

TOWN OF EAST BLOOMFIELD

**Planning Board Minutes
March 2, 2017**

Planning Board Members Present: Brad Bennett, Julie Pellett, Karl W. Smith, Daniel Compton, Matt Rogers, Fran Overmoyer, Fred Fink

Absent:

Others Present: Kimberly Rayburn (Secretary), Fred Willie (Supervisor), Jim Kier Code Enforcement Officer, Amy Repard (Owner), Michael Putman, Kelli & Matt Kubinski (Owner)

Bennett opened the meeting at 7:30 pm & introduced Kim Kier

I. 7:30 pm TS1-17 Parcel Line Adjustment 2656 Wheeler Station Road, owner, Amy Repard tax map # 81.00-1-78.110 Annexing 3.434 acres on the other side of the old railroad bed into 2713 Whalen Road. Owner, Carl Rubenstein tax map # 81.00-1-89.000.

Bennett asked Repard to give an overview of her proposal, Repard stated that a little over three acres of her property is located across the railroad bed that was purchased by Karl Rubinstein a few years back, she has no use for the property, it's in the flood plain and she has made a deal with Rubinstein that if he filled in an in-ground pool for her she would give him that portion of land as he could use the property much easier than she could or would. Bennett stated that this piece of land across the tracts is really landlocked and this would solve that.

Bennett discussed SEQR, Smith made a motion and Fink seconded the motion to declare SEQR an Unlisted Action with a Negative Declaration. All Board members voted Aye.

Planning Board Decision:

Smith made a motion and Compton seconded the motion to approve TS1-17 Parcel Line Adjustment 2656 Wheeler Station Road, owner, Amy Repard tax map # 81.00-1-78.110 Annexing 3.434 acres on the other side of the old railroad bed into 2713 Whalen Road. Owner, Carl Rubenstein tax map # 81.00-1-89.000.

Record of Vote:

Brad Bennett	Aye
Julie Pellett	Aye
Dan Compton	Aye
Karl W Smith	Aye
Francis Overmoyer	Aye
Matthew Rogers	Aye

All Board members present voted aye, Vote was carried unanimously.

II. 7:45 pm TV1-17 Area Variance for Kubinski 7301 Town Line Rd tax map # 53.00-1-23.000

Front set back of house sets back 52.8 at the closest point to the road where currently 75 feet is required. Pre-existing non-conforming. The house sets at a slight angle. Property owners would like to erect a porch on the front of the house making the entrance way's safer and more attractive. The proposed porch will come 7.6 inches closer to the road at its closest point, less at it travels to the west. Leaving the closest point at 45.2 to the road. There is an incline in elevation from the road to the house making it difficult for someone to hit it, also the house is on a dead-end road.

Bennett asked Kubinski to explain their proposal, Kubinski stated that the house was the first one built on the dead-end street it was built in 1962 and is preexisting to the current setback requirements. They would like to add on a porch with steps and redo the roof line of the house for safety and aesthetics, the house sits up in elevation, and there are trees in the yard so there would be no concern of someone hitting the house. The house sits on an angle they are requesting 7.6 inches at the closest point to the road. The Board reviewed the application and pictures provided. Compton stated that their proposal is less than fifty (50) percent into the setback and does not feel it is substantial. The Board agreed.

Planning Board Decision:

Compton made a motion and Overmoyer seconded the motion to forward the application onto the ZBA with the advisory opinion that the Area Variance TV1-17 for Owner Kubinski 7301 Town Line Rd tax map # 53.00-1-23.000 be approved to erect a front porch addition onto existing single family home. A Variance to the front setback is requested as the house was built pre-existing to setback code Per Schedule I.

Whereas:

- 1. Existing home is pre-existing non-conforming to current setback regulations**
- 2. Existing home is located on a dead-end street with low traffic**
- 3. Proposed porch will only be 7.6 ± feet closer to the road than existing house**
- 4. The Board feels this is not a self -created hardship.**

Record of Vote:

Brad Bennett	Aye
Julie Pellett	Aye
Dan Compton	Aye
Karl W Smith	Aye
Francis Overmoyer	Aye
Matthew Rogers	Aye
Fred Fink	Aye

All Board members present voted aye, Vote was carried unanimously.

II. Discussion

A brief discussion was held on the property previously owned by Duerr on Whalen Rd, the Special Use Permit for selling vehicles is now no longer valid as the property has changed hands, Rayburn will send him a letter.

Bennett stated that the Ice Cream shop must come back in for review if they want to erect the mini golf as their approval has expired as they did not start the project in the time frame allowed.

Bennett asked Supervisor Wille about the Comprehensive Plan, Wille stated that most of the comments have been imputed but they will need more time to complete the changes.

A brief discussion was held on areas to review for possible rezoning.

III. Minutes of February 2, 2017

Smith made a motion and Pellett seconded the motion to approve the amended minutes of February 2, 2017, all board members present voted Aye, Vote was carried unanimously.

IV. Minutes of February 16, 2017

Overmoyer stated that the record of vote was incorrect on the February 16, 2017 minutes, he voted Aye on the Hawkins Sketch Plan for a 1 lot subdivision, Rayburn will amend.

Bennett made a motion and Fink seconded the motion to approve the amended minutes of February 16, 2017, all board members present voted Aye, Vote was carried unanimously.

V. Meeting Adjourned

Smith made a motion and Pellett seconded the motion to close the meeting @ 8:30 pm. All Board members present voted Aye, Vote was carried unanimously.

Respectfully submitted,

Kimberly Rayburn
Planning & Zoning Board Secretary