

PLANNING BOARD REGULAR MEETING December 16, 2020 AT 7:00PM

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Members present: Chairwoman Severance, Alan Hipps, Dwight Anson, Mary Lou Fitzgerald, Cynthia Fairbanks and Ken White

Guest Present: George Hainer, Kevin Hall, Doug Westover and Catherine Simmer

OPEN THE REGULAR MEETING AT 7:02 PM ON DECEMBER 16, 2020

Chairwoman Severance: Called this regular meeting to order at 7:02 pm.

Chairwoman Severance: Has everyone had a chance to review the minutes?

Chairwoman Severance: Do we have a motion to approve the minutes?

Mr. Hipps: I'll make that motion.

Ms. Fitzgerald: I'll second that motion.

Chairwoman Severance: All in favor? Approved.

• Resolution 2020-38 Approval of Minutes

Resolved: To approve the minutes of November 18, 2020.

Moved by: Mr. Hipps

Seconded by: Ms. Fitzgerald

In Favor: Mr. Anson, Ms. Fairbanks, Ms. Fitzgerald, Mr. Hipps, Mr. White and Chairwoman Severance

Opposed: None

Chairwoman Severance: Our first order of business is the Gwen Goff Project. Kevin can you update us.

Mr. Hall: We ended up with three areas total due to the restrictions from the conservation easement.

LOT 1 Is 3.04± acres improved by a single-family dwelling and detached garage constructed in 1991. This is serviced by on site water and septic. The lot is highlighted in blue on the attached map.

LOT 2 Is 13.07± acres and comprised of two parcels, see Note #10 on the map that reads: "LOT 2 is one lot as shown hereon comprised of PARCEL 2A and PARCEL 2B and is comprised of two Tax Map Parcels for accounting purposes as required by the Essex County Real Property Office." LOT 2 is highlighted in orange on the attached map PARCEL 2A is 2.70± acres with a right to construct a single-family dwelling and detached garage to be serviced by on site water and septic. This lot was in the location of the trailer site and is now vacant.

PARCEL 2B is 10.37± acres as shown on the attached map, being TM#65.2-1-15.200, burdened by the Conservation Easement, highlighted in green on the attached map. No new construction or cutting is planned on this parcel at this time. This lot has building

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rights but no sites. There are three tax map parcels because the conservation easement needs to be alone. We need to know if the Planning Board is going to call this project a minor division or a minor subdivision?

Chairwoman Severance: Do we have a motion to approve the minor division of the Gwen Goff Property?

Mr. White: I'll make the motion.

Ms. Fitzgerald: I'll second that motion.

• Resolution 2020-39 Approval of Minor Division of the Goff Property

Resolved: To approve the minor division of the Goff property- 184 Goff Road, Westport, NY. The three parcels shown comprise of two legal lots for the Town of Westport Regulatory purposes. Tax Map #65.2-1-15.200 Parcel 2B is a separate Tax Map Parcel for accounting purposes. Parcel 2B is restricted by a Conservation Easement that was filed in the Essex County Clerk's Office on November 3, 1966 in deed book 449 at page 96. The five (5) Principal Building Rights (PBR)(16.11± Acres / 3.2 PBR = 5 PBRs) will be allocated as follows: LOT 1 one PBR for the existing dwelling and one unused PBR and LOT 2 one PBR for the proposed dwelling and two unused PBRs.

Moved by: Mr. White

Seconded by: Ms. Fitzgerald

In Favor: Mr. Anson, Ms. Fairbanks, Ms. Fitzgerald, Mr. Hipps, Mr. White and Chairwoman Severance

Opposed: None

Chairwoman Severance: Next we have Rolling Hills Farm. Mr. Mann came to see George and discuss this project. He and I also had a conversation regarding the use of his special permit. Rolling Hills Farm has no intention of opening this up to the public. They are going to use their facility to store grapes, they plan to compost the grape peels and minimal water will be used. None of the original concerns are valid due to the fact they will not be open to the public and we do not need to act.

