

**TOWN OF FORESTPORT
PLANNING BOARD MEETING MINUTES
For
May 12, 2014
Planning Board
6:30 P.M.**

**12012 Woodhull Road
Forestport Town Hall**

PLANNING BOARD MEETING MINUTES

May 12, 2014

6:30 P.M.

MEMBERS PRESENT:

TJ Entwistle
Ginger Swasey (arrived at 6:34)
Thomas Althoff
Mary Rieth
Paul Rejman

MEMBERS ABSENT:

Kim Kratzenberg, Secretary

1. Call Meeting to Order:

- The May 12, 2014 Planning Board Meeting was called to order at 6:30 P.M. by Chairman Entwistle.

2. Pledge of Allegiance:

- Recited

3. Welcome:

A. Phil Street of the Tug Hill Commission

- Chairman Entwistle welcomed Phil Street of the Tug Hill Commission and explained to all people in attendance that this would be a quick meeting of the Planning Board so as to turn over the floor to Mr. Street for his training session.

4. Review and Approve Minutes:

A. April 14, 2014 Regular Planning Board Meeting Minutes

** A motion was made by Member Rejman and seconded by Member Rieth to approve and accept the April 14, 2014 Regular Planning Board Meeting Minutes as presented. The vote went as follows:

TJ Entwistle – Yes
Ginger Swasey – Absent
Thomas Althoff – Yes
Mary Rieth – Yes
Paul Rejman – Yes

5. Subdivision / Parcel Line Adjustment Activity / Merge:

- None at this time.

6. 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 spoken with Attorney Earl who will now represent the Town on this matter.
- Codes Official Smith has obtained the Womack file from Attorney William Riley and has forwarded it to Attorney Earl for his review.
- The Planning Board questioned whether or not it was permissible for the neighbor of Mr. Womack to be consulting with the Town Attorney on this matter. Past Chairman Graff stated that the Town is using the neighbor's testimony for prosecution and that the prior Attorney needed to contact her for questioning as does Attorney Earl.
- Codes Official Smith will advise Sue Allen and Attorney Earl when the Judge will be available for a hearing.
- Member Entwistle has spoken with Jason Womack prior to April's meeting and explained that this matter is going to court. They spoke of possibly setting up shop at a different location.
- Mr. Womack stated to Member Entwistle that he is currently operating out of a renovated stall in Utica. Member Entwistle made it very clear that it would be nice to have him operating in a local location instead of out of Town. The Board wants to encourage business within the Town and not drive them away.
- Supervisor Snead spoke to Mr. Womack also and has offered to let Mr. Womack work out of Mr. Snead's storage building located on St. Rte. 28. Mr. Snead feels that they have come to an agreement/arrangement and so feels that the matter has been mitigated.

- Member Entwistle asked Mr. Snead for a letter addressed to the Planning Board detailing the arrangement that was made between Mr. Womack and Mr. Snead so that the Planning Board has something on file to conclude the file. Mr. Snead wants to wait a week or so before doing this.
- Being that this matter is in the court system, Member Althoff would like to wait on the letter from Mr. Snead and check with the Town Judge and/or the Town Attorney to see what information the Board should require to finalize this matter.
- Did Supervisor Snead or the Code Enforcement Official discuss this matter with the Town Attorney?
- The Board wishes to keep this matter on the Agenda until hearing from the Judge and/or Town Attorney on what to require from Mr. Womack to finalize this matter.
- Chairman Entwistle discussed this matter stating that although the Planning Board has no written documentation regarding the agreement between Mr. Snead and Mr. Womack he did have a verbal discussion with both parties. As far as the Chairman Entwistle is concerned that should be sufficient enough for the Planning Board. Chairman Entwistle also feels that if Mr. Womack continues to do business out of the 7074 Walnut Road Property that it falls under the discretion of the Code Enforcement Official.

** A motion was made by Member Rejman and seconded by Member Althoff to accept this matter as final and to remove this matter from the Planning Board Agenda. The vote went as follows:

TJ Entwistle – Yes
 Ginger Swasey – Absent
 Thomas Althoff – Yes
 Mary Rieth – Yes
 Paul Rejman – Yes

B. Swearing in Newly Appointed Board Members:

- Paul Rejman will be sworn in on Wednesday by the Town Clerk.
- All others have been sworn in.

C. 239 Review Form – Oneida County Planning:

- Chairman Entwistle briefly discussed the 239 Review Form from Oneida County Planning.
- Handouts were given to all Planning Board Members and emailed to all Town Board Members as well as the Town Attorney for their review and comments.
- Chairman Entwistle stated that the County would like to streamline the 239 review process as much as the Town would like to and therefore a binding agreement between the Town and Oneida County Department of Planning needs to be put in place
- Chairman Entwistle asked the Town Board Members to review the documents and add to or change anything within them. Everyone is to email Chairman Entwistle with suggestions. He would like to have this ready for discussion by the May 21st Town Board Meeting.
- Both Planning Board and Town Board have to approve the agreement with the Town Attorney's approval as well before sending off to Oneida County Planning.

** Member Swasey arrived at 6:34 P.M.

- The question arose as to whether or not the Town Board needs to make any changes within the current Town's Site Review Law and Subdivision Law before implementing the Agreement? Chairman Entwistle will speak with the Town Attorney on this matter.
- Supervisor Snead who was present stated that he would put this matter on the Town's May Agenda for discussion.

7. New Business:

A. New York State Department of State Training:

- Thursday, June 5, 2014
- Poland Central School Elementary Auditorium
- Topics: Land Use Moratoria, Locally Unwanted Land Use Regulation, Record Keeping
- Handout given
- Discussion took place and anyone interested should contact Chairman Entwistle or the Secretary to the Planning Board.

B. Phil Street - Tug Hill Commission:

- Mr. Street is in attendance and will be conducting a training session immediately after tonight's meeting here at the Forestport Town Hall for both the Town Board and the Planning Board Members.

C. Discussion about March 10, 2014 Public Hearing Meeting Minutes regarding "Qwackle Farm" (new business operation):

- A brief discussion took place
- Chairman Entwistle would like to table this matter to give the Planning Board Members the opportunity to review the minutes of this matter to become familiar with it. He would like to pick up discussion at the June 9, 2014 Planning Board Meeting.

** A motion was made by Member Althoff and seconded by Member Rejman to table this matter until the June 9, 2014 Planning Board Meeting for further review. The vote went as follows:

TJ Entwistle – Yes
Ginger Swasey – Yes
Thomas Althoff – Yes
Mary Rieth – Yes
Paul Rejman – Yes

8. Open Discussion:

- Next regularly scheduled Planning Board Meeting is scheduled for June 9, 2014.

9. Adjourn Meeting:

** A motion was made by Member Althoff and seconded by Member Swasey to adjourn the May 12, 2014 Planning Board Meeting at 6:37 P.M. The vote went as follows:

TJ Entwistle – Yes
Ginger Swasey – Yes
Thomas Althoff – Yes
Mary Rieth – Yes
Paul Rejman – Yes