

FENNER PLANNING BOARD
January 18,2006 – 7:30 pm

MINUTES

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

The meeting was called to order at 7:30 pm. Donna reviewed the minutes. Pete made a motion to accept as read. Russell seconded. Approved as written.

Renee Williams – Major Sub-division. This sub-division will be on two sites, there is 65 acres on Irish Ridge Road and Bear Swamp Road (parcel #'s 77-2.51 and 77-2.51-2) and 95 acres on Bingley Road (parcel #'s 77-2.41-1 and 77-2.41-3). There will be 5 lots created and a line change to square up the lot where the office is presently, that lot is about 7 ½ acres, to create the 6th lot. The survey is done along with the application. All looks in order. We will set it up for a public hearing. Renee asked if we could have a special meeting for the public hearing so that she can get everything finalized before she leaves town. We agreed to change out normal meeting to 02/08/06 to accommodate her. I will send two notices to the paper, one about the meeting change and one about the public hearing.

Dan Dusett – Advisory. He lives on 3022 Bingley Road and would like to install an 8 x 12 shed that will be purchased and installed on blocks, not a permanent structure, and two residential windmills and a 5' x 10' solar panel on the shed roof. The windmills have a 3' blade span and the mast is made out of schedule 40 pipe. They are about 30' tall. He has spoken to National Grid and they will install a transformer for him. The power generated will be used in the home with any extra flowing into the national grid resulting in credits for the consumer. He is hoping to have them freestanding but may have to use a guy wire. He has spoken to Roger Cook and he didn't see nay problems. Donna spoke to the town attorney and he thought a special use permit would cover it because he is in an "A" zone. Pete made a motion that we make a resolution to the ZBA for a variance and if it is decided that he really doesn't need anything to still go through the public hearing process to be a good neighbor. Mr. Dusett will speak to all of his surrounding neighbors about his project. We fell a special use permit will be required because of the potential for a business in his home selling the extra power to the National Grid. We would make a positive recommendation to the ZBA at this time.

We have David Senehi's final site plan but there was a problem with one of the turbine locations, it has been corrected and he was to bring another map to the county for review. Russell made a motion to adjourn and Pete seconded. All approved.

Our next meeting will be on 02/08/06 at 7:30 PM.

Respectively Submitted,

Judy Carmon
Secretary

FENNER PLANNING BOARD
February 08, 2006 – 7:30 pm

MINUTES

Members present: Donna Griffin, Pete Snyder, Judy Carmon, Russell Stone, Lori Bodley and Jim Burke

The meeting was called to order at 7:37 pm. Donna reviewed the minutes. The minutes need to be revised to state that the Town Board presented copies of the survey for our review. Russell made a motion to accept as corrected. Jim seconded. Approved Renee Williams – Major Sub-division. The public hearing opened for Renee William's sub-division. The survey maps were presented to the public. The land will be auctioned off in April. Janette Kite asked about some lots on Bear Swamp Road, she wanted to know the acreage. Tom Laga wanted to know if lots could be sub-divided at a later date by another owner. Sue Schmidka wanted to know if all the lots are zoned Ag. Donna asked if there were any further comments, there were none. The hearing closed at 7:55 PM. Russell made a motion to accept as presented. Pete seconded. All approved. Fred Whipple – Minor Sub-division. Fred brought in a survey map of the property that he would like to sub-divide. He wants to sub-divide off 17 acres to sell. I will publish for a public hearing for our next meeting on 03/15/06.

Dan Dusett – Residential Windmill Project. Dan has spoken to all of his neighbors about his project; they are all mostly excited for him. Donna called Jim Stokes to hear his opinion but he has not returned her phone call. We feel that if he goes through the variance process he does not need a special use permit. We suggested he apply for a variance application and get the process started.

Sue & Sam Grosvenor – Preliminary for Special Use Permit. They are interested in opening a small convenience store on Fossil Rock Road. It is very close to Route 13. A property next to their's is coming up for foreclosure and they are interested in purchasing the property for that purpose. They are planning on putting up a 1000-1500 sf building for the store. They are in a "B" zone. They will need a special use permit to open the business and a building permit to build the store. They will be back.

