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**Planning Board Minutes  
October 2, 2014**

**Planning Board Members Present:** Brad Bennett, Gene Rogers, Brud Hedges, Julie Pellett, Daniel Compton, Karl W. Smith, Kip Jugle.

**Others Present:** Andy Hall (CEO), Kim Rayburn (Secretary), Mildred Spock (Owner),

**Bennett opened the meeting at 7:30 pm.**

**I. Site Plan Review SPL3-14** for a storage building to be erected in front yard across the driveway by tree line lands located at 2528 Wheeler Station Rd of tax map # 68.00-145.120 Creek N Wood Campgrounds Mildred Spock (Owner)

Bennett stated that Spock has a setback issue; the Town does not allow structures to be built within the seventy five (75) foot setback. Bennett stated that the existing house looks to be at the setback but may also be closer than the seventy five feet; Hall estimated the measurement using software on his computer and came up with the house being approximately eight (8) feet shy of meeting the current setback requirements. Bennett asked Spock about the existing service area for campers as he drove by the property and it looks to be in the area where Spock is proposing to place the shed. Spock stated that there is a septic pump station/holding tank there but the shed would be further back by the tree line. Compton asked Spoke why she chose this spot for the shed, she stated that she chose it because it would look really nice there, it looks like a little barn, it has a barn door on it, and it will match the color of the house. Also it will not make the house and existing garage looked cluttered. She needs more storage as her house before moving here was much larger, she also stated that she wants the property to look clean and feels that by putting another structure by the house it will make it look too cluttered. Jugle and Compton suggested putting the barn in the area between the two (2) driveways; Spoke stated that it would look out of place and would not look nice and clean as the spot she chose. Pellett stated that it could go to the south of the house; Spock stated they were planning a garden.

Bennett advised Spoke that she would need to apply for a Variance if this is the spot she is set on having the shed as it will not meet the current Town setback of seventy five (75) feet. The Board feels that the pictures are not clear enough; they will require a site plan with written dimensions on it and asked Spock to stake out the four corners where the shed would be going.

**Planning Board Decision:**

**Jugle made the motion and Hedges seconded the motion to table the site plan review # SPL3-14** for a storage building to be erected in front yard across the driveway by tree line lands located at 2528 Wheeler Station Rd of tax map # 68.00-145.120 Creek N Wood Campgrounds Mildred Spock (Owner)

**Whereas:**

- 1. The Board needs a site plan with written dimensions on it**
- 2. A short form SEQR needs to be submitted**
- 3. The placement of the shed will require a Variance for set back as it will not be seventy five (75) feet from the right of way.**

**Record of Vote:**

Brad Bennett Aye  
Gene Rogers Aye  
Brud Hedges Aye  
Julie Pellett Aye  
Dan Compton Aye  
Karl W. Smith Aye  
Kip Jugle Aye

**All Board members present voted Aye, Vote carried unanimously.**

**II. TV3-14 Area Variance Review** All Brite Signs (Agent) (Dollar General) tenant is requesting to erect a second Commercial sign on one parcel in a Community Commercial zone where one sign is allowed. Appeal of Town Code Article XIII, Section 135-104, section B. Lands owned by Midwest XX, LLC of tax map #80.00-1-9.200. Lands located at 7463 State Route 5 & 20 Bloomfield, NY 14469

The Board reviewed the application; they are in agreement that there are actually three variances that will be required. They do not feel the application is complete as three variances should be applied for, and the site plan is incorrect as the driveway has been moved therefore this site plan is not valid.

Rayburn stated that she informed the applicant of the three variances in an email sent on September 25th and the applicant felt their letter of intent covered the request.

**Planning Board Decision:**

**Compton made the motion and Hedges seconded the motion to return the application for TV3-14 Area Variance Review** for All Brite Signs (Agent) (Dollar General) tenant is requesting to erect a second Commercial sign on one parcel in a Community Commercial zone where one sign is allowed

**Whereas:**

1. Three variance applications need to be submitted for the following:
2. A second Commercial sign (for a ground mounted sign) where either a building mounted or a ground mounted sign is allowed.
3. Size of ground mounted sign, A 2 sided sign of 100 sq. ft., (50 sq. ft. per side) is proposed where a 64 sq. ft. (32 sq. ft. each side) is allowed.
4. Height of ground mounted sign, 8 ft. plus lights are proposed where a 7 ft. above ground level is allowed.

**Record of Vote:**

Brad Bennett Aye  
Gene Rogers Aye  
Brud Hedges Aye  
Julie Pellett Aye  
Dan Compton Aye  
Karl W. Smith Aye  
Kip Juggle Aye

**All Board members present voted Aye, Vote carried unanimously.**

**III. TSP6-11** Amendment to Special Use Permit for sales of used vehicles to erect additional structures, Owner William Singer tax map # 81.00-1-25.120 located at 6678 St Rts 5&20.

Rayburn informed the Board she had not received the requested documents from Singer and has had no contact with him. Bennett stated that after further review of the Vehicle and traffic law Singer is required to be a licensed motor vehicle repair shop for the work that he or a tenant is performing. Bennett also stated that at the last Planning Board meeting Singer was advised he could not continue to work on any vehicles until his amendment was reviewed and approved. Singer is still allowing work to vehicles to be done on his property as Bennett has witnessed this by driving by.

The Board reviewed the regulations for a Special Use Permit (SUP) that is in Violation and will follow the code to get Singer into compliance before amending his current SUP.

**Smith made the motion and Compton seconded the motion to** write Singer a letter stating that they cannot issue or amend a SUP when there is an existing Violation per Section 135-23 D (3) of Town Code. And The Code Enforcement Officer will send Singer a letter stating the property must be in compliance of the original SUP within thirty (30) days or the SUP will be revoked per section 135-23 D (4) of town code.

**Record of Vote:**

Brad Bennett Aye  
Gene Rogers Aye  
Brud Hedges Aye  
Julie Pellett Aye  
Dan Compton Aye  
Karl W. Smith Aye  
Kip Jugle Aye

**All Board members present voted Aye, Vote carried unanimously.**

**III. Discussion**

Bennett gave the Board an update on their training requirements for the year 2014.

Rayburn informed the Board of an application for Site Plan Review for Bloomfield Mini Storage to add three new storage buildings to the existing units located on 5&20 formerly owned by Harvey Toomey. Rayburn will advise the Board if a current SUP or Use Variance is on file for the property.

**IV. Minutes of September 18, 2014**

**Smith made a motion and Pellett seconded the motion to approve the minutes of September 18, 2014**

**All board members present voted Aye, with the exception of Rogers who was absent at the September 18th meeting. Vote was carried.**

**V. Meeting Adjourned**

**Hedges made a motion and Pellett seconded the motion to close the meeting @ 9:00 pm.**

**All Board members present voted Aye, Vote was carried unanimously.**

Respectfully submitted,

Kimberly Rayburn  
Planning & Zoning Board Secretary