
Planning Board Minutes

April 6, 2023

Planning Board Members Present: Steve Lester, Julie Pellett, Daniel Compton, Dan Morley, Matt Rogers, Michelle Rhoda

Phone: Michael Woodruff **Absent:** Kimberly Duvall

Others Present: Kim Rayburn (Building & Zoning), Christel Daggett (Planning & Zoning Secretary), Richard Kimball (Applicant), Anthony Sulli (Applicant), Francis Ambroski (Applicant) Ryan Duvall, Bill & Marci Hardy (Local Farmers and members of the community)

Lester opened the meeting at 7:30 pm. Public hearing remains open for Delong.

I. Special Use Permit TSP1-23 Owner, Adam & Ashley Delong 2521 Cannan Rd. Tax Map # 66.00-3-31.100 for 5 - 30 x 130 Storage Buildings.

Tabled for further review until 4.20.2023 for new changes/ modifications made by Marks Engineering

II. 1 Lot Subdivision parent parcel, TS2-23 Owner Richard Kimball 2432 State Route 444 Tax Map # 67.00-2-17.110 Parent parcel Lot 1 of 71.224 +/- acres creating Lot 3 of 6.930 +/- acres leaving 64.292 +/- acres of parent parcel.

Kimball Stated he is removing 6.930 +/- acres to build a Single-Family home. In-laws will remain in the existing home. The remaining portion of the property that's being subdivided is currently being farmed, and it will stay that way. Morley asked why on the map did it say Lot 1 and Lot 3 where was lot 2? Kimball stated that his mother purchased the property on the East side of 444 creating lot 2 in 2021 and it was an 85-acre property. Rayburn stated it looked straight forward and didn't see any problems. Compton asked if there was a right of way? If someone buys lot 3 is there going to be an easement or right of way or will they have to go through the dog leg to make a new driveway? Kimball stated the intent is to create an easement from ourselves to ourselves for access to the property. They do not want to create it at this point, underground utility routing could vary slightly, and they want to capture the underground utilities in that easement. There are some questions about possible future municipal water. The municipal water supply could affect issues in the easement. Compton asked Rayburn when the easement would be put in place, Rayburn stated she believed that was a legal thing between them and their Attorney. Compton stated that all we're looking at is a subdivision for now. Compton asked Woodruff if he saw any problems? Woodruff stated no but when the house gets built, they should make sure the driveway gets cut straight across rather than follow the lot line to make sure that it ends up in the deeded Right of way.

Rogers motioned Lester seconded to declare SEQR a type II with no further action required.

Lester motioned Compton seconded to accept sketch map for 1 Lot Subdivision TS2-23, Owner Richard Kimball 2432 State Route 444 Tax Map # 67.00-2-17.110 Parent parcel Lot 1 of 71.224 +/- acres creating Lot 3 of 6.930 +/- acres leaving 64.292 +/- acres of parent parcel.

Record of Vote:

Lester Aye Compton Aye Rhoda Aye Rogers Aye Morley Aye
Vote was carried.

III. Lot Line Adjustment PLA3-23 Owner, Anthony Sulli 2242 State Route 444 Tax Map # 67.00-2-8.210
Parent parcel (farmland) all except 7 +/- acres will be annexed into parcel 54.03-1-42.000.

Sulli stated he is annexing the parent parcel (farmland) into the existing parents' land leaving 7 +/- acres for future house. Compton stated to Sulli the Town does not like to see barns created in front of the house and keep that in mind when building his home in the future.

Lester declared SEQR type II with no further action required.

Rogers motioned Morley seconded to accept maps for parcel lot line adjustment. #PLA3-23 Owner, Anthony Sulli 2242 State Route 444 Tax Map # 67.00-2-8.210. Parent parcel (farmland) all except 7 +/- acres will be annexed into parcel 54.03-1-42.000.

Record of Vote:

Lester Aye Compton Aye Rhoda Aye Rogers Aye Morley Aye
Vote was carried.

Pellett arrived at 7:40

IV. Site Plan Modification SPLM1-23 Owner, Francis Ambroski 2400 County Road 39 Tax Map # 67.00-1-2.120 Applying for a Site Plan review for a structure to be in the front line of Single-Family Home & erect a pavilion to park his boat under.

Ambroski would like to construct a Pavilion to have a place for his boat. The construction of his pavilion will consist of 8 posts, trusses, and a steel roof. The location of the pavilion is due to the lay of the land. There is a hedgerow on one side and a pond on the other side of the driveway. The closest adjacent neighboring property is a farm field. The accessory structure will be 28 ft from the side set back. The house sets ack 340 feet from the road it will be hard to see.

Compton motioned Morley seconded to waive a public hearing. Lester declared SEQR type II with no further action required.

Rogers motioned Rhoda seconded to approve the Site Plan Modification, SPLM1-23 Owner Francis Ambroski 2400 County Road 39 Tax Map # 67.00-1-2.120 for a structure to be in the front line of Single-Family Home & erect a pavilion to park his boat under.

Record of Vote:

Lester Aye Pellett Aye Compton Aye Rhoda Aye Rogers Aye Morley Aye Rhoda Aye
Vote was carried.

V. Discussion:

A brief discussion was held about information received from AG & Markets. Woodruff stated He and Rayburn need some time to go through what AG & markets have sent them regarding questions that they had previously asked. Rayburn and Woodruff will put their ideas together and come up with points of topic that the Planning Board can use for further discussion. Woodruff stated that based on public comments this would allow time to set up a workshop with nothing else on the agenda. Compton asked Woodruff what he thought about Ag & Markets comments regarding our current code. Woodruff and Compton stated that our current code may be out of touch with reading what Ag & Markets had to say.

A brief discussion was held on Delaware River Solar. The Board asked Rayburn what the timeframe for the Special Use permit was? Rayburn stated she would look into it. The Board stated they would consider giving Delaware River Solar another extension if needed stating they would like to see the development go forward after everything Delaware River Solar has done. John Bennett would like to see the development go forward as well.

Compton stated RG&E has replaced 52 poles on State Rt 64, the infrastructure has changed since the Cesir was done. It would be nice to know if the Cesir needs to be updated or does it still conform. They also changed their original plan and went from 3 Megawatts to 1 ½ megawatts. They need to look at infrastructure hookups. It may be as simple as RG&E saying they are good to go.

A brief discussion was held on another site for Delaware River Solar by the water tower on 5&20. Rayburn waiting on packet because they need to restart from the beginning.

Other 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.
7. Future possible code changes including AG & Farm stand regulations.

VI. Minutes of March 16, 2023

**Pellett motioned Rogers seconded to approve the minutes of 3/16/2023.
All board members present voted aye; vote was carried. Rhoda abstained.**

VII. Meeting Adjourned

**Lester motioned and Rhoda seconded to adjourn @ 8:07 pm.
All Board members present voted Aye, Vote was carried.**

Respectfully submitted,

Christel Daggett
Planning & Zoning Board Secretary