Tim Mahoney – Preliminary for a small housing development. Tim is in the process of buying a 13 acre piece of property on Fenner Rd in Cazenovia. There is 267 feet of road frontage. The lot faces Fenner Road and some of it is on Roberts Rd. He is looking to develop this into a four house sub-division. He is planning on putting a road in off of Fenner Road that eventually the town would take over or have a private road maintained by the home owners. He has a rough survey map done up showing the proposed lots. He is planning on building the houses on lots that run from 2.4 to 4.4 acres each. A variance would need to be initiated for this 4 lot sub-division with a private road and approved by the ZBA. The town or county has not been presented with this idea yet. We feel that it should be presented to both. Donna suggested that we send it to the county for a review. Tim will come back to the next meeting, hopefully we will have a recommendation back from the county and we can make our recommendation to the ZBA.

We reviewed the comments from the town survey. It looks like the main problem is concern with junk cars and no one understands the zones. We have regulation for most

of these problems but no enforcement. We thought a public hearing or informational meeting should be held by the Town Board to inform the people of what the survey said. Pete made a recommendation to the Town Board to make sure the regulations we have in place are enforced before we make any changes to existing rules. Judy seconded. All in favor.

Donna made a motion to adjourn, Judy seconded. All approved.

We will have a meeting on March 15, 2006 at 7:30 PM.

Respectively Submitted,

Judy Carmon
Secretary

FENNER PLANNING BOARD
March 15, 2006 – 7:30 pm

MINUTES

Members present: Donna Griffin, Judy Carmon, Lori Bodley and Jim Burke

The meeting was called to order at 7:30 pm. Donna reviewed the minutes. Jim made a motion to accept as read. Lori seconded. Approved

Donna opened the public hearing for the Whipple sub-division. No comments were made. The public hearing was closed. Judy made a motion to accept the sub-division as stated on the survey map. Jim seconded. All approved. Donna asked Fred to come into pay the sub-division fee. Donna signed the mylar map for Fred to file.

Dave Proctor – Preliminary for a sub-division. Dave owns property on Bear Swamp Road (tax map # 69.00-1-22) He would like to transfer about 15 acres to his daughter which would require a sub-division. The lot would be 488 feet wide X 339 feet deep which makes it a conforming lot. The board does not see any problem with this request. We will have a public hearing on 04/19/06 for the sub-division. They have turned in the application.

Tim Mahoney came back about the housing project sub-division. We will send back to the town board and to the town attorney for there recommendations prior to making any recommendation to the ZBA.

David Senehi – Wind Mill Project. The public hearing opened at 8:50 PM. Dave presented a drawing of all of the windmill and sub-station sights. The public hearing will remain open while we wait to hear the county's final recommendation. If all goes well with the county review we can determine on the special use permit for this project.

We reviewed the survey submitted by Paul Galgon. We would put more weight into this request if the property owners on the roads involved were requesting the change. Our recommendation to the town board is to not change the zoning due to the lack of input from residents of those roads. It was also discussed that per the survey results it appears that we have an equitable amount of "A" zone versus "B" zone and the majority of the participants seem satisfied with the current zoning practices in Fenner.

Lori made a motion to close the meeting, Judy seconded.

We will have a meeting on April 19, 2006 at 7:30 PM.

Agenda: Dave Proctor – Public hearing for minor sub-division on Bear Swamp Rd.
Public hearing for Tim Mahoney for minor sub-division on Fenner Rd. Preliminary for Eric Fraser for property purchased on Siedenbaum Rd and a preliminary for land purchased on Shepherd Rd.

Respectively Submitted,

Judy Carmon
Secretary

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.

FENNER PLANNING BOARD
May 17, 2006 – 7:30 pm

MINUTES

Members present: Donna Griffin, Lorie Bodley, Pete Snyder and Jim Burke.
The meeting was called to order at 7:34 pm.

Eric Fraser sub-division. The public hearing was opened for the minor sub-division on Siebenbaum Road. Eric wants to sub-divide 1.23 acres from the farm to built a house and then rent out the farm house. The created parcel would have 225 feet of road frontage. There were some general questions from the public. The public hearing was closed at 7:39 pm.

Pete made a motion to accept the sub-division, Jim seconded. All approved. There was no negative SEQR.

Vaughn Lang – Preliminary for sub-division on Roberts Rd. He owns approximately 54 ½ acres. He would like to subdivide a lot of from the original parcel that would be 4.766 acres. The lot would have 200 feet of road frontage with the northern boundary being 1116 feet long and the southern boundary being 960feet long. This would create an odd size lot. The survey and application has been completed. A public hearing will be scheduled for June 21, 2006.

Scott Lake – Minor sub-division. Scott is buying one acre from the Robert's farm. He needs to have that acre sub-division from the main parcel to add to his existing property. The parcel has 209' of road frontage. A public hearing will be set for Jun 21, 2006.

