

Fenner Planning Board Minutes
10/19/16

Members present: Donna Griffin, Charles Esposito, Monica Cody, Judy Carmon, Pete Snyder, Andy Stone and Andre Schokker.

Donna opened the meeting at 7:30 PM. She reviewed the 09/21/16 minutes. Pete made a motion to accept as read, Monica seconded. Approved.

Public Hearing for Senehi's wind project. Donna opened the public hearing at 7:35 PM. Mr. Senehi will need to go in front of the ZBA for a variance as he needs a 569' setback for each windmill. He is ok between # 2 and #3 but he is under the setback for in between the other 3. The one windmill can't be moved because of the power line guide wire. Dave did move them closer in on his property line but feels he can't move them any closer in his boundary to maintain as much setback as he needs. The Article 7 power line runs adjacent to his property and that can't be moved. There is no safety issues by putting them closer together. Paula Douglass spoke up and feels that our zoning laws are inadequate for windfarms and to not follow the laws on the books now would be an error. Marge Holt agrees that we need to make sure codes are up to date. Paula stated that the setback and noise measures have changed internationally. The public hearing will be left open and will be held again at 8:00 PM on 11/16/16.

Minor Sub-Division for Decker project for parcel 68-1-28.1. Donna opened the public hearing at 7:45 PM. The perk test report was submitted to the board. Nadine Bell from Costello, Cooney and Fearon introduced herself. She has been retained by several of the project's neighbors and spoke on their behalf. She feels that the application does not include a telephone number, date and if the fees were collected and that the application was not accurate in general. She says that the land is not 13 acres but 12 and she says that causes a trust concern. The EAF (SEQR) is not adequate and out of date. She needs to make sure that the applications are complete and accurate and the SEQR should have been completed prior to the public hearing being held. Once Mr. Decker completes the new SEQR the public hearing will need to be republished. He must present a copy of the tax maps, zoning and easement, size, cost and structure, SEQR process, onsite septic issue, payment of fees, water supply and a geological report. She also wants to see the perk tests and septic tanks along with drainage proposals. The current application asks about soil and the applicant was to get the information from Madison County Soil. She feels we are a long way from approving this sub-division. She discussed the depth to width ratio on the lots proposed. Lot 1 is 244.99 W x 598.22 D, he could have 612 feet but he only has 598' as proposed. She does not feel that a hardship is indicated because he could change the sub-division from 4 lots to 3 or reconfigure another way. She mentioned about a cluster development and his sub-division is not that. She is recommending that a hard look must be taken at the SEQR when we get it. We also need to see site distance for the driveways for all the lots. She recommended that a design professional should provide us this information.

Mark Woodworth spoke to say he is not in favor of the sub-division because of the concerns of the lot sizes and the perk test issues. Mr. Decker states that all 4 lots perked this year and the prior owner had proof for 2 areas that perked. Mark Woodworth wondered why he wouldn't scale back to 2 or 3 lots. Mark asked that some respect be shown to the board and that it is not an easy job.

Monica Cody addressed Marge Holt's statement that Thibert's issue was not really about the depth to width issue but it was a driveway issue. Mark Woodworth wants to make sure that the depth to width ratio is met all of the time at the 2 ½ to 1 that is established now.

Charles Esposito said that he feels that Mr. Decker has more to do but he says that progress will happen and houses are going to be built here.

Bill Parry spoke that sub-division and town use laws are out of date and they need to be looked at.

Matt Robinson from Irish Ridge Rd is concerned with water for his vegetable farm. He feels it would be a bad precedent to approve a sub-division in an agricultural area.

Marge Holt says per our comprehensive plan it shoes 10 houses per year and this build alone would be 4 on a small lot.

Phyliss Tucker from Cary Hill Rd asked if we had ever seen this engineer before and we said no but it isn't our job to vet the engineer either.

Jenn Pushlar from Cary Hill Rd asked if there were other sub-divisions like this in our town and she was told yes.

Jim Stokes recommended to extend the public hearing and for Mr. Decker to address the SEQR and to get some professional or engineering drawings and recommendations for the next meeting. We will need to republish the public hearing once the SEQR is sent in.

We will meet again on 11/16/16 at 7:35 PM for the continued public hearing.

Pete made a motion to adjourn at 8:35 PM, Monica seconded. Approved.

Respectively submitted,

Judy Carmon