

Planning Board Minutes of April 28, 2014

Present: Brian Perry, Chairman
Daniel Kowalik
Robert Anderson
Mary Jane Shonn
Brian Murray, Alternate
Don Shonn, Attorney
Michael Borth, Code Enforcement Officer

Absent:
Paul Bowers – Wm. Schutt & Associates
Jon Cummings – Public Works Manager
Richard E. Forrestel

Meeting Began: 7:05 pm.

Chairman Perry opened the meeting with a welcome to everyone.

RESOLUTION duly moved by Kowalik and seconded by Anderson to approve the minutes of the Planning Board Meeting of March 24, 2014. Carried unanimously

Tom & Ann Childs – Land Separation of 28 Buell Street

Mr. Childs explained to the Board that he wanted to subdivide his property located at 28 Buell Street into two lots and sell off the vacant one as a building lot. Village Attorney Shonn stated that from the survey Mr. Childs submitted it appears that the property is already split into two lots. Attorney Shonn requested Mr. Childs to bring the Deed to the property and the Map Cover from the Kings Survey so Attorney Shonn could further investigate to verify if the property is already two lots. Attorney Shonn stated that if there are already two lots the owner of the vacant lot would have to come before the Planning Board for possible side yard variances as well as a fill permit at the time a building permit is presented. Mr. and Mrs. Childs stated they would bring the requested paperwork to the Village office. The matter was adjourned at this time.

Gregg Brown – Zoning of Vacant land on Railroad Street

Mr. Brown came before the Board to question the zoning of SBL#47.07-1-36 a vacant lot on Railroad Street which he owns. The Village zoning map has it marked as R-2 and a map

dated from 1975 that Mr. Brown submitted has it marked as I-2. Attorney Shonn stated that he strongly believes that the property is in the I-2 zone and was mismarked on the current Village zoning map. The Planning Board agreed that the 2004 map misidentified the I-2 lot as an R-2 lot and Village Board should correct by resolution.

RESOLUTION duly moved by Kowalik and seconded by Anderson to forward the correction of the misidentified I-2 lot as an R-2 lot on the Zoning map to the Village Board be and hereby is approved. Carried Unanimously

Gregg Brown – Land Separation and re-zone on vacant land on Bloomingdale Avenue

Mr. Brown came before the Planning Board in regards to the land separation of a vacant lot which he owns that faces Bloomingdale Avenue and Eckerson Avenue (SBL#47.11-3-71.22). His plan was to divide the lot to match the lot next to it at 72 Eckerson Avenue (SBL# 47.11-3-70) making the lot size 50 x 131.5 which is considerably under sized for the R-2 zone. Attorney Shonn indicated that the Subdivision Code was created to form lots that conform to requirements of today, not to make a lot less conforming. The Board had a discussion of the different ways to subdivide the property in an effort to make the separation more conforming to R-2 zone requirements. Attorney Shonn recommended to Mr. Brown to find the surveys for the properties to get the exact measurements and then decide how he would like to separate the lot. He also stated that zoning variances would probably be needed to build a home on any configuration of separation on that particular lot. Mr. Brown took the recommendation of the Planning Board and Village Attorney Shonn to reconsider his land separation.

Mr. Brown also requested to have the property described above rezoned from R-2 to R-1 to keep the integrity of the neighborhood. Attorney Shonn stated that the Village Board did review the rezone idea and have referred it to the Planning Board. So when Mr. Brown comes back with the new land separation plans for the property the Planning Board will respond to the rezoning as well. The matter was adjourned at this time.

CODE BOOK REVIEW-

Chairman Perry wanted to address several issues that needed updating or re-wording in the Village Code book. He asked Attorney Shonn to guide the Board in the correct way to proceed with any changes. Attorney Shonn stated that the New York State Code supersedes the Village Code. Any changes made of the Village Code would have to be sent to New York State for approval. Code Enforcement Officer Borth stated that New York State will be coming out with new updated Code books in the near future. Attorney Shonn recommended seeing if the updated New York State Code alleviates the need to change the Village Code.

Training: Nothing new

Meeting adjourned at 8:15 P.M. on a motion from Kowalik and seconded by Shonn. Carried Unanimously

Next Planning Board meeting: Monday, May 12, 2014

Submitted by:

Brian Perry, Planning Board Chairman