

FENNER PLANNING BOARD

April 19, 2006 – 7:30 pm

MINUTES

Members present: Donna Griffin, Judy Carmon, Jim Clarke, Russell Stone, Pete Snyder and Jim Burke.

The meeting was called to order at 7:33 pm. Donna reviewed the minutes. Donna asked that the word petition be substituted for survey in reference to the Irish Ridge Road group. Russell made a motion to accept as corrected. Pete seconded. Approved.

The public hearing was opened for Dave Proctor's minor sub-division on Bear Swamp Road at 7:35 PM. Dave owns 15 acres on the south side of Bear Swamp with the rest of the parcel across the road. He wants to sub-divide the 15 acres off for his daughter. One woman wanted to make sure it wasn't by her house. No other comments were made.

The public hearing was closed at 7:37 PM. Pete made a motion to accept the sub-division as presented, Russell seconded. All approved. Dave will need to pay for the sub-division application and Donna will sign his mylar survey copy so that he can file it. Donna asked for a paper copy of the survey for our file.

The public hearing opened for the Tim Mahoney sub-division at 7:55 PM. Mr. Mahoney has a map showing his plan for the 4 house development on Fenner Road. There was concern about water issues that may develop and Tim said the engineer will address those type of concerns. Bill Mosher said he has a right of way through the property, Tim was aware of that. Judy Sutherland is concerned about the woods and the water run off. The project will have a town road. Samuel Morise asked about perk and septic systems, he is concerned about run off. Tim commented that any retention will be handled to meet all town and DEC policies. A man asked if we would be voting tonight. Jim Stokes, town attorney, explained that this is a two stage process and we would not be voting tonight. Rick Tobin asked that the board speak to the highway dept. and the fire dept. to get there comments. Bill Mosher offered no positive comments, he is concerned with too many houses being built on the road. Tim said the 2500 of houses will be in keeping with a country setting and anticipated that they will sell in the low \$200000.00 to mid \$300000.00 range. There was concern that houses of that value will bring the property values in neighboring houses up. There is concern about the 4 acre lot that goes with the property. Tim is only concerned with the 13 acres that he will be developing. A question was asked about the road wondering if it will be black top or stone and oil. Samuel Morise asked about town regulations for new developments that required screening within 15 feet and be asked about the road coming out on Roberts Rd. Tim has no interest in that. Frank Costello stood up and said he felt that he picked the best developer for the property. A man was concerned about the environmental impact that this may have on surrounding properties. It was explained that much more work needed to be done. A question was asked why he wanted a cul de sac and Tim explained that it will make it easier for school buses and fire trucks to turn around. Jim suggested that we leave the

public hearing open to our May 17th meeting so we can meet the road supervisor and Tim can get a formal plat instead of his site sketch. It was noted that the lot on Roberts Rd. is only a 50' wide lot but a 60' is needed to meet the code.

We had a preliminary for Eric Fraser. He owns about 115 acres on Siebenbaum Road. He wants to sub-divide off the house and 1.7 acres from the lot. The road frontage is 233'. He needs to make sure that the structure is 40' away from the line so that he adheres to our setback rules. He needs to make sure that he meets the set back rules and has his Survey completed and we can proceed. Donna will need to see the survey map NY 05 / 08 To allow enough time for the public hearing to be published.

Dave Senehi's public hearing is still open from the last meeting for his windmill project On Cody Road. No comments were heard from the public. The Madison County planning board wrote that they wanted to see the turbines further apart but his plan meets our regulations. Jim suggested the approval of the site plan and the special use permit be grant for the Green Power Wind Farm LLC. That approval is based upon a drawing titled overall site plan sheet dated May 30, 2005 last revised February 13, 2006 and prepared by Environmental Design and Research P.C.. Pet made a motion to accept, Russell seconded. All approved. The public hearing was closed at 8:45 PM. Paul Galgon was here to review his petition that he submitted about changing zoning from "B" to "A" on Irish Ridge Road. It was brought up that some of the petitioners concern about zoning practices. Norm Watts would a copy of the results from the survey. Donna suggested that he get one from the town clerk. Donna told him that we had recommended a public meeting be held at address these concerns. He was concerned about discrimination between the "A" or "B" zones as far as the regulations are written. Mr. Galgon said that he was concerned about the referral to the town board based on the signatures on his petition. He felt that the Kites should be accepted as they own property on both sides of the roads. Tom Liga, Dave Irvine, Ken Holden and Brett Armstrong agree that the roads are there neighborhood and they have a concern about the zoning. They don't understand why the zones are as they are and they would like to have us review the current regulations to make Sure it is written the same. We will reread regulations and relook at the recommendation. A comment was brought up about the properties being sold on Irish Ridge Road that is Owned by Janarock and will be sold at public auction on April 25, 2006. Jim read an e-mail that he wrote to the auctioneer stating that all property will be sold subject to all Zoning and land use laws of the town of Fenner. Ken Holden has concerns that the Grandfather clauses need to go back to the original at the time of enactment. Jim said that the town cannot control what they do or don't do. Rocky Luire, present owner, said the property was grand fathered in to be used commercially both in 1992 and 1997 by the town board. He feels that the property should be able to be sold with the existing grandfather clauses are in effect now. Rick Tobin stated that the land was misinterpreted because there was only a small amount of equipment used years ago and that is why he felt it was grand fathered and allowed to go on. Jim told him that this is the wrong board to bring this issue up to.

Donna adjourned the meeting at 9:20 PM.