

# TOWN OF EAST BLOOMFIELD

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## Planning Board Minutes August 20, 2015

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

Absent: Kip Jugle

**Others Present:** Andy Hall (CEO), Kim Rayburn (Secretary), Michael Wagner (Owner)

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

**I. Revision to size of buildings for existing Special Use Permit TSP2-14 Michael Wagner Bloomfield Mini Storage 6996 St Rt 5 & 20 tax map # 80.00-1-42.111**

Bennett stated that the proposal was reviewed at the last meeting and was tabled due to some confusion on the dimensions, and the Board felt a better detailed map was needed. Michael Wagner, the owner of the mini storage is present to answer any questions and has supplied the Board with a revised map.

Bennett stated that the new dimensions of all the proposed buildings add up to two hundred and ten (210) feet in width, and the lot on the west boundary is a little over two twelve (212) feet so there is enough room for the proposal. The first building closest to the road is proposed to be increased in width and decreased in length to 25 x 130 from 20 x 150; the middle building and farthest building are proposed to be decreased in length to 20 x 130 from the original request of 20 x 150 with twenty (20) feet between the proposed buildings, and a decrease of five (5) feet to twenty five (25) feet from thirty (30) between the proposed buildings and the existing buildings. The Board reviewed the maps provided; a discussion was held Compton stated that the 1st proposed building shall be no closer than seventy five (75) feet from the property line as discussed in the last meeting, a brief discussion was held and the Board agrees that the new buildings will all be seventy five (75) feet as long as they are behind the front line of the existing buildings.

Compton made a motion and Rogers seconded the motion to amend the size of the proposed buildings for the existing Special Use Permit # TSP2-14 as shown on the map provided. All buildings will be reduced in length and one reduced in width.

Overmoyer asked if all the requirements for the Special Use Permit were reviewed at the first review as he was not a member when the first Special Use Permit was approved. The Board stated they were. He still has concerns about Hall's interpretation that the existing storage buildings are being considered as accessory structures to the front building and the front building is being considered the only primary structure on the site, he feels you can have multiple primary structures on a site. Hall stated that he asked for an interpretation from another Code Officer and one other source and they both agreed with his interpretation, he then added that they stated the general reason for the setback is to have your buildings setback so that they are not in danger of getting hit, the first building on the site is the primary and is pre-existing non-conforming to today's regulations, the office for the storage is located in the front building. All the other buildings are currently behind that main structure and the proposed buildings will be behind the front line of the existing building furthest from the road. All other buildings behind the primary are accessory structures and do not have a front set back requirement other than to be behind the front line of the primary.

Overmoyer stated that the definition of an accessory structure is that it is subordinate in area, extent or purpose to the principal building served; therefore he feels these buildings are primary buildings not accessory buildings. Wagner stated that the code does not say and purpose it says or purpose if it said subordinate in area and in purpose Overmoyer may have a point. The purpose is the same the transaction takes place in the office in the primary structure by the road and the storage is done in the back buildings.

**Planning Board Decision:**

Compton made a motion and Rogers seconded the motion to amend the size of the proposed buildings for the existing Special Use Permit # TSP2-14 as shown on the revised map provided.

**Whereas:**

1. All buildings will be reduced in length from 150 ft to 130 ft and one increased in width from 20 ft to 25 ft.
2. Distance between proposed buildings and existing buildings is decreased from 30 ft to 25 ft.

**Record of Vote:**

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

**All Board members present voted aye, with the exception of Overmoyer. Vote was carried.**

**II. Discussion**

A further discussion was held on the Primary structure on a lot and after further review of the Code it states in Article III, 135-11 Regulations Applicable to all Districts, subsection A. *Except as specifically provided herein no lot shall have erected on it more than one principal building; or allowed more than one principal use.*

Bennett wanted to remind all Board members that four (4) hours of training are required, and to please make sure they have fulfilled them and given their time to Rayburn.

**III. Minutes of August 6, 2015**

**Bennett made a motion and Pellett seconded the motion to approve the minutes of August 6, 2015 All Board members present voted aye, with the exception of Smith who was absent at the above meeting. Vote was carried.**

**IV. 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