

**TOWN OF FORESTPORT
PLANNING BOARD MEETING MINUTES
For
December 8, 2014
Planning Board
6:30 P.M.**

**12012 Woodhull Road
Forestport Town Hall**

PLANNING BOARD MEETING MINUTES

December 8, 2014

6:30 P.M.

MEMBERS PRESENT:

TJ Entwistle, Chairman
Thomas Althoff, Co-Chairman
Mary Rieth
Ginger Swasey
Paul Rejman

MEMBERS ABSENT:

Kim Kratzenberg, Secretary

1. Call Meeting to Order:

- Chairman Entwistle called the December 8, 2014 Planning Board Meeting to order at 6:30 P.M.

2. Pledge of Allegiance:

- Recited

3. Review and Approve Minutes:

A. November 10, 2014 Public Hearing Meeting Minutes – Lee

** A motion was made by Member Swasey and seconded by Member Rejman to accept and approve the November 10, 2014 Public Hearing Meeting Minutes for the Lee Subdivision. The vote went as follows:

TJ Entwistle – YES
Thomas Althoff – Abstain (due to absence)
Mary Rieth – YES
Paul Rejman – YES
Ginger Swasey – YES

B. November 10, 2014 Public Hearing Meeting Minutes – DeLong

** A motion was made by Member Swasey and seconded by Member Rieth to accept and approve the November 10, 2014 Public Hearing Meeting Minutes for the DeLong Subdivision. The vote went as follows:

TJ Entwistle – YES
Thomas Althoff – Abstain (due to absence)
Mary Rieth – YES

Paul Rejman – Abstain (conflict of interest)
Ginger Swasey – YES

C. November 10, 2014 Regular Planning Board Meeting Minutes

** A motion was made by Member Swasey and seconded by Member Rejman to accept and approve the November 10, 2014 Regular Planning Board Meeting Minutes. The vote went as follows:

TJ Entwistle – YES
Thomas Althoff – Abstain (due to absence)
Mary Rieth – YES
Paul Rejman – YES
Ginger Swasey – YES

4. Subdivision / Parcel Line Adjustment Activity / Merge:

A. Renee Lee – 3 lot subdivision:

- 8.001-1-34.1
- A public hearing was held on November 10, 2014 at 6:00 P.M.
- Chairman Entwistle spoke of the draft APA settlement agreement (E2014-0146) regarding the fact that part of the settlement agreement is the fact that lots 8.001-1-34.5 and 34.6 “there shall be no principal buildings located on proposed lots 34.5 and 34.6”
- Mrs. Lee stated that Lot 19 (right of way) goes with the whole package – 8.001-1-34.1, 34.5. and 34.6. Her goal is to utilize Lot 19 for the buyer of 8.001-1-34.1 as well as her daughters so that they can access their lots, 8.001-1-34.5 and 34.6.
- A motion was made at the November 10th meeting to table this matter until December 8, 2014 pending a “Final” settlement agreement with the APA and Subdivision Map changes requested by the Planning Board.
- Chairman Entwistle thanked Mrs. Lee for being so accommodating and quick with everything that the Board asked of her.
- Attorney Riley was present along with Mrs. Lee for tonight’s meeting.
- Attorney Riley presented a copy of the APA Settlement Agreement #E2014-0146 dated November 5, 2014 that was filed in the Oneida County Clerk’s Office.

