

Planning Board Minutes
March 5, 2015

Planning Board Members Present: Brad Bennett, Julie Pellett, Daniel Compton, Karl W. Smith, Kip Jugle, Francis Overmoyer, and Matthew Rogers

Others Present: Andy Hall (CEO), Kim Rayburn (Secretary)

Bennett opened the meeting at 7:30 pm.

- I. Bennett advised the Board that he had discussed the new proposed Road Preservation Local Law from Town Attorney Bryson with Brian Bernard the Highway Superintendent. He stated that Bernard felt the document was acceptable, and agreed with Bryson's comments regarding the fact that the Town Highway Superintendent as opposed to the Town Supervisor should be the primary municipal official (in conjunction with others) to implement and monitor the local law. Bennett also stated Bernard as the elected Highway Superintendent feels that the roads are his responsibility as written in the Town code. The Board stated that the natural place for Trucking Companies to discuss possible routes on Town roads would be the highway superintendent. A brief discussion was held and the Board agreed to use the proposed Local Law provided to them by Bryson as part of the proposed zoning packet.

The Board stated that the Town Board would enact the Local law and delegate the Highway Superintendent to implement and monitor it while working with the Town Supervisor. The Town Supervisor would then be in charge of working with the Trucking Companies or Contractors to utilize the voluntary Road Use Agreement once the Highway Superintendent has advised the Contractor or Trucking Company of the Local Law regulations and the Local Law worksheet has been completed and signed.

- II. Bennett advised the Board that within the proposed sign regulations a permit for a sandwich board sign would be required. Rayburn informed the Board of the fee the Village charges for a sandwich board sign which is twenty four (\$24) dollars annually. The Board held a discussion and made the following decision.
 - The Board unanimously agreed to propose the same fee as the Village of \$24.00 annually for allowing one sandwich board sign as the building permits expire after 12 months and need to be renewed.
- III. Overmoyer asked about the status of the Natural Resource Extraction Special Use regulations that were created by the Board by combining the current section of code *135-73 Commercial excavation operations* and documents that Jugle had provided the Board with from the committee that was formed to deal with hydrofracking but came away with regulations to cover all heavy truck traffic dealing with extraction and or excavation such as clay, water, tree logging, gravel, gas etc. Bennett stated that it was ready to be sent onto the Town board as part of the packet. Overmoyer stated he reviewed it and had some suggestions and a few minor corrections; the Board held a discussion on some of the changes and corrections and decided to have Overmoyer make the changes to the document for their review. The Board feels this combined Special Use Permit is what the Town needs and will propose the document to the Town Board for their approval after reviewing the new suggestions of Overmoyer.

IV. Overmoyer asked if a definition for Commercial natural resource extraction operations was proposed, Bennett stated that there are two (2) definitions in the proposed changes, they are below:

NATURAL RESOURCE EXTRACTION:

Any activity which removes or significantly disturbs rock, gravel, sand, soil, oil, natural gas, timber, water, or other naturally occurring deposits.

COMMERCIAL NATURAL RESOURCE EXTRACTION:

Removal of natural resources from their point of origin for private commerce. This does not include; clearing of vegetation, mass grading, or other site preparation completed as part of an approved subdivision or site plan for development; extraction of resources for personal use onsite by an individual residence and extraction of resources for use onsite in support of agricultural operations as defined in Town Code and New York State Agriculture and Markets Law.

Overmoyer stated that there should be a clear definition between Natural Resource Extraction and Commercial Natural Resource Extraction as Commercial extraction is for the sale of what is being extracted; the first definition is defining items that are not defined in the Commercial definition. A discussion was held and it was decided to add the definition for Natural Resource Extraction to the beginning of the Commercial definition to read as follows:

COMMERCIAL NATURAL RESOURCE EXTRACTION:

Any activity which removes or significantly disturbs rock, gravel, sand, soil, oil, natural gas, timber, water, or other naturally occurring deposits from their point of origin for private commerce. This does not include; clearing of vegetation, mass grading, or other site preparation completed as part of an approved subdivision or site plan for development; extraction of resources for personal use onsite by an individual residence and extraction of resources for use onsite in support of agricultural operations as defined in Town Code and New York State Agriculture and Markets Law.

V. Planning Board Decision:

Bennett made a motion and Compton seconded the motion to recommend that the Town Board review and adopt the proposed zoning changes contained in the packet provided.

Whereas:

1. The Planning Board has been working on the changes for many years and feels these changes are necessary and will bring the Town Code up to date with the current needs of the Town.
2. Changes are in harmony with the Town's Master Plan.

Record of Vote:

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

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

VI. Discussion:

A brief discussion was held on the Turnbull building mounted sign; Turnbull will take down the ground mounted sign within thirty days of getting his building permit for the building mounted sign.

Bennett discussed the parking lot and sidewalks at the Dollar General store, he stated he had a discussion with the manager but suggested we do more; Hall will look into the property maintenance code and then call the owner of the building to discuss the matter with him.

IV. Minutes of February 19, 2015

**Pellett made a motion and Smith seconded the motion to approve the minutes of February 19, 2015
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 @ 9:00 pm.
All Board members present voted aye, Vote was carried unanimously.**

Respectfully submitted,



Kimberly Rayburn
Planning & Zoning Board Secretary