Philip Rose – Minor sub-division. Mr. Rose needs to sub-divide his property as a condition from the bank. He needs to obtain a construction loan and the loan company is not interested in all 124 acres. He wants to take 1.4 acres from the main lot. The created lot would have 200' of road frontage and would be 310' on each side. A public hearing will be scheduled for June 21, 2006.

Tim Mahoney – sub-division. Erin from TDK Engineering came with maps of the lay-out and drainage. It shows how the drainage would be done during construction with the intention of turning the road over to the town to maintain after construction is complete. Bill Mosher has concerns of the ditch not being able to handle any more drainage. He has

concerns for screening during construction for dust and noise. Other concerns that were brought up were a possible exit on Roberts Road, more sub-dividing in the future-lots will be deeded for no future sub-division and present wells being affected. The public hearing was closed at 8:30 PM. The final plat needs to show perk tests for each lot and a right of way for the Mosher property. Pete made a motion to approve the preliminary plat, Jim seconded. The plat is dated 03/30-06 #83-43.15-F.

Sparky Christakas. Sparky purchased the old Jana-rock barn on Irish Ridge Road. He has invited the Town of Fenner public to visit his manufacturing business in South Otselic.

His plans are to use the barn for storage. He has no plans to put a business on that

property, he just wants to be a good neighbor.

Paul Galgon. Paul came to the meeting to see what progress has been made on his request.

Donna informed him that Russell and the Town Board are trying to decide how to get the results from the survey with the planning board making new regulations. He wants to know when the

Planning board is going to make a decision on his request for a zone change. He feels It has been long enough.

There will be a Wind Center on Bellinger Rd.

Donna adjourned the meeting at 9:20 PM

The next meeting will be on 06/21/06 at 7:30PM

Respectively Submitted,

Judy Carmon
Secretary

FENNER PLANNING BOARD

June 21, 2006 – 7:30PM

MINTUES

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

Donna called the meeting to order at 7:35 PM. We reviewed the minutes for April. Russell moved to accept as written. Donna seconded. Approved. We reviewed the minutes from May. Pete made a motion to accept as written, Russell seconded. Approved.

Minor Sub-division for Mr. Lang. The public hearing opened at 7:40 PM. Mr Lang bought 54 acres on Roberts Road. He wants to sub-divide approximately 5 acres off to build a single family home. The lot has 200' of road frontage but is very deep. The public hearing closed at 7:45 PM with no comment. Mr. Lang will put in the deed that the lot can not be divided again. According to town ordinance 640.2 we can waive the 2 ½ to 1 lot consideration. Russell made a recommendation to approve, Jim seconded. 3 approved, 2 opposed. The motion carried. Donna instructed him to bring his mylar map for her signature and filing. Mr. Shepherd was upset because the public hearing was already closed, he said it started at 7:45 PM. I read the minutes back to him and he was satisfied.

Public Hearing for Mr. Lake. The public hearing for Mr. Lake opened at 8:03 PM. Scott bought and acre from the Robert's to add to his lawn on Cody Road. There was no comment from the public. The public hearing closed at 8:05 PM. Scott will add the acre to his original lot and he will be conforming. Judy made a motion to accept, Russell seconded. All approved. Scott will pay the town clerk and bring a mylar copy to Donna to sign.

Minor sub-division for Philip Rose on Mutton Hill Rd. The public hearing opened at 8:06 PM. Linda Mulford was curious to see what was going on. Phil explained that he is relocating and building a small home. The lending institution recommended that it would be better to sub-divide off from the big lot for ease in lending. He will be taking 1.4 acres from the 127 acres that he owns. There was no further comment. The public hearing was closed at 8:11 PM. Pete made a motion to accept, Russell seconded. Approved. He needs to get a mylar map from the surveyor. Donna needs to sign it prior to it getting registered at the county.

Marlin Brown – Preliminary for a special use permit. Marlin would like to put a big Pole barn on his property on Peterboro Road to rent out as storage units for campers, Boats, etc. He has two plans, one including tow buildings. He would like a smaller 50' X 65' building for his business and a larger one for storage space – 81' X 150'. He would be 90' off from the road. He has plans to expand over the years as he goes. If he can get the big pole barn built this year he would not need the smaller structure yet. He would like to put in a septic and well. He will put a swale in eventually to route the water into the ditch to keep the lots drier. Marlin asked for assistance in the steps that he will have to take. He was told he would need a special use permit for the business because it would be in an "A" zone. We can advertise for a public hearing for the meeting on 07/19/06 at

7:45 PM. He will also need to get the application filled out and turned into the Town Clerk with enough time for her to mail out cards. He would also need a building permit if a special use permit is granted. He will get that done.

