
Planning Board Minutes
August 4, 2022

Planning Board Members Present, Steve Lester, Daniel Compton, Michael Woodruff, Kim Duvall, Julie Pellett
Absent: Matt Rogers, Dan Morley.

Others Present, Kimberly Rayburn (Building & Zoning) Jeremy Biernat (owner), Gary Pooler (owner), Gerald Gerstner (owner).

Lester opened the meeting at 7:34 pm.

- I. Area variance # TV6-22** for a structure that does not meet the rear setback, the proposed barn will be 41.6 +/- feet from the rear lot line where 50 is required. Property owned by Sarah & Jeremy Biernat located at 3089 Bailey Road.

Biernat obtained both an inground pool and a barn permit at the same time. The pool ended up being farther back in the yard than originally planned therefore, it caused the barn to be further back as well. The barn will have a porch roof and seating area where the Biernats can watch the children in the pool. The front of the barn will act as the rear enclosure of the pool. After Jeremy Years from Years Boundary came out and placed stakes at the 50-foot setback he concluded that an eight-foot six-inch variance required and they're asking for a forty-one-foot six-inch setback from the back boundary line where 50 is required.

A brief discussion was held, the Board feels this request is not substantial and does not have a negative impact.

Woodruff motioned Compton seconded to forward to the ZBA Area variance # TV6-22 for a structure that does not meet the rear setback, the proposed barn will be 41.6 +/- feet from the rear lot line where 50 is required. Property owned by Sarah & Jeremy Biernat located at 3089 Bailey Road

Whereas:

1. No negative impact
2. The barn cannot be seen from the road

Record of Vote:

Lester Aye Compton Aye Woodruff Aye Duvall Aye
All Board members present voted Aye, Vote was carried.

Pellett Arrived.

- II. Area variance # TV7-22** for a LED advertising sign. Property located at 6910 State Rts 5&20 Bloomfield NY. Tax Map # 81.00-1-13.100

A brief discussion was held, Duvall stated she is in favor and Compton feels the sign would serve the community in a positive way.

Woodruff motioned Compton seconded to forward to the ZBA Area variance # TV7-22 for a LED advertising sign. Property located at 6910 State Rts 5&20 Bloomfield NY. Tax Map # 81.00-1-13.100

Record of Vote:

Lester Aye Compton Aye Woodruff Aye Duvall Aye Pellett Aye
All Board members present voted Aye, Vote was carried.

III. Sketch Plan # TS5-22 W. B. Creekside 2211 Creekside Airport Drive tax# 68.00-1-72.211 to allow for Private drive & for 5 houses where 4 are allowed.

Woodruff began by explaining that the ZBA kicked back the review of the five houses on a private drive where 4 are allowed. After looking into it further the ZBA concluded the proposal was not under their jurisdiction. In Town code under section **86.8 Major subdivision procedure**, *the planning board may waive, when reasonable, any requirements or improvements.*

The Board then reviewed the sketch plan map, and the comments from Poolers engineer on the dry hydrant. The Fire Chief had previously reviewed and signed off on the dry hydrant.

Duvall motioned Pellett seconded to waive the requirements of 4 houses on a private drive and allow 5. W. B. Creekside 2211 Creekside Airport Drive tax# 68.00-1-72.211.

Whereas:

1. They have provided more than enough fire protection with the dry hydrant and installing more than the required pull offs for fire safety

Record of Vote:

**Lester Aye Compton Aye Woodruff Aye Duvall Aye Pellett Aye
All Board members present voted Aye, Vote was carried.**

Compton motioned Pellett seconded to declare SEQR a Type II, with no further action required.

Compton motioned Duvall seconded to approve Sketch Plan # TS5-22 W. B. Creekside 2211 Creekside Airport Drive tax# 68.00-1-72.211. Private drive for 5 houses.

Whereas:

1. Where Pooler will be doing this project in phases and will be required to return for preliminary/final for each lot when developed.

Record of Vote:

**Lester Aye Compton Aye Woodruff Aye Duvall Aye Pellett Aye
All Board members present voted Aye, Vote was carried.**

IV. Review #TW7-22 Parcel lot line adjustment, 2456 Steele Rd, Owner Gerald Gerstner tax map # 68.00-1-57.111. Parent parcel of 2.50 +/- acres. Annex .292 acres into #68.00-1-57.113

The Board reviewed the maps and found them to be in order.

Woodruff motioned Lester seconded to declare SEQR a Type II, with no further action required.

Woodruff motioned Pellett seconded to approve #TW7-22 Parcel lot line adjustment, 2456 Steele Rd, Owner Gerald Gerstner tax map # 68.00-1-57.111. Parent parcel of 2.50 +/- acres. Annex .292 acres into #68.00-1-57.113

Record of Vote:

**Lester Aye Compton Aye Woodruff Aye Duvall Aye Pellett Aye
All Board members present voted Aye, Vote was carried.**

V. Discussion:

Woodruff informed the Board that he was present at a workshop the Town Board had before their last meeting. Some discussion was held on the number and size of these signs. Woodruff informed the Town Board he would take the discussion back to the Planning Board for review of the sign code. Woodruff stated that the Village separated political signs from non-commercial speech signs and feels the Town may need to do the same.

The Board held a brief discussion on political and non-commercial speech signs. Compton would not support any change to the political signage unless it was more restrictive without the town resident's input. He feels the change only serves a few people and not the town as a whole. Duvall stated it may be a conflict of interest for the Town Board to make changes to the political signage without the Planning Boards input. The Board is scheduling a workshop for multiple topics before the next Planning Board to be held at 6:30 pm on August 18th.

Topics for future review

1. Continued review of the Comprehensive Plan's suggested updates for zoning districts changes
2. 5 G placement of antenna's
3. Battery Storage
4. More research and code considerations for cannabis in the future
5. Look into code for event centers vs current code that allows for a SUP for each event on 50 acres or more
6. Look at the schedules for any items that need to be updated or clarified

VI. Meeting Adjourned

**Lester motioned and Woodruff seconded to adjourn @ 8:50 pm.
All Board members present voted Aye, Vote was carried.**

Respectfully submitted,

Christel Daggett
Planning & Zoning Board Secretary