the way up in back to the Delp property. It is basically a road to nowhere.

Mr. Court pointed out it states on the map "That it is going to be used in conjunction with adjoining lands of Pacheco." It doesn't really state that it is going to be one lot. Mr. Harvey explained when it goes to Real Property they will join it as one piece. Mr. Van Etten commented that it is not stated clearly; it is a matter of interpretation. Question was raised as to how many deeds there would be and Mr. Harvey responded that it would eventually be one deed. It was decided that appropriate wording should be included in the approval resolution clarifying that it is to be one parcel.

The Board had no further questions. The floor was opened to the public for questions and comments. Mark Grennan came forward, viewed the map and Mr. Harvey explained what was proposed.

Part 2 of the Short Form EAF was gone through as follows:

1. Will the proposed action create a material conflict with an adopted land use plan or zoning Regulations? - **NO**
2. Will the proposed action result in a change in the use or intensity of use of land? - **NO**
3. Will the proposed action impair the character or quality of the existing community? - **NO**
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)? - **NO**

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5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway? - **NO**
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities? - **NO**
7. Will the proposed action impact existing:
  - a. public/private water supplies? - **NO**
  - b. public/private wastewater treatment utilities? - **NO**
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources? - **NO**
9. Will the proposed action result in an adverse change to natural resources (e.g. wetlands, waterbodies, groundwater, air quality, flora and fauna)? - **NO**
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems? - **NO**
11. Will the proposed action create a hazard to environmental resources or human health? – **NO**

Board Members questioned the need for all three names appearing in the proposed resolution. The Clerk responded because Pacheco, Batten and McLaughlin are all shown on the deed as owners.

At 7:30 p.m., it was moved by Vadney and seconded by Court to close the Public Hearing.

Ayes: 5    Nays: 0    Abstained: 0    Absent: 0

Respectfully Submitted  
Marjorie Loux  
Planning Board Clerk