Irish Ridge Road Petition. We discussed the petition again about the zone change for Irish Ridge Rd. We have roughly 26 plus miles of "A" zone plus county roads that are "A" zone and about 17 miles of "B" zone presently in Fenner. Mr. Galgon is standing on towns local farms and wants to protect his property values. He feels the whole zoning of the town should be readdressed but at this time he asking for a recommendation from us for the Town Board to annex the Irish Ridge Road and Siebenbaum Roads to be completely classed as "A" zone. Pete recommended that a public hearing is held for the rezoning of Irish Ridge Road by the Town Board. Russell seconded. Approved. Pete made a motion to close the meeting, Russell seconded. The meeting was adjourned. At 9:15PM.

We will have meeting on 07/19 at 7:30 PM with the public hearing slated for 7:45PM for The special use permit request for Marlin Brown.

Respectively Submitted,

Judy Carmon
Secretary

FENNER PLANNING BOARD

July 19, 2006 – 7:30 pm

MINUTES

Members present: Donna Griffin, Judy Carmon, Pete Snyder and Lori Bodley.

Donna called the meeting to order at 7:40PM. We reviewed the minutes from June.

Pete made a motion to accept as written, Lori seconded. Approved.

Preliminary Sub-Division-Susan Stucker-Rapalski. Susan's brother Tom Stucker Had started the process to sub-divide his land before he passed away, she had decided to Continue it. Susan would like to sell the lot with the house and keep the 2 ½ acre lot. She will have the survey map modified and a public hearing will be published for 08/16/06 at 7:45 PM.

Special Use Permit- Marlin Brown. The public hearing was opened at 7:50PM. Paul and Lucy Brown came forward to see what was being proposed. Marlin explained that he would like to build a storage facility pole barn about ninety feet from the road. He will put an office in the front of the building for his business with the potential for side storage to be built later. Side storage meaning separate bays with an individual door. All items being stored will be under cover in the pole barn. The size of the facility would Be about 80' x 200'. Paul Brown does not feel that this idea is fitting within an "A" zone. He is not happy with it being a business venture. He feels that it is setting a bad precedent for the town. Lucy is concerned with any thing being stored outside and also the potential that her property may be devalued when they want to sell to make some money. Marlin's intention is to keep everything that he is being paid a storage fee inside. He will put his equipment in if he has room. Carol Mitchell asked him why he doesn't Keep his equipment on his own land and told her he was. Carol wondered how many spaces would be rented out and Marlin told her that depended on the size of the items being stored. He is building this for motor homes and boats and car, etc. not household goods. Mrs. Lutness was concerned with her view being affected. Tom Mitchell is wondering about the business end of it. Marlin is not planning on putting any pole type security lighting up or a chain fence at this time. The pole barn will be 200' long align the road. Marlin is planning on having a nice pole barn built with a seeded lawn that will be mowed and a nice driveway. Mr. Lutness is concerned with changing the character of the neighborhood. Paul Brown is concerned that Marlin will keep his own things outside so he can rent more spaces. Marlin is trying to build for his future retirement with this venture. Marlin is trying to build for his future retirement with this venture. Mrs. Lutness asked for Marlin's assurance that if the pole barn has room he will keep his equipment inside. It was suggested that in the summer most likely his building will be empty so his equipment will be stored inside and that he could store his equipment on the back side of the building in the winter to keep it out of sight. I expressed my own selfish opinion that I would rather have the storage business where people will drop off a couple weekends a year and pick up a couple weekends a year instead of seeing houses built all along the road which he could do. Tom Mitchell is concerned about fencing and lighting and also the precedent being set of a business in an "A" zone. Donna asked for suggestions for stipulations for the special use permit. They were listed as:

- No pole lighting in the parking lot like at Wal Mart
- No outside storage (commercially) prefer all things stored in side if room permits

Pet made a motion to accept the Special Use Permit 071906-01 with the restrictions Of no outside commercial storage and minimal outside lighting to satisfy the insurance company requirements. Business must be operated at normal business hours between 8:00AM and 8:00PM. If any security fencing will be installed Marlin will need to come before the board for a review. Lori seconded. All approved.

The town board will be hosting a public hearing on 08/09/06 at 8:30PM for review of The Irish Ridge Road zone change.