- Chairman Entwistle requested the following - Final survey map to show lots 8.001-1-34.5 and 8.001-1-34.6 to be titled “non-buildable”.
- Chairman Entwistle spoke of Article VIII, Section 3 – Approval of Substandard Parcels of the Town of Forestport Subdivision Law.
- Chairman Entwistle spoke of the use of Lot 19 as a right of way for the proposed (3) three lots across the lake. He stated that, in his opinion, good planners would not support the use of Lot 19 as a right of way for (3) three lots because of the very limited size of the right of way.
- Attorney Riley addressed the Board and stated that Lot 19 was specifically purchased for access to the lots across the lake. Also, the APA settlement agreement requires the Lees to convey Lot 19 to the buyer of 8.001-1-34.1 and in turn the buyer will convey a right of way to the Lees for recreational purposes only. Mr. Riley also stated that even though there is very minimal access for vehicles to park, he feels the Board cannot control how many vehicles use the right of way. Mr. Riley stated that he feels the Lees should not have greater restrictions on their property than others do.
- The Board had concerns as to if and when the Lee daughters sold their lots across the lake to different people, how many people then would be using the right of way.
- Mr. Townsend was in attendance and voiced his concern about the possibility of the Lee daughters selling their lots to someone who already owns property across the lake but does not have access.
- Member Althoff asked Attorney Riley/Mrs. Lee that when the other two lots are sold does the right of way go with them. Attorney Riley answered with “yes because the other two lots need access also”.
- Chairman Entwistle stated that the Board understands everyone’s concerns about the small size of the right of way.
- Member Althoff doesn’t see anything in the Site Review Law prohibiting the Planning Board from approving this subdivision because of speculation that there will not be enough room for multiple vehicles on the right of way.

- The Board will need (1) one mylar and (5) paper copies of the final survey to file in the Oneida County Clerk's Office.

** A motion was made by Member Althoff and seconded by Member Rieth to approve the (3) three lot Lee subdivision as proposed on "Map showing lands on West Shore of Little Long Lake owned by Charles B and Annette D. Hammond, Cynthia Forest, Renee Lee, Deborah Kline, Shannon Lee, Shawna Lee, Town of Forestport, County of Oneida, State of New York, Plot by Christopher S. Nash, L.L.S., NY#049163 – Barneveld, NY dated July 17, 2009, revised December 19, 2012 to show tax parcels on North Camp Lot and revised September 3, 2014". The vote went as follows:

TJ Entwistle – YES
 Thomas Althoff – YES
 Mary Rieth – YES
 Paul Rejman – YES
 Ginger Swasey - YES

B. Joseph Petracca – 3 lot subdivision with 2 parcel line adjustments:

- A public hearing was held on October 14, 2014 at 6:15 P.M. for the proposed three (3) lot subdivision with 2 parcel line adjustments of lands of Joseph Petracca (1.004-1-1.1, 2.003-1-2.1, 1.004-1-45.1, and 1.000-1-6).
- The Planning Board Secretary received the maps from Surveyor Moncrief and will file them this week.

** A motion was made by Member Rieth and seconded by Member Rejman to remove this item from the Agenda. The vote went as follows:

TJ Entwistle – YES
 Thomas Althoff – YES
 Mary Rieth – YES
 Paul Rejman – YES
 Ginger Swasey - YES

C. Walter & Kathy DeLong – 2 lot subdivision:

- A public hearing was held on November 10, 2014 at 6:15 PM for the proposed two (2) lot subdivision of Walter and Kathy DeLong.
- 85.002-1-85.1 & 84

- The Planning Board secretary checked with the DeLongs to see if 85.002-1-84 will be merged with 85.002-1-85.1. At this time the DeLongs are not going to merge the two parcels together.
- A motion was made at the November 10th meeting to approve the two (2) lot subdivision of Walter and Kathy DeLong as presented on “Survey Map Property of Walter H. & Kathy L. DeLong, Town of Forestport, Oneida County, NY done by LaFave, White & McGivern dated 6/28/94 and revised on 9/22/14, file no. 94-D9-B”.
- The DeLong maps have been filed in the county clerk’s office.

** A motion was made by Member Rieth and seconded by Member Swasey to remove this item from the Agenda. The vote went as follows:

TJ Entwistle – YES
 Thomas Althoff – YES
 Mary Rieth – YES
 Paul Rejman – Abstain (conflict of interest)
 Ginger Swasey - YES

D. Allan Woodruff / Tim Hulser – 2 lot subdivision:

- 13.000-1-13.1
- No one was present for this matter.
- The Board will keep this on the Agenda until the January meeting.

5. Old Business:

A. Sewer Dye Testing:

- Chairman Entwistle thanked the Planning Board Secretary for doing the research on this matter. She spoke with Andy Getty from the Town of Webb Code’s Office.
- Dye testing is a good way to detect the failure of a system before it becomes catastrophic to not only the property owner but surrounding property owners and precious waters.
- Mr. Getty is willing to come speak to the Planning Board regarding this program and how it has worked over the past 30 years in the Town of Webb.
- The Planning Board Secretary will check with Mr. Getty to see if he is available for their January 12th meeting.

B. Proposed Local Law regarding Illegal Subdivisions:

- Chairman Entwistle asked the Board to explore this idea and possibly do some research regarding the after effects and how a town handles illegal subdivisions.
- The Board spoke of pairing up with the Assessor's Office to possibly create a letter/notification to be sent to the Seller/Buyer/Attorneys involved with the transfer of properties when an illegal subdivision comes into the Assessor's Office.
- The Board would like to see if Chairman Entwistle and the Planning Board Secretary could schedule a meeting with the Oneida County Clerk to discuss this matter. The Secretary will contact the Oneida County Clerk and schedule something for after the 1st of the year.
- The Board would like to hear what the Town Attorney has to say regarding "illegal subdivision" within the Town and how he would mitigate this problem. Chairman Entwistle will email the Town Attorney and invite him to the February meeting.
- The Board would like to contact the Tug Hill Commission to see if they have any contacts on the State level to help the Town with mitigating this problem.

6. New Business:

A. Amend Section 6.3 of the Site Review Law:

- Discussion took place regarding possible wording for an amendment to the Site Review Law. (Section 6.3 and the Lot Frontage definition)
- After discussion it was agreed upon that Section 6.3 of the Site Review Law did not need to be amended but what does need to be amended is "Lot Frontage" within the Appendix A – Definitions portion of the Site Review Law.
- Possibly this wording – "in the case where a lot does not have existing road frontage and adjoins a body of water, the lot frontage shall equal the lot width of 200' which shall front along the body of water."
- The Board will continue to work on the wording for this amendment.

B. Certified Mail Reimbursement:

- Discussion took place regarding the possible reimbursement to the Town for the use of certified mail.
- Chairman Entwistle stated that the Code Enforcement Officer has expressed his concern with the cost of certified mail and serving summons to alleged violators. He would like to see these costs added to the court fees or fines when someone is found guilty. Why should the rest of the taxpayers have to pay for this?
- The Board will continue to work on the wording for this matter.

C. 2015 Meeting Dates:

- See attached
- The proposed 2015 Planning Board meeting dates were reviewed.

** A motion was made by Member Rejman and seconded by Member Althoff to accept and approve the following 2015 Planning Board Meeting dates:

2015

PLANNING BOARD MEETING DATES

(Monday Evening @ 6:30 P.M. unless otherwise posted)

JANUARY 12, 2015

FEBRUARY 9, 2015

MARCH 9, 2015

APRIL 13, 2015

MAY 11, 2015

JUNE 8, 2015 (Woodgate)

JULY 13, 2015 (Otter Lake)

AUGUST 10, 2015

SEPTEMBER 14, 2015

OCTOBER 13, 2015 ** Meeting held Tuesday due to Holiday

NOVEMBER 9, 2015

DECEMBER 14, 2015

*** All meetings are scheduled for the 2nd Monday of every month (unless otherwise posted(*). All meetings are to be held at the Forestport Town Hall, 12012 Woodhull Road, Forestport, NY and begin at 6:30 P.M. unless otherwise posted. Any questions on any meetings you may call (315) 392-2801 ext. 6.

The vote went as follows:

TJ Entwistle – YES
Thomas Althoff – YES
Mary Rieth – YES
Paul Rejman – YES
Ginger Swasey - YES

7. Open Discussion:

- Happy Holidays to All! See you in 2015.

8. Adjourn Meeting:

** A motion was made by Member Althoff and seconded by Member Rejman to adjourn the December 8, 2014 Planning Board Meeting at 8:08 P.M. The vote went as follows:

TJ Entwistle – YES
Thomas Althoff – YES
Mary Rieth – YES
Paul Rejman – YES
Ginger Swasey - YES