

**TOWN OF FORESTPORT  
PLANNING BOARD MEETING MINUTES  
For  
February 10, 2014  
Planning Board  
6:30 P.M.**

**12012 Woodhull Road  
Forestport Town Hall**

# PLANNING BOARD MEETING MINUTES

February 10, 2014

6:30 P.M.

## MEMBERS

Don Graff, Chairman

Daniel Gilmore, Co-Chairman

Ginger Swasey

Vacant Seat

Vacant Seat

Kim Kratzenberg, Secretary

### 1. Call Meeting to Order:

- The February 10, 2014 Planning Board Meeting was called to order at 6:30 P.M. by chairman Graff.

### 2. Pledge of Allegiance:

- Recited

### 3. Review and Approve Minutes:

#### A. January 13, 2014 Regular Planning Board Meeting Minutes

\*\* A motion was made by Member Gilmore and seconded by Member Swasey to accept and approve the January 13, 2014 Planning Board Meeting Minutes as presented. The vote went as follows: YES = Don Graff, Dan Gilmore and Ginger Swasey.

#### B. January 13, 2014 Public Hearing Meeting Minutes / Gleasman

\*\* A motion was made by Member Gilmore and seconded by Member Graff to accept and approve the January 13, 2014 Public Hearing Meeting Minutes – Gleasman, 2 lot subdivision. The vote went as follows: YES = Don Graff, Dan Gilmore and Ginger Swasey.

### 4. Subdivision / Parcel Line Adjustment Activity / Merge:

#### A. Dave Ekeren – Parcel Line Adjustment:

- 11516 Meyers Hill Road
- 38.000-1-14

- Mr. Ekeren was present for this matter.
- A boundary line dispute has taken place between Eric I. Stabinski, Alexander L. Stabinski, Nicholas Stabinski (37.000-1-20) and David A. Ekeren (38.000-1-14).
- A map previously filed in Map Roll #1380 on August 8, 1989 in the Oneida County Clerk's Office "Map Showing Division of Lands to be conveyed to Christmas & Associates, Inc. in Lot 17, Woodhull Tract, Town of Forestport, Oneida County, New York" dated June 26, 1989 by Thomas J. Kovach, PLS #49092 was referred to.
- A Boundary Line Agreement was presented by Mr. Ekeren between David A. Ekeren and Eric I., Alexander L. and Nicholas L. Stabinski. (copy in file). The Boundary Line Agreement and the map filed in Map Roll #1380 correspond with each other and are meant to be the "official" documents.
- The Planning Board will follow up with a request to Mr. Ekeren to obtain a copy of the signed Boundary Line Agreement to keep on file in the Planning Office.

\*\* A motion was made by Member Swasey and seconded by Member Gilmore to approve the Boundary Line Adjustment as described in the Boundary Line Agreement and also the map filed in Map Roll #1380 described as "Map Showing Division of Lands to be conveyed to Christmas & Associates, Inc. in Lot 17, Woodhull Tract, Town of Forestport, Oneida County, New York" dated June 26, 1989 by Thomas J. Kovach, PLS #49092. The vote went as follows: YES = Don Graff, Dan Gilmore and Ginger Swasey.

B. Gleasman – 2 lot subdivision:

- 3026 Mohawk Drive, Lot 51
- 51.000-2-55
- Andy Bailey of LaFave, White & McGivern was present for this matter.
- A packet was given to the Planning Board by Mr. Bailey.
- Each proposed lot has more than the required 200' of road frontage and the minimum 40,000 sq. ft.

\*\* A motion was made by Member Gilmore and seconded by Member Swasey to schedule and hold a public hearing on March 10, 2014 @ 6:15 P.M. to accept comments on a two (2) lot subdivision of 3026 Mohawk Drive, 51.000-2-55. The vote went as follows: YES = Don Graff, Dan Gilmore and Ginger Swasey.

C. Dick Bird – 2 lot subdivision:

- 12968 St. Rte. 28 – 8.003-2-29:
- 3.43 acre parcel
- Anyone present for this matter?
- The Birds have a proposal to purchase the Stumble Inn.
- They are proposing to subdivide the residential house from the Commercial building.
- They have submitted a survey/subdivision map done by Duane C. Frymire, LS - #050224 dated December 8, 2013.
- The northern most proposed parcel having 100' of road frontage along St. Rte. 28 with an area of 1.29 acres to house the residential structure along with the sewage disposal system. The residential structure accesses its water from the commercial building.
- The southernmost proposed parcel having 200.31' of road frontage to house the commercial building, storage shed, septic tank and grease tank with an area of 2.13 acres.
- Chairman Graff read Section 6.3 – Frontage Requirements of the Town of Forestport Site Review Law. The proposed northernmost parcel does not meet the minimum frontage requirements of 200'.
- The residential structure appears to set back 114' from the edge of St. Rte. 28.
- Will there need to be a driveway cut in permit even though there is already an access to the residential structure?
- Chairman Graff spoke of the possibility of creating a private road that leads back to the residential structure but having to build it to Town standards. Possibly by doing this they could obtain the required 200' of road frontage.
- Chairman Graff did speak to the Town Attorney on this matter. Attorney Riley stated that the building of a private road/driveway constructed to the Town specs would not be

allowable because he felt it would circumvent the “spacial dimension”.

- It was discussed that the residential structure and the commercial structure share a well.
- Chairman Graff asked the Town Supervisor if the Planning Board could get a second opinion from the now newly appointed Attorney for the Town, Ted Earl. Supervisor Snead stated that Chairman Graff should call with specific questions regarding this matter.
- Chairman Graff spoke with Attorney Earl and confirmed that the Planning Board cannot manufacture the extra 100’ of frontage by creating a private driveway. In turn, Chairman Graff spoke with Mr. Bird who in turn indicated that the subdivision might not be necessary as they have a new option for financing.
- Chairman Graff assured Mr. Bird that the Planning Board would be more than happy to assist the Birds with a referral to the Town Board, if necessary.

## 5. Old Business:

### A. Mickey A. Womack – Jason Womack:

- The Board wants Brad Smith, Code Enforcement Officer to visit the site at various times to monitor the situation and if it appears that the repair operation is still being operated he will proceed with the Town Attorney. Mr. Smith did observe the property on August 8, 2013 and did see a boat and a party barge on the property.
- The scheduled Court date was postponed because of the change in the Attorney for the Town. Code Official, Brad Smith has spoke with Attorney Earl who will now represent the Town on this matter.
- The new court date for Mr. Womack is scheduled for February 25, 2014 at 3:00 P.M.
- Chairman Graff requested that Codes Official Smith have Attorney William Riley forward Mr. Womack’s file and documentation from Sue Allen to Attorney Earl. Also have Codes Official Smith advise Sue Allen and Attorney Earl when the Judge will be available for a hearing.

6. New Business:

A. Qwackle Farm / Patrick & Karen Howard:

- Proposed New Business
- 19.000-1-8
- 1229 Bear Creek Road
- Patrick and Karen Howard were present for this matter.
- The Howards have proposed (2) two business operations –
  - Farm Operation – selling eggs and goat milk by appointment only (See letter dated August 3, 2012 from the Oneida County Farmland Protection Board and Business Certificate dated July 31, 2012 and filed in the Oneida County Clerk’s Office on July 31, 2012, document #D2012-000890)
  - Computer Web Design and computer repair by appointment, at customer’s house or online.

\*\* A motion was made by Member Gilmore and seconded by Member Swasey to schedule and hold a public hearing on March 10, 2014 at 6:00 P.M. on the proposed (2) business operations of Karen & Patrick Howard. The vote went as follows: YES = Don Graff, Dan Gilmore and Ginger Swasey.

7. Open Discussion:

A. The 25<sup>th</sup> Annual Local Government Conference:

- The Planning Board Members have received notification of the 25<sup>th</sup> annual local government conference to be held on Thursday, March 27, 2014 at Jefferson Community College.
- All Planning Board members have signed up for the Conference and will be attending.

8. Adjourn Meeting:

The February 10, 2014 Planning Board Meeting was adjourned at 7:40 P.M. by Chairman Graff.