Pete made a motion to adjourn, Lori seconded. All approved.

Respectively submitted,

Judy Carmon

Planning board Secretary

FENNER PLANING BOARD
August 16, 2006 – 7:30 pm

MINUTES

Members present: Donna Griffin, Jim Burke, Pete Snyder, Russell Stone and Lori Bodley.

Donna called the meeting to order at 7:30 PM. We reviewed the minutes from July.

Russell made a motion to accept as written. Pete seconded. Approved.

Linda Mohorter – Special Use Permit. Linda lives on Rouses Road, she has a day care center in her home. She has applied for a special use permit because her road is an “A” zone. She wants to get her business in line with the codes. She has operated her business for nine years and has a fenced in lawn as well as her state credentials. Pete recommended that we have a public hearing set for September 20th at 7:45 PM from her.

Sonny Storer – Variance Request. Sonny needs a variance to put a garage on his property. His home is 38’ from the road. The corner of the proposed garage would be 44’ from the edge of the blacktop. The garage would be 26’ X 36’. The road that he lives on is 2 rod road. Pete recommended that a positive recommendation be sent to the ZBA as long as the front of the garage is not closer than the house to the road, Jim seconded. All approved.

Stucker Sub – Division Public Hearing. Donna opened the public hearing at 7:45 APM. Mrs. Galgan said she has no problem with this sub-division but wanted to know if the land could be sub-divided again. Donna explained that they could not divide again because for the size of the lots. Leo Roach wanted to know what the sub-division consisted of. Donna closed the public hearing at 7:55 PM. Russell made a motion to approve the sub-division with a waiver of a variance for the depth to width ratio. Jim seconded. All approved.

Mary Armstrong and Edith Manders – Preliminary for a minor Sub-division. Mary and Edith jointly own a 28.6 acre piece of land on the corner of Cody and Buyea Roads. They are thinking of sub-dividing a small portion off for a neighbor and splitting the rest of the property. They both have homes on the parcel now and they want to separate it but cannot agree on there or how to do it. They asked for the codes of the town on sub-division to help them. Donna told them that they need 200’ of road frontage for each parcel and they also need to have a 40’ set back for buildings from the property lines. They may try to get a survey map prepared for the September meeting. Norman watts from Irish Ridge Road attended the

Town Board meeting on August 9th and wants to know when a decision will be made on changing all of Irish Ridge Road to zone "A". Donna explained that the Town Board will turn it back to the Planning Board to make a decision on zone change without county approval.

Mrs. Galgan wants to know where the next step will be taken and with which board. There was a section 609 clarification – no time constraints.

Mr. Watts wants to know what time restrictions there are on decisions.

Donna says the code officer puts time constraints on codes violations. The petition signed for Ferber Road was also mentioned. Mr. Watts was not happy that there were so many Fenner residents came to the board meeting on August 9th that did not reside on Irish Ridge Road. He felt it was not right. Lori explained that ALL board meetings are open to the public no matter where they live and they can speak on any town issue they feel necessary. Mr. Watts also brought up codes enforcement issues. He will try to get on the agenda for the Town Board meeting to discuss why Planning Board recommendations for better codes enforcement have been ignored. Russell made a motion to adjourn the meeting at 8:50 PM. All approved.

Donna called all members about a variance request for Brain Leo and Anne Whitley-Leo. Mr. Leo has applied for a variance for a shed that is too close to the property line. The request comes after a complaint filed by his neighbor Mr. Stec. The shed was built 8 years ago prior to the purchase of the house from Mr. Costello to Mr. Stec. An addition to the shed was made a couple of years ago but the complaint was recent. The board has reviewed and wishes to make a positive recommendation to the ZBA to allow for the shed to remain as it is..

We will have a meeting on September 20th at 7:30 PM.

Respectively submitted,

Judy Carmon
Planning Board Secretary

FENNER PLANNING BOARD
September 20, 2006 – 7:30 pm

MINUTES

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

Donna called the meeting to order at 7:35 PM. The minutes were reviewed and a motion made to accept with the following correction – remove that Mr. Stec purchased his house from M. Costello in the Brain Leo paragraph. Russell accepted as amended, Jim B. seconded. Approved.

