

**Minutes of the Parish Town & Village Planning Board
And Conservation Advisory Council
Parish Village Gym
August 28, 2014 at 7 PM**

Regular meeting was called to order by Bill Scriber at 7:00 pm.

Roll Call was called:

Present:	Paul Gage	Kevin Dwyer
	Fred Swartz	Pat French
	Bill Scriber, Chairman	Paul Baxter
	Jennifer Reeher- Absent	Lynn Wood, Clerk

Reading of Minutes

Minutes for Regular Meeting on July 28, 2014 at 7 PM

Bill Scriber stated he cut the minutes down as not all were needed.

A motion was made by Paul Gage and seconded by Pat French to accept the minutes.

Motion carried.

New Business

- Richards request – Bill Scriber asked if anyone was here for the Richard request and no one responded so it was tabled unless he comes in at that point it will be discussed.

- Request for a site plan for Leonard West. Bill Scriber stated to Leonard that it is non conforming use. Leonard stated that he was already approved by the Board of Appeals. Bill Scriber questioned how it went to the ZBA without disapproval by planning board as the zoning law states Section 1240?

Leonard stated that he turned in the site plan around three weeks ago and Chairman Scriber asked if we had a chance to look at it to approve it or disapprove it. Bill Scriber stated does not disapproving the site plan the planning board does through the review process.

Bill stated the planning board has not looked at it yet and asked how it got to the ZBA had been forwarded the case? The boards understanding is that he was given the ok to have a home based business.

Bill asked George in codes when it was officially put in the minutes to make it action. George explained a use is denied and that he was referred to the ZBA. Bill has received nothing from the ZBA. Leonard offered the letter from the ZBA for Bill to read. The ZBA never notified the Planning Board.

George stated to Bill that he, George is the one who denied Leonard to go stationary.

George stated he has the right to give the person to go to the ZBA and upon them giving a variance to George's decision by zoning officer not the Planning Board, that they can give George in writing, which

they did, and should have been forwarded to the Planning Board, he does not control the ZBA he is the mediator between the two Boards, ZBA makes the rules and George enforces the rules and they can make changes to the rules and give them to George to enforce those rules

George's understanding is that according to the readout which it is a nonconforming use and to deny him his application to open up his business there. Bill Scriber asked if he met all five tests to grant a variance for a site plan.

George stated that he sent Leonard to the ZBA which according to his book is what he is supposed to do and it is out of his hands.

Fred Swartz stated that it is a invalid decision on the part of the ZBA and that the Planning Board should speak with the Town Attorney to see if that's the way it should go

George's interpretation of the letter is the ZBA is giving Leonard a "Use Variance" that is basically negating that that is a prohibited thing in that area so Leonard is not allowed and should do whatever is needed for a site plan, that is George's interpretation. Bill Scriber asked if there was a discussion and any parameters set and Lynn Wood, ZBA member, explained that the Board met with Leonard and we discussed everything which at that time we explained that we would meet and go over all the information on what he needed to do and make a decision and send Leonard a letter. Leonard stated that John Pierce wanted Leonard to speak with DEC and NYS on all the regulations and his license to operate.

Bill asked to set up a public hearing for "Site plan for West for next month (September 22) on Monday at 7 p.m., at the beginning of the meeting and will act on it at that time after the public hearing. Leonard asked if he should come back at that time and Bill Scriber explained that it will be reviewed between now and then and Leonard will receive questions two weeks prior on what they would like. Leonard at that time stated he will be selling cars and asked if he should draw that now and Paul Gage asked if it was on the site plan.

Bill Scriber asked Leonard to amend the site plan and email it back to Bill and a copy in the box for an official copy.

Report of Committees

- Paul Baxter – Update that looking at October dates for the SEQOR workshop. There may be site plan review workshop in Vienna and he will update, the town hall in North Bay.
- Jen Reher had nothing to report.
- Codes – A copy was received and Bill Scriber asked if George could send it PDF if possible so that it can be opened. George will change this so all can have access. Bill asked George if he had the price list for the subdivisions. He does not have this. Bill asked Kevin if he could check the office if there may be one there and scan it to Bill.

Unfinished Business

- The Comprehensive Plan will be discussed up to five or six pages.
Some discussion:
The Key Bank is closing and relocating to Mexico. A new bank may be brought in.

Pat French asked about the school being sold for independent senior living and what was the issue of the Parish School not being good enough for independent senior living, it could have been used. Paul Baxter stated that a study was done on feasibility of all the schools suggested that with the available vacant properties area being for the cost involved in converting Parish Elementary School to Senior Citizen housing would be at a price no better than the market currently offered for subsidies, that being the case it may be still possible because there is a need for Senior Citizen housing. The problem is with financing.

Paul Gage asked if anyone contacted the cable company about the high speed internet. There was a response that about three weeks ago that a grant was received by the State and he (Carmen) had gone ahead and purchased all the cable and as soon as it gets in they will start running it. The time line is unknown.

Finished on page 20 and will continue at the next Board meeting.

Bill Scriber stated he wanted to go into Executive Session. Possible litigation/personnel.

Paul made the motion and Fred seconded

All in favor.

Motion Carried.

Executive session started at 8:00 p.m.

Motion to return made by Fred and seconded by Paul 8:12pm

Further discussion by the board on the ZBA's actions. It was agreed to request more complete information.

Lynn Wood/Clerk was excused as she is a ZBA member. Bill stated the meeting will adjourn following Executive session.

Agenda for next meeting on September 22, 2014

- Unfinished Business –
- Comprehensive Review

Adjournment

Respectfully submitted,

Lynn Wood, Clerk