

**Minutes of the Parish Town & Village Planning Board
And Conservation Advisory Council
Parish Village Gym
February 22, 2016 at 7 PM**

Public hearing was called to order at 7:00 pm by Bill Scriber, Chairman. It was asked if anyone would like to speak on the Subdivision for Pinktowski. The floor was open for two minutes and the question was asked three times for anyone who would like to speak. The two minutes expired and Bill Scriber asked if anyone was interested in speaking and no one stepped forward. The public hearing was closed at this time.

Regular meeting was called to order at 7:02 pm.

Roll Call was called:

Present:	Bill Scriber, Chairman	Kevin Dwyer
	Paul Gage	Paul Baxter
	Jennifer Reeher	Lynn Wood, Clerk
	Doug Jordan	
	Ben McDonald	

Minutes for January 25, 2015 meeting.

Motion to accept the minutes was made by Paul Gage and Doug Jordan second. There were two typos which needed correcting.

All in favor.
Motion carried.

Communications

- Bill Scriber passed around Zoning Report. There were no comments on the report.

Report of Committees

- Codes Report – Bill Scriber asked George Bennett, Codes Officer if he had anything to add to the report, he replied no. Bill then asked if anyone had any questions, there were none.
- Jen Reeher – No report.
- Paul Baxter – Reminder that next month (March 31, 2016) is the Tug Hill Conference. They are also still in the process of planning a ZBA training session, if the planning board attends it will count towards credit. They are planning to have a training session in Amboy in the future. Bill asked the town Supervisor if they can bank there hours and Steve responded by explaining that he will need to add it to the March agenda to be formerly approved and that it is an option.

New Business

- Pinktowski Subdivision- Dave Bardoun was asked to come up to review the subdivision from the public hearing before the Board continues with the procedure. A map was shown to the board on how the lot will be subdivided into a two lot subdivision. Dave stated that after the survey two lots were created, lot one will be a vacant lot, on the Eastern end of the lot, it's three and a half acres with 302 foot plus or minus of road frontage and lot two is the home lot which is number 116 where Mr. Pinktowski resides with about 380 foot of road frontage on 26.6 acres along with some wetlands and flood zones which are shown on the back area and drops off quite extensively as far as contours go to, they have the contours on there. There has been detail on the setbacks and building to give an idea of how close it is to the boundry line. This is not a boundry that they are actually creating it is an existing boundry. It's the boundry of Mr. Goodell which Mr. Pinktowski goes around. What is being created is a long skinny lot to keep uniformity. It is left this way because it may eventually be going over to the adjoining owner. This will become a lot line adjustment down the road. At this time it is a nice building lot with a driveway and is a nice usable lot. Bill Scriber asked for the check for fees which was given to Paul Gage and a receipt was written for this. Bill Scriber asked if there were any questions and there were none in which at that time the board went over the SEQOR. Paul Gage explained that the assessment form is what will be gone over. Paul read the questions to the board for responses, copy will be filed. At the completion of the SEQOR. Bill Scriber asked for a motion to declare negative declaration, motion was made by Kevin Dwyer, second by Ben McDonald.

All in Favor.

Motion Carried.

At that time Bill Scriber asked for a motion to accept the application for the Pinktowski Subdivision, Paul Gage made the motion and it was second by Doug Jordan.

All in Favor.

Motion Carried.

Mr. Pinktowski was granted the Subdivision.

- Eaton-Novak Subdivision- Dave Bardoun spoke on behalf of the owners. Bill Scriber stated, lot line adjustment subdivision and Dave Bardoun stated that a lot line adjustment was discussed at the last meeting and at this point they are waiting on the deed to come back he believes from Florida. Dave spoke with the attorney and everything has been sent down and are waiting for it to be sent back to NY and that will be a deed from Bennett to Eaton-Novak and the land will be joined as one larger parcel which they will be going through the subdivision. There was a question which they were expecting last week which is if this could be put on the agenda for next month, the mapping is complete etc. and Dave is inquiring on have a public hearing for the March Planning Board meeting. Bill Scriber asked if the survey was complete and Dave replied

yes, it is all staked and are actually done with the subdivision portion of it, everything is completely done. Bill Scriber explained that yes that it can be done tentatively upon receiving the paperwork two weeks prior to the board meeting as the clerk will need to place notice in the paper for the public hearing. As soon as Dave receives the deed he will contact the board and a meeting will be set for 7:00pm on March 28 which is the next Planning Board meeting. Bill Scriber asked for a motion on the Eaton-Novak to create a public hearing upon receipt of paperwork two weeks prior, Doug Jordan made the motion and Kevin Dwyer second.

All in Favor.

Motion Carried.

Public Hearing to be set for 7pm on March 28, 2016.

Unfinished Business

- Mike Tamburino – Bill Scriber stated they have the ok from the ZBA but a subdivision must be done by Mr. Tamburino. George Bennett stated that he was discussing this and he believes that this was not done by Mr. Tamburino. George stated Mr. Tamburino went directly to the assessor Rich to do the merger and had never done a survey or anything to begin with. George is not sure how to proceed from this because it seems it was done for assessment purposes and taxes but not through anybody else. Bill Scriber asked for any other comments and stated it's irrelevant because there was no survey done. Paul Gage stated he would need to show an existing dividing lot between the lots. Mr. Tamburino stated the stakes are still there with the flags on them. Bill stated they still need a survey to do the subdivision and it must be a current survey to do the subdivision. Mr. Tamburino will need to have it surveyed. The assessor may take that and do it on paper but the board still needs a survey with the correct contour lines, it all has to be part of the setbacks which have to be identified, it's all part of the subdivision regulations. He must follow the procedures. Mr. Tamburino stated that this isn't something he is ready to do in the next couple months due to the weather. Bill Scriber asked then if it be tabled until April, Mr. Tamburino said at least then. Bill will table the subdivision until April and he will be put back on the agenda at that time. Mr. Tamburino agreed on April or May. Paul Gage explained that as soon as he has the survey completed to contact the board and they will add him to the agenda for the meeting following. The decision was made to come back in May by the board and Mr. Tamburino.
- Zoning Complaints – Suggested by Planning Board – At this time Bill Scriber asked the Zoning Officer to approach the board. The complaint was on the West Auto Repair business. Paul Gage brought up the complaint on the number of vehicles and arrangement of vehicles on how they are parked and how it did not go along with the site plan. George Bennett spoke up on the fact that he reviewed it and spoke with Doug

Jordan about it and he went and looked at it and brought a copy of the site plan with him to see Mr. West on this issue and addressed it with him at that point which he has complied and brought vehicles from the home side and tried to comply with what the site plan was. George Bennett also spoke with him that out of the cars that are there between his staff and him and his wife there are six of his own vehicles (per Mr. West) George stated six of them are his own personal vehicles which are registered to him for his use and business use and he has two staff so there are eight vehicles, and the rest are what he has for sale and working on. Bill Scriber stated the personal vehicles can be excluded. George then stated he has received no complaints other than when he was approached by the Planning Board; he has received no phone calls, email or written complaints whatsoever. Mr. Bennett did address it with Mr. West that day he spoke with Doug Jordan. It was stated they were moved for plowing purposes. George is not sure where to go from there. It was stated the cars are all tagged and licensed, registered and insured. At that point. Ben McDonald stated that if you look at the original agreement compared to what we have now....Paul Gage then pointed out on the site plan the original agreement, George Bennett stated yes and this is the one that was finalized and the one in his records. Paul pointed out it has three, six cars. George Bennett stated three for sale and three more, one for handicap and two for (Paul Gage spoke) parking areas, and George agreed and continued, that the other thing that he spoke with Mr. West about was that out of the cars that are there between his staff and his wife there are 12 cars, and Mr. West spoke and stated he has six of his own personal vehicles, so six of these are licensed and registered to him for personal use or business use and also has two staff which equals eight and the rest are what he has for sale or to be worked on. Bill stated the personal vehicles can be excluded of course. George Bennett stated he has received no complaints other than from the Planning Board. George did go and address this with Mr. West after review of the site plan and sure enough it did not call for anything on the side of the home and there were some vehicles parked there which have all been removed. They were there for plowing purposes which was said at that time per Mr. West. At this time George is not sure other than all the vehicles are tagged and insured he doesn't know what to do with it. Paul Gage showed the original agreement which showed three and three, one handicap and two parking spots and three spots for car sales. Bill Scriber stated if it exceeds that Mr. West will need to come back to the Planning Board to get an amendment to the site plan. Bill stated the complaint was if there is a change Mr. West would need to come back and amend it. George Bennett stated he did talk to Mr. West about this that if he got larger he would have to come back and petition the Planning Board and believes this is why Mr. West is here tonight to talk to the Board on how to proceed with this if that becomes necessary. The policing the issue that he (George Bennett speaking) will have on any given day those numbers will fluctuate. Mr. West can be in and out of compliance on any day. Paul Gage stated a day doesn't matter it's when it goes on for weeks at a time. It was explained to Mr. West by George at the time of complaint the site plan does not show any cars being parked on the side and that was remedied. Bill Scriber at that time asked Mr. West to approach the Board and asked if he would like to request to amend the site plan and if it's necessary and he replied "sure". Mr. West

stated he would amend it but the part he doesn't understand is, his lawyer had him ask and he doesn't understand why he is the only one being messed with, and yes he would like to amend this. Paul Gage stated he is not the only one being "messed" with. There are several issues being addressed in the town that they deal with per Paul Gage. Mr. West stated he has heard of no other complaints anywhere, minutes or elsewhere. Bill Scriber stated it's not so much a complaint but a concern, and we (the board) do act but are not an enforcer. Bill Scriber stated he feels they have been more than fair as issues come out. If you, Mr. West, believe you are exceeding what the original site plan is, forget other people, we're talking about you, the board is willing to amend it to what Mr. West believes the reality actually is. Mr. West asked if the Board wanted another survey level site plan or can he bring in the other level as he made smaller ones, would that be approvable. Bill Scriber stated what the board has as of now, if Mr. West brings in something of the same as what he believes is needed now, all the board is doing is an amendment. The Board needs to know what his intentions are. Mr. West stated he already has some drawn up on an 8x11 but shows to scale the same as it is all to the same scale. Bill Scriber asked George Bennett if this would be large enough for him to look at. George Stated that it would be fine as long as it is to scale and the 8x11 would be fine as long as it shows to scale what he wants amended. Bill Scriber stated to Mr. West that he will be put on the agenda for next month and there will be no fee for this.

- George Bennett spoke up on the Gary Crego issue concerning the 5th wheel on Bengal Rd. that has been enclosed around the bottom located in front of a single wide trailer that will be dismantled at some point as he is looking to establish the property into residential lot, and George addressed it with Mr. Crego as there was a complaint and there is a wood stove in it as well. He has also exceeded the 30 day limit according to our zoning. George explained to Mr. Crego that he advises him to go before the Planning Board to apply for a special permit, Doug Jordan stated a special permit for six months) George agreed. George gave a notarized letter for a 5th wheel special six month special permit. Bill asked the Board if they were willing to allow a special permit, Doug Jordan has issue with the wood stove. Gary Crego explained that the stove was used to keep warm while they dismantled the mobile home. Paul Gage asked if he was living there and Gary stated while dismantling the mobile home he lives in the 5th wheel on occasion or just weekends but after he received the violation he has not stayed there. Paul also asked about smoke detectors and Gary said yes and also CO detectors. Paul explained the concern of the Board and the fire chief that wood stoves are made for homes, if there is a fire it will go up quick. Paul Gage motioned for a permit tentative inspection is done to insure proper installation of the wood stove as a safety precaution. It was asked to have stated that if the inspection passes they will go ahead with the permit, if it does not the stove must be removed. The Board does not want the Town to become liable and be sued for allowing Mr. Crego to have a special permit to do something that was not safe. It is being stated in these minutes that George Bennett and the fire Chief will go inspect the 5th wheel with the wood stove, if it does not pass inspection Mr. Crego will either fix it to his expectations or remove it altogether. Bill Scriber stated to be put in the minutes that "a special permit will be issued on the grounds that the zoning enforcement officer inspect the trailer to be sure the proper installation of the wood

stove and if necessary to make adjustments for safe operations”. Paul Gage stated, in other words give him the permit, the board just wants to stove looked at to be sure it’s safe. Bill Scriber asked for a motion, Paul Gage made the motion, Doug Jordan second. All in Favor.

Motion Carried.

Bill Scriber will obtain the permit and email to Gary Crego to have completed and signed by Bill Scriber and next month will have the original. Mr. Crego paid the \$25 fee for the special permit.

- Comprehensive Review – Bill Scriber stated a copy was given to all for draft discussion. Bill would like to set a public hearing for next month at 6:30 to go over the Comprehensive Plan. Bill looked over the updated Plan and it looks good to him and believes it is a go for a Public Hearing. Bill would like to have the public hearing prior to the regular board meeting. The Comprehensive Plan public hearing will be at 6:30 p.m. and the Gary Crego public hearing at 6:45 p.m. Then it will go to the Town/Village for discussion.
- Bill Scriber explained to the Board that he spoke with the Supervisor that they are looking at March on installations for cable. The line tests are being done now and are finishing up the connections coming from Hastings per an email from Steve.

Agenda

Public Hearing on Comprehensive Plan 6:30

Gary Crego 6:45 public hearing

Action referred Comprehensive Plan to Town/Village Board for public hearing

Table Tamburino Subdivision until May

West Site Plan Amendment

Eaton-Novak subdivision – (public hearing at 7pm)

Next meeting March 28, 2016

Adjournment

Motion to adjourn – Paul Gage motioned to adjourn, Kevin Dwyer second.

Adjourn 8:12 p.m.

All in Favor.

Motion Carried.

Respectfully submitted,

Lynn Wood, Clerk