

**TOWN OF FORESTPORT  
PLANNING BOARD MEETING MINUTES  
For  
June 9, 2014  
Planning Board  
6:30 P.M.**

**12012 Woodhull Road  
Forestport Town Hall**

## PLANNING BOARD MEETING MINUTES

June 9, 2014

6:30 P.M.

### MEMBERS PRESENT:

TJ Entwistle

Ginger Swasey

Thomas Althoff

Paul Rejman

### MEMBERS ABSENT:

Mary Rieth

Kim Kratzenberg, Secretary (absent) – Tonya Brown took minutes on Kim's behalf

#### 1. Call Meeting to Order:

- The June 9, 2014 Planning Board Meeting was called to order at 6:30 P.M. by Chairman Entwistle.

#### 2. Pledge of Allegiance:

- Recited

#### 3. Review and Approve Minutes:

##### A. May 12, 2014 Regular Planning Board Meeting Minutes

\*\* A motion was made by Member Althoff and seconded by Member Swasey to accept and approve the May 12, 2014 Planning Board Meeting Minutes as presented. The vote went as follows:

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

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

- None at this time.

#### 5. Old Business:

##### A. 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 prior to the May 2014 meeting 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 will present it to the Town Board at their June 18<sup>th</sup> 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 Althoff wants to know how to implement the agreement in writing.

\*\* A motion was made by Member Althoff and seconded by Member Swasey to have Chairman Entwistle present this matter to the Town Board at their June 18<