

MINUTES OF THE PLANNING BOARD NOVEMBER 20, 2013.

The meeting opened at 7:00 with the Pledge of Allegiance. Members Present: Jim Harris, Jim Seamon, Tim Coyne, Barb Albro, and Maureen Knapp. Also present were Don Armstrong, Town Attorney, Deb and Ken Brock, Terry Orr, Joe Heath, James During, Erick Buck and Jack Gherardi.

Mr. Gherardi and Erick Buck, his surveyor was present to explain their application for site plan approval. The subject property is located in the northern part of Cortland County at St. Charles Bay Road within the Town. It is zoned R1L. The project involves a lot line relocation, reducing one tax map parcel and increasing another. Mr. Gherardi wishes to acquire one lot from Dena Nichols consisting of a 3.026 acre lot and a lot from Mr. Bernhard. With the adjustments, tax map number 7.00-06-06 would decrease from 3.026 acres to 2.46 acres and tax map number 7.04-01-04.2 would increase from .937 acres to 1.5 acres. In the end, there would be two separate lots according to Mr. Buck. The sale of the two lots is contingent on being able to develop the property with town approval. Don Armstrong noted the lots are likely grandfathered from the 2.0 acre requirement but would need a waiver from the Health Department from the required 2.5 acres for well and septic. He further questioned if this application is actually a subdivision rather than a lot line adjustment. Mr. Buck had spoken with the Town's code enforcer who believed it to be a lot line adjustment. There was additional discussion that under the Town's zoning ordinance there cannot be a reduction of more than 10% of the lot size. Jim Harris noted that either way, there would need to be a referral to County Planning. Mr. Gherardi said Mr. Bernhard is not selling the entire parcel and wishes to retain his lake front. Mr. Buck said that part of map # 4.2 will be combined with #4.1. Don Armstrong noted there would actually be two lot line adjustments. He advised the applicant that he needs to complete his sale first which is a complicating factor. He said one thought would be to go the ZBA for a bulk variance, and if that were approved, then the applicant could probably then go ahead with a lot line adjustment. Mr. Buck asked if there was a good chance that would be approved by ZBA and was told yes by Mr. Armstrong. Don also stated that St. Charles Bay Road is private and the Town will not maintain it. He reiterated that the applicant is really seeking two variances and two lot line adjustments, unless Mr. Bernhard came in first. In that event Erick Buck would be willing to assist Mr. Bernhard with the application and appear on his behalf. The applicants left at 8:00 P.M.

Old Business: Song Lake View Subdivision. Jim Harris said that since the last meeting, he and Don Armstrong met with Mike Ryan of County Health and with Paul Sheneman, the Town's engineer. Mr. Ryan has issued a memorandum and copies were provided to the board members. Jim noted that letters have also been received from Joe Heath, Terry Orr and Al Socha, and Maureen Knapp sent an e-mail with questions as well. Joe Heath sent his original letter about a year ago and is questioning the change in well casing from 50 ft to 40 ft.. Mr. Ryan is out of town and unable to attend the meeting. Jim Harris made the suggestion that Mr. Ryan and Mr. Sheneman come in for the next meeting and be available for questions, further noting that many good questions had been raised and need to be clarified. Don said he had spoken to Jan Kublick, Mr. Shirley's attorney and advised them not to come to the meeting so as not to waste anyone's time, as no meaningful discussion will take place tonight. Mr. Kublick agreed that the additional time will not be claimed against the Town, and the applicant will waive any time constraints at this time. The next scheduled meeting is **December 18th, 2013.**

Maureen asked if the Board would be discussing SEQR. Jim Harris said we need to finalize the issues with the well casings. He noted he has been working on a list of changes that have occurred since SEQR and those changes will be reviewed, one by one. Jim Seamon said the board needs to determine if there has been a significant change and compare negatives – minors vs. majors. If major changes are noted, the board may amend its negative declaration upon review. If significant impacts are found, the SEQR must be reopened. The Board has the choice of using the old SEQR or the new format, at its discretion.

New Business: None. The Board then reviewed the minutes of the October meeting. Motion to approve the minutes of the October 23, 2013 meeting made by Barb Albro, seconded by Tim Coyne, all in favor, the motion carried.

Public Comment: Deb Brock asked that the Board publish the memo from Mike Ryan on the Town's website. She also said there may be some deficits in the mandatory training requirements. She believes that the in-house training for 2013 is 3.5 hours and she will speak to Jim Doring about making up any shortfall.

There being no further comment, motion to adjourn made by Barb Albro, seconded by Tim Coyne, all in favor, the meeting adjourned at 8:25 PM.

Respectfully submitted,

Mary Anne McCloskey, Secretary.