
Planning Board Minutes
July 20, 2017

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

Absent: Brad Bennett

Others Present: Kimberly Rayburn (Secretary) Jim Kier (Code Enforcement Officer) Tim Bruder (Applicant),

Pellett opened the meeting at 7:30 pm

I. Area Variance TV3-17 for Owner Tim Bruder 3572 Silvernail Rd tax map # 93.00-3-18.130. A Variance to the front setback is requested Per Schedule I as the proposed garage will sit 55 ± feet from the right of way where 75 is required.

The Board reviewed the application and back up documents, the proposal is to erect a 40 x 30 pole barn for storage. Compton stated that he thinks the proposal is straight forward and well presented. Compton asked if Bruder built the house, Bruder stated that his mom built the home seven years ago. Compton stated that there is a natural buffer of trees and bushes along the road therefore you may see the garage, Overmoyer stated that according to the geo cortex viewer from the County the trees are deciduous so it would be exposed in the winter, he also stated that he sees the drainage ditch but asked if it would be possible to rotate the structure following the same relationship to the drainage ditch by rotating it clockwise by twenty (20) degrees it would be closer to the house and have the same relationship to the drainage, Bruder stated that he choose the proposed spot because it would be closer to the driveway, and that locations is higher than the rest of the ground that is consistently wet. Bruder stated that he gets water from the field across the street.

Kier stated that he walked the site with Bruder and measured the distances, the left side of the property slopes into the swale and is very wet, the left side of the swale going back towards the back plane of the house is also still very wet. Kier also stated that the natural buffer will be in place for a good portion of the year, and the road is pretty rural. Bruder stated that there is a gap in the buffer and he plans on planting more pines so the buffer is complete and remains intact. Overmoyer stated that one of the criteria that the ZBA will be looking at will be is there an alternative method or other means feasible as he feels that there is.

Planning Board Decision:

Compton made a motion and Fink seconded the motion to forward the application onto the ZBA with the advisory opinion that Area Variance TV3- Owner Tim Bruder 3572 Silvernail Rd tax map # 93.00-3-18.130 does not go against the Comprehensive plan and they suggest approval.

Whereas:

- 1. Garage will be hidden by trees most of the year**
- 2. The ground water and drainage ditch limits the garage location**
- 3. The Board feels that the request is not substantial**

Record of Vote:

Pellett Aye Smith Aye Compton Aye Rogers Aye Fink Aye Overmoyer Nay
All Board members present voted Aye, with the exception of Overmoyer. Vote carried.

I. SPL4-17 Site Plan Review for Tim Bruder 3572 Silvernail Road tax map # 93.00-3-18.130 site plan review for a garage in the front line of his sf home an Area Variance is also needed, to erect a 30 x 40 garage/ pole barn in front of existing single-

family home as the garage will encroach on the front setback by 20 feet the garage will set 55 feet back from the right of way where 75 is required.

Pellett stated that the Board can now move onto the site plan review contingent on the ZBA approval,

Pellett discussed SEQR Rogers made a motion and Fink seconded the motion to declare SEQR a type II with no further action required, all Board members present voted aye.

**Planning Board Decision: Site Plan Review to have garage in front line of SF home
Rogers made a motion and Fink seconded the motion to approve the site plan to have the garage in the front line of the existing single family home contingent on ZBA approval of Area Variance TV3- Owner Tim Bruder 3572 Silvernail Rd tax map # 93.00-3-18.130**

Whereas:

- 1. Garage will be hidden by trees most of the year**
- 3. The physical characteristics and topography of the property limits the garage location**

Record of Vote:

**Pellett Aye Smith Aye Compton Aye Rogers Aye Fink Aye Overmoyer Aye
All Board members present voted Aye, vote carried unanimously.**

III. Discussion:

Compton asked if the Board wanted to discuss the list of special use permits that Rayburn had sent them, the Board decided to table the conversation for the next meeting.

A brief discussion was held on the cars located at the peddler's market.

IV. Minutes of June 15, 2017

Smith made a motion and Pellett seconded the motion to approve the minutes of June 15, 2017

All board members present at the 6.15.17 meeting voted Aye, Overmoyer abstained as he was absent. vote was carried.

VI. Meeting Adjourned

Pellett made a motion and Smith seconded the motion to close the meeting @ 7:55 pm.

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

Respectfully submitted,

Kimberly Rayburn
Planning & Zoning Board Secretary