Mr. Hainer: Rolling Hills is in compliance with their special permit. Mr. Mann had consulted with his attorney (Tim Smith) who advised him the farm was well within their purview in an agriculture district. He will need to comply with other codes and agencies. It's a farm operation and therefore, it's protected.

Mr. White: So it doesn't need to come before the planning board?

Mr. Hipps: I'll make that motion.

Mr. White: I'll second that motion.

Chairwoman Severance: All in favor? Approved.

- **Resolution 2020-40 Rolling Hills Farm Special Permit**

Resolved: No action is required regarding Rolling Hills Farm special permit use since they are in compliance with the terms of their special permit.

Moved by: Mr. Hipps

Seconded by: Mr. White

In Favor: Mr. Anson, Ms. Fairbanks, Ms. Fitzgerald, Mr. Hipps, Mr. White and Chairwoman Severance

Opposed: None

Mr. Hainer: The Shetler's currently have a 170-acre lot that they would like to divide into two lots. Creating one vacant 83-acre lot and one 87-acre lot with an existing single-family dwelling. This will be a Class A permit issued by the APA. The APA has asked that we provide them with any comments we have regarding the proposed project. The APA performed a deep hole test and located a suitable site for a septic tank.

Mr. Hipps: Does the APA do a deep hole test at their own expense?

Mr. Hainer: The owner provides the back hoe and the APA does the rest. You don't have to comment.

Ms. Fitzgerald: There is no comment from the board?

Mr. Hipps: Let's provide a letter from the board stating that there is "no comment".

Ms. Fitzgerald: Yes, we should so that it becomes part of the record so there are no questions in the future.

Chairwoman Severance: Ok. So we should send this letter to George?

Mr. Hipps: I make a motion to authorize Robin to draft a "no comment" letter to the APA.

Mr. White: I second that motion.

- **Resolution 2020-41 Shetler "No Comment" Letter**

Resolved: To authorize Chairwoman Severance to draft and send a "no comment" letter to the APA for: APA Project 2020-0245 Shetler, Class A permit.

Moved by: Mr. Hipps

Seconded by: Mr. White

In favor: Mr. Anson, Ms. Fairbanks, Ms. Fitzgerald, Mr. Hipps, Mr. White, Chairwoman Severance

Opposed: none

Chairwoman Severance: We need to discuss our roles next year.

Ms. Fitzgerald: Are you willing to stay on as Chair?

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Chairwoman Severance: Yes. I am willing to continue. Is Alan still willing to be Vice-Chair?

Mr. Hipps: Yes, for the time being. Work may take me away from some meetings.

Ms. Fitzgerald: I make a motion for Robin to be Chair and Alan to be Vice-Chair.

Mr. Fairbanks: I second that motion.

Chairwoman Severance: All in favor?

- **Resolution 2020-42 Chair and Vice-Chair Positions for 2021**

Resolved: To accept Robin Severance as the Planning Board Chairperson for 2021 and Alan Hipps to be the Vice-Chairperson.

Moved by: Ms. Fitzgerald

Seconded by: Ms. Fairbanks

In favor: Mr. Anson, Ms. Fairbanks, Ms. Fitzgerald, Mr. Hipps, Mr. White, Chairwoman Severance

Opposed: none

Chairwoman Severance: We received a certified letter from Bill Kuntz.

Bill Kuntz's issue was discussed by the board.

Mr. White: I make a motion to adjourn.

Ms. Fitzgerald: I second that motion.

Chairwoman Severance: All in favor? Adjourned.

- **Resolution 2020-43 Adjournment**

Resolved: To adjourn the meeting at 7:34 p.m.

Moved by: Mr. White

Seconded by: Ms. Fitzgerald

In favor: Mr. Anson, Ms. Fairbanks, Ms. Fitzgerald, Mr. Hipps, Mr. White, Chairwoman Severance

Opposed: none

Respectfully submitted,

Catherine L. Simmer, Secretary