

PREBLE PLANNING BOARD MINUTES

FEBRUARY 28, 2018

Present: Jim Harris, Maureen Knapp, Rick Burt, James McGee
Absent: Barb Albro
Also Present: Donald Armstrong, attorney for the Planning Board; David Ames,
attorney for Anne Henderson

The meeting opened with the Pledge of Allegiance at 7:02 p.m.

The Board reviewed two new applications:

1. **Michael Hughes - Site Plan Review Application for Home Based FFL (Federal Firearms License)**

Mr. Hughes is applying for a FFL1 license so that he can purchase ammunition in bulk and sell firearms from his home on Little York Lake Road. He needs zoning approval to obtain this license. Mr. Hughes explained that he currently has a FFL3 license which he used for collecting guns but New York State laws now make this license unsuitable for his purposes. He has had to reregister his gun collection onto his personal permit. Under the FF1 license, which permits sales of firearms and ammunition, there will be no retail store, store front, or parking lot, and he will carry no inventory. The customer will pick up merchandise at Mr. Hughes' home or he will deliver to the customer.

After discussion on what district his property is zoned for the business, it was determined it is in the Residential Lakeside District (R1L). A permitted accessory use under Section 513 of the Zoning Ordinance allows home occupations on a commercial basis. A conditional permit will need to be approved by the Zoning Board of Appeals. Mr. Hughes said his property is over 1,000 feet from Little York Lake and his nearest neighbor is approximately 200 to 250 feet away. Also, as his property is more than 500 feet from Rt. 281, the matter does not have to be referred to County Planning unless the Board members feel they would like the County's input.

The Board reviewed the site plan approval checklist under Section 1004 of the Zoning Ordinance and found that since there is no construction, facility changes, or alterations involved, the information requested generally did not apply in this case. Mr. Hughes felt that about 2% of his house (garage) will be used for the business. Maureen Knapp felt a map or drawing showing his house and surrounding area should be included. Mr. Hughes provided a survey map of the

property. He said he has purchased additional land since the survey map was prepared. The map was attached and made a part of the application. Mr. Hughes was asked if he is planning to erect a sign and he stated he is not.

The Board reviewed Part 2 of the short form EAF and there were no issues to be addressed. After review of Part 3 of the short form EAF, **Motion** was made by Rick Burt that the Board determine there were no significant impacts because of the Board's findings in Part 2 of the EAF and there is no retail store, no alterations to the structures, and no impacts. Maureen Knapp seconded the motion; **carried** unanimously.

Motion was made by Rick Burt that no public hearing be held; Jim McGee seconded the motion; **carried** unanimously.

The Board reviewed the General Considerations under Sec. 1005 of the Zoning Ordinance and there were no concerns raised and felt no professional review was necessary. **Motion** made by Rick Burt to approve Michael Hughes' site plan application; seconded by Jim McGee; **carried** unanimously.

2. Anne Henderson – Minor Subdivision Application

Anne Henderson has applied to subdivide a parcel of vacant farm land located on the west side of railroad tracks and north of East Clark Road for the purpose of selling approximately 13 acres to JNT Currie, LLC. David Ames, attorney for Anne, reviewed the application with the Board. The parcel to be subdivided is from the Henderson's main farm consisting of 120.8 acres. The Curries currently own the adjoining property being subdivided and there are no other land owners with adjoining land. Additionally, the land is naturally divided by the railroad, Clark Road and Interstate 81. Dave provided a tax map depicting boundaries and said the Henderson property and Curries' adjoining land are subject to conservation easements. He has applied to Cortland County for approval and requested that the Board refer the matter to County Planning. There was a question of doing a lot line adjustment instead of a subdivision but Dave wanted to do the subdivision as the County and/or NYS Dept. of Agriculture may require a subdivision and survey. There are no time constraints as the land use will not change.

Dave requested that a public hearing be waived.

Motion made by Maureen Knapp to refer the matter to County Planning; Rick Burt seconded the motion; **carried** unanimously.

Minutes of the May 24, 2017, were reviewed. **Motion** made by Rick Burt to accept the minutes as written; Jim McGee seconded the motion; **carried** unanimously.

Request was made to have additional copies of the Zoning Ordinance available for board members.

Motion made by Rick Burt to adjourn the meeting; Jim McGee seconded the motion; **carried** unanimously.

Respectfully submitted,
Sue Wright, Recording Secretary