

Planning Board Minutes

September 28, 2017

Members in Attendance: Kerri Abela, Tim Otty, Margaret della Cioppa, George Sharpe, Peter Dedrick and Chairman Stephen Reynolds.

Town Attorney Rappleyea

The Meeting was called to order at 6 pm.

Review of Minutes

The chairman announced that the minutes from the August 31, 2017 meeting were not ready for review due to circumstances in secretary Jami Delpozzo's family and explained that as soon as he could complete them that they would be emailed to board members for preliminary review. Final review would be done at the October meeting.

Review of invoices

A motion made to pay Attorney Rappleyea's bill by George Sharpe, seconded by Kerri and carried unanimously.

The chairman raised the matter of paying Planner Ted Fink's 9-1-2017 bill. A question had been raised regarding a May 3, 2017 charge, which appeared on the September bill. This was \$37.50 charge for a 15 minute telephone conversation that the PB chairman had with Mr. Fink that occurred on May 3, 2017. This date was after Fink's submission of his corrected invoice of April 11, 2017 and before his next invoice of September 1, 2017. The board wanted to know why this charge was being billed months later. The chairman said that he would look into it and get back to the board regarding this.

Westby Special Use Permit for Accessory Apartment Public Hearing

A motion to open the public hearing was made by Margaret, seconded by Kerri and approved unanimously. The public was invited to speak and as there were no comments, a motion to close the public hearing was made by Tim, seconded by Peter and approved unanimously.

SEQRA review of the action was done using Short form EAF and a negative declaration was made.

Concern about the use of the accessory apartment space for living, before a building permit had been granted, was raised because of fire safety. As a condition of approval, the board requested that a letter be sent to the ZEO asking him to remind the applicant in writing not to allow the use of the space for living until a certificate of occupancy was obtained. Motion to approve the Special Use Permit for accessory apartment with the above condition was made by Margaret, seconded by Peter and approved unanimously.

D'Souza Site Plan Review

The planning board re-visited the four areas of concern listed in the ZBA resolution of August, 18, 2016:

1) Illegal expansion of animal use.

The board decided that, as D'Souza had reduced the numbers of animals and removed an animal pen, that the illegal expansion of animal use had been sufficiently mitigated.

2) Construction of a Pond without a permit

The board did not see that the pond differed appreciably from other ponds in the town or that the pond would have any significant adverse impacts to the environment or the quality of the neighborhood and felt that the pond can remain as it is.

3) Construction of a fence without a site plan review

The applicant obtained a variance for the fence, which exceeds the maximum height prescribed by zoning and had painted the posts a neutral color. The board found that this issue has been resolved

4) Construction of a metal garage/storage building without obtaining a site plan review approval which is causing unnecessary glare.

D'Souza proposed the planting of a row of trees that will shield the neighboring properties from the glare. In addition the applicant proposed covering the south side of the metal building with shade cloth or a neutral colored tarp until the trees grow to a sufficient height as to block the glare. The board found these measures to be sufficient.

Finding that the applicant had satisfactorily addressed all issues raised in the site plan review process, the chairman asked if all members were in agreement that the proposed measures for mitigation would likely be sufficient for approval of the site plan review once a future public hearing is held. On a motion by George, which was seconded by Kerri, all members agreed. A public hearing is to be set for the October 26th meeting. A resolution defining the conditions of approval is to be drafted and made public.

William Droege - Lot Line Adjustment-

Mr. Droege presented his application to move various property lines of three separate parcels. The board found that no new lots or non-conforming lots would be created and that the action would actually bring two of the lots into compliance with zoning as their acreages would be increased to the minimum lot size requirement. The words "Lot Line Adjustment" were not on the maps that the applicant presented as required by the subdivision regulations and he was asked to have new maps prepared that are labeled this way. Mr Droege was also asked to add a note saying that, "no new parcels will be created". A Motion to waive a public hearing made by Peter, seconded by Margaret was approved unanimously. Motion was made to approve with the above conditions was made by Tim seconded by Peter Dedrick and approved unanimously.

Public Hearing For DEIS Submitted by Primax for Dollar General Store

The following members of the public made comments on the DEIS submitted for the proposed establishment of a Dollar General Store. A stenographer employed

by Primax was present and recorded what was said. In addition, an audio recording was made by the planning board.

Mary Howell (in favor)

Linda C. Decker (opposed but initially in favor)

Ron Moore (in favor)

Carole Neville (opposed)

Stephen Savoris (opposed)

Jaia Orient (opposed)

Pamela Wallace (opposed)

Peter Risafi (opposed)

Ralph Schmidt (in favor)

Nan Eliot (opposed)

Dianne Young (opposed)

Raymond Moore (in favor)

Lee Wurtzburger (opposed)

Eve Thoreau (opposed)

Michael Reichman (opposed)

Nadine Rumke (opposed)

Mary Foskett-Elliot (opposed)

Amy Davison (opposed)

Connor Guy (opposed)

Conrad Hanson (somewhere in between)

Martin Overington (opposed)

Kaare Christian (opposed)

Suzette Haas (opposed)

Don Westmore (opposed)

Art Cady (opposed)

Trevor Hunter (opposed)

Tony Albino (opposed)

Michael Serrapica (opposed)

Richard Bump (made a comment but didn't express an opinion for or against)

A motion to adjourn was made by George, seconded by Peter and approved unanimously at 8:40 pm????

Minutes Prepared by Chairman Stephen Reynolds