

# Town of Constantia Planning Board

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## Meeting Minutes – August 22, 2023

### Attendees

Planning Board members in attendance included:

- Chair James Peck
- Sandra Williams
- Dan Poné
- Dave Antos
- Sandra Tuori-Bell
- Randall West (Alt)
- Joe Markham (Alt)

Others in attendance included: Frank Tomaino (Town Supervisor), Ron Chapman (Town Councilman), Dave Bardoun, Mark Bender, Kate Sincebaugh, Paul Baxter, and Amy Connolly (Secretary).

Members not in attendance included: Martin Godzwon, Sandra Retajczyk

### Call to Order

Chairman Peck opened the meeting at 7:00pm.

### Approval of Minutes

A motion to approve the minutes of the previous July 25, 2023 meeting was made by Dave Antos and seconded by Dan Poné. Motion passed unanimously.

### Old Business

Mr. Peck asked Supervisor Tomaino if the Town Board had formally given the Planning Board the authority to complete the survey of businesses in the Town to determine compliance with Land Development Law. Mr. Tomaino stated that a resolution needed to be passed by the Town Board and he expected that to happen at the next Supervisor's meeting.

Mr. Peck stated that at the last Planning Board meeting, it was mentioned that communication could be better between the various parties at Town Hall. Since then, an application had been received at Town Hall and he had not been notified. Mr. Tomaino stated that Code Officer Dolan was not working last week.

### Subdivision- Antos

Mr. Bardoun presents a proposal to move a parcel line between two parcels which Dave Antos currently owns for sketch review. Mr. Antos suggests that this project may be eligible for waiving of procedures by the Planning Board as outlined in the Land Development Law as this subdivision application would not create any new parcels. Mr. Peck states that this is outlined in Sections 135 and 640 of the Land Development Law. He notes that the Short Environmental Assessment Form should be filed with the application.

Mr. Bardoun stated that they would complete and file the Subdivision application for a two lot subdivision. The Planning Board has the option to waive procedure and route approval through Codes. Board Members review presented maps and discuss details of the proposal. Mr. Poné asks Mr. Bardoun how the change would be filed with the county. Mr. Bardoun states that the maps would still be stamped and signed and

then get filed with the county to make tax map changes. A new deed would then be filed and the Real Property office sends the information to the Town Assessor.

Mr. Peck reminds those in attendance that the Town does not have a lot line adjustment procedure in place, these can only be accomplished through the subdivision process.

**MOTION** Dan Poné made a motion to make a procedural waiver on this application and have it sent to codes as outlined in Section 135 of the Subdivision Law. Seconded by Joe Markham. Motion passed with 6 “yes” votes. Dave Antos abstained.

### **Schmidt Application**

Mr. Peck noted that this application is a preliminary plan. As no one was present related to the application Mr. Peck stated that he would contact the applicant letting them know that the Environmental Assessment Form would need to be completed and included as well as a survey.

### **Tug Hill Commission**

Mr. Baxter stated that the Commission’s annual report, “Headwaters” had been completed and filed with the state. He also stated that the Planning Federation has a training coming up in September. Mr. Peck stated that Planning Board members who wish to participate should contact him and that the Town has a budget to cover the cost of training.

### **Zoning Commission**

Mr. Peck stated that notices to recruit Zoning Commission members had been published and two applications had been received so far. The deadline for applications is Friday, August 25. If no further applications are received, Mr. Peck will recommend to the own Board that the Zoning Commission is appointed with the full Planning Board, including alternates, and the two individuals who had applied already.

### **Other Business**

Katie Sincebaugh stated that she had come to the meeting as representation for Mr. Ron Starusnak regarding a site plan application submitted for 1577 State Route 49. She stated that she emailed the application to Code Enforcement on July 13th and mailed a paper copy to Town Hall as well. Mr. Peck stated that the Planning Board has unfortunately not received any of these materials and asked Ms. Sincebaugh for her contact information so that he can reach out to her after looking into the issue.

Mark Bender is proposing an application for a subdivision of his property on Grannis Rd. Mr. Bardoun is working on this project and presents maps to the Board. Mr. Bender would like to section off a house that he has renovated to sell while keeping part of the parcel that it sits on to combine with an adjoining parcel that he also owns and retain access to the existing private road. Mr. Bardoun asks the Board if they feel that these goals can be accomplished or if the application would need to go to the Board of Appeals. Mr. Peck stated that he did not see a way that the goals could be accomplished and still have a conforming lot. This application would need to go to the Board of Appeals with an application for a variance through the Codes Office.

### **Kleis Subdivision**

Mr. Bardoun presents a sketch plan for a subdivision application for John Kleis. The property owner would like to adjust the line between two lots that he currently owns on Auringer Rd through an amendment process outlined in Section 240 and 245 of the Subdivision Law.

Mr. Peck and Mr. Bardoun discuss the various applicable sections of Land Development Law and definitions.

Mr. Markham states that the application is for a minor change and feels that the Board should do what they can to make this easy.

Mr. Bardoun states that he does not believe that an Environmental Assessment Form is required for the amendment process.

Mr. Chapman asks if the Board can read the law and make a decision. Mr. Markham agrees. Board members review the presented maps, relevant laws, and discuss. Mr. Poné asks if the application includes the information, states that he thinks there needs to be an application and paper trail. Mr. Peck states that it would need to go to Codes first. Mr. Bardoun states that the original application and approval on file with the added amendment would be the paper trail. He points out that the law section he referenced does say "Board" and not "Codes". He suggests asking the Town Attorney to review. Mr. Peck asks Mr. Bardoun to put his statements in writing for the Board to bring to the Attorney for input.

## Adjournment

Joe Markham moved that the meeting be adjourned, seconded by Dan Poné. Members voted unanimously to adjourn at 8:08pm.

Amy Connolly

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Secretary

Town of Constantia Planning Board

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Date of Approval