



## Planning Board

### **Meeting No. 4 Regular Planning Board Meeting Tues., April 9, 2013**

The regular meeting of the Alden Planning Board was held in the Alden Town Hall at 3311 Wende Rd., Alden, NY 14004 on Tuesday April 9, 2013 at 7 pm. Chairman Witt called the meeting to order. The roll call was taken by the Secretary.

Present: Michael DeWitt      Bill Weber, Town Councilman  
          Ralph Witt                Mark Moore  
          Michael Fleming  
          Gary Wagner  
          Don Stoffel

Recording Secretary: Sue Galbraith

Chairman Ralph Witt called the meeting to order at 7 pm.

#### **Approval of previous minutes**

*\*Motion: to approve the March 12, 2013 minutes by, Don Stoffel, and seconded by Michael Fleming. Unanimous. Carried.*

#### **Communications**

Building Inspectors monthly report

Correspondence from Attorney Strong concerning the Metz situation

Draft of letter to Tree Care of NY concerning unsatisfactory condition of back lot

#### **New Business**

Mark Moore – 12472 Broadway- C2 zoned – seeking sign permit and a building permit to expand existing garage on property located on the corner of Broadway and Sandridge Rd. Owns 2 seasonal businesses - Landshapers – landscaping counselor business, and Sled Shop – snowmobile repair shop, also in fall would sell pumpkins and a farmers market/small garden center for about a month. Not a contractor's yard, grading topsoil landscape design mainly. Residence located on property has been renovated into two apartments with 4 parking spaces. Moore, inquiring about what the procedures is to develop the lot, so he can evaluate if feasible to put more money into site for his businesses or rent out the commercial lot. No matter what steps are taken, a site plan has to be submitted, as the parking lot must be paved according to code. Parking lot contains 10 spaces, and a filtration system with a 20" culvert for drainage.

Chairman Witt polled the members for questions and concerns

Witt: the entrance on Broadway needs to be evaluated and approved by the state, the entry on Sandridge, by the county.

Fleming: need approval in writing from state and county, and need permits for curb cuts. May want to consider no entrance/exit on Broadway.

Wagner: change of use, as unoccupied for over a year, need proposed site plan approved before sign can be approved.

Stoffel: need measurement on set backs and buffers, dimensions on proposed garage expansion, need site plan.

Moore is positive drainage is not a problem and will perk. He also feels expenses may not justify expenditures, pavement \$10,000, addition \$40,000, perk test, engineer, site plan \$5,000, survey and topography \$1,000.

Once part of parcel is considered commercial, whole parcel becomes commercial. Need drainage proposal by engineer, for entire site, or pursue subdivision of lot. Lot is all one parcel and CEO does not have to issue a C of O for residence.

### **Unfinished Business**

Metz Site Plan – Correspondence from Town Attorney Strong to Metz on a one year extension was reviewed by the Planning Board. Michael Fleming to review legality with state. Chairman Witt questioned Councilman Weber on what the town position in regards to the Planning Board on this matter. The matter is currently in the hands of the Town Board, and would need to be turned back over to the Planning Board. Still many factors need to be addressed including, but not limited to: all equipment must be behind fence, or out of sight, new sewer line and storm water drainage reroute before paving, Health Dept. inspection and certification of required 1,500 gallon tank, applications, permits, drawings and approvals by CEO or Health Department to name a few. The main focus is to have a thorough and complete site plan submitted, no piece meal plans, and to have it reviewed only once by the board. An incomplete site plan will not be acted upon; the CEO will determine if plan submitted is complete. The Planning Board would like to see a deadline of 60 days to submit total plans, and a deadline for Metz to come into compliance. If variance is granted, sets precedence for other contractor yard applications. The variance travels with the land according to the state, not the business owner. Need to confirm with CEO and Attorney, ZBA cannot circumvent law.

### **Business from the Floor**

None

### **Town Board Meeting Reports**

March 18 – Michael DeWitt – Public Hearing water district disillusion, HOP's Westwood and Peters Corners.

April 1 – Gary Wagner- renewal HOP Creekside, Blakslee- Wagner questioned if Blakely ever did the turn around the Planning Board required on site plan approval.

Would like CEO to check.

### **Special Meeting Report**

None

### **Suggestions from members, consultant and Building Inspector**

Chairman Witt would like HOP renewal form to ask: does this apply to any changes.

Don Stoffel, feels all the board and CEO should be united and works together as a team and backs each other up. Communications with ZBA has improved in the past couple of years.

The board questioned if Metz should be given a stop work order until in compliance, as the Lund and other zoning issues are going to be considered in the future.

Councilman Weber also questioned if a HOP could be issued on a piece of property that is in a trust, as is the situation on Sullivan with the proposed greenhouse. Does it cause any restrictions? The property is zoned agriculture.

Several questions were raised on a HOP for property on West Main St. just east of Hidden Ponds business. The owner would like to grow and sell herbs grown in his back yard. The property is zoned residential in the front and agricultural in the back. Cannot sell from location with a HOP, but can sell in an agricultural zone.

**Representatives to Town Board meetings**

April 15 – Don Stoffel

May 6 – Michael Fleming

Next scheduled Planning Board meeting – Tuesday, May14, 2013

Adjournment

*\* Motion – a motion was made to adjourn by Don Stoffel and seconded by Gary Wagner. (8:14 pm). Carried. Unanimous*