Norm Watts spoke about depending on the integrity of the group with relation to where the town is going. He is concerned with zoning and zoning enforcement. He feels enough isn't being done by the code enforcement officer. Ken Stec spoke at length about the variance process and how it related to him. He filed a complaint with Roger Cook a year ago about Mr. Leo's shed which was converted into a garage and an addition that was added on. He feels that he proved to Roger that the shed was not just added on. He feels that we believed lies and just did what we wanted. It was explained to him what each board does and that we can only take people at face value. We do not get reports back from the zoning board or until this month a report from the code enforcer. Received report from Code Enforcement Officer. We got a letter from the county clerk, Kenneth Kunkel, Jr. letting us know that we will be getting a report sent to us letting us know what has been filed to the Town Board by the code enforcer.

Linda Mohorter – Special Use Permit. The public opened at 7:55 PM. Linda Galgon asked what the permit was for. Linda has operated a daycare business in her home for the last nine years and is registered with the state. She recently was told that she needed a Special Use Permit to be legal in the town and wanted to be official. Norm Watts did not have a problem with the business but had issue with the special use permit process. The public hearing closed at 8:13 PM. Donna asked if any members of the board had any issues with the standards met in 606.3. Russell made a motion to accept a Special Use Permit for a day care business on 5474 Rouse Road for Linda Mohorter. Jim B. seconded and all approved.

Fred Whipple – Preliminary for a minor sub-division. Fred would like to do a minor sub-division on Ferber Road, tax map # 068.01.19.1. Fred has contacted a surveyor but may not have it completed for the next meeting. He wants to subdivide out a 10 acre parcel on a 214 acre piece so that he can sell it. Mike Warren – preliminary for a Special Use Permit. Mike Warren is representing John Perkins who is contemplating purchasing a building on 5165 Irish Ridge Road. Mike is representing Landscaped, Etc. They have put a purchase offer in on the building. They want to use as warehouse space for the business as well as rent units.

Nothing on the outside of the building will change with the exception of improved landscaping. He has spoken with neighbors in the area and has not met with much resistance. They would like to convert the upstairs into an apartment for John Perkins to help offset expenses. They are willing to follow any guidelines that we set forth for the self storage building. They feel that the nature of the building lends itself to running a business from it, he feels that his business will be unassuming to the town and can only benefit it. Donna spoke to the town attorney briefly about this and he felt that we should make a recommendation to the ZBA for a use variance and let the ZBA address it first. If they did not feel that it needed a variance then they would send them back for a special use permit. John spoke to the board and explained that he had his attorney speak to the town attorney as well and he just wants to cover all of his bases so he avoids any problems in the future. He can not afford to purchase the building and not use it as a business. He has five employees and five vehicles. They would meet at the building in the morning and go to their job. He is planning on putting forty storage units inside. He plans on storing his equipment inside as well. He does not plan on adding any additional lighting or fencing. He would like to put up a sign either on the building or in a landscaped island that would be neatly kept. Jim Clarke seconded it, all approved. We discussed the request to rescind Marlin Brown's special use permit. It has been published now. We feel we followed all of the rules that we had at our disposal to make our decision. The following statement was made by Pete Snyder: The Special Use Permit Planning Board members. If any further action needs to be taken it should be taken by the Town Board. This was seconded by Russell Stone. Approved by Judy Carmon, Jim Clarke, Donna Griffin, Russell Stone, Pete Snyder and Jim Burke. Lori Bodley was absent.

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Russell made a motion to close the meeting at 9:25 PM, Judy seconded. All approved.

Respectively submitted,

Judy Carmon

Planning Board Secretary,

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FENNER PLANNING BOARD

October 18, 2006 – 7:30 pm

Members present: Donna Griffin, Jim Burke, Pete Snyder, Russell Stone, Lori Bodley and Judy Carmon

Donna called the meeting to order at 7:37 PM. The minutes were review. Donna asked that the minutes show that we got a report from the code enforcement officer. Russell made a motion to accept as amended. Pete seconded. All approved.

Donna received a Special Use Permit application from Robert Stinson on Wyss Road. The code enforcement officer denied a building permit and thought that he would need a special use permit. He has fifteen acres with nothing on the land. He is planning on putting up a small house for a part time residence. Jim Stokes, town attorney, said it doesn't need a Special Use Permit under 302.3 because it will be considered a primary residence because it is the only place on the lot. All Robert Stinson will need to get started is a building permit.

Donna opened the floor for discussion. Lucy Brown said that she was quoted saying that she wanted to sell her land in the July minutes. And she wanted to clarify that they are not interested in selling their land and they are only trying to make sure the value stays high. There was some general discussion.

Russell made a motion to close the meeting Peter seconded. All approved.

Respectively submitted,

Judy Carmon

Planning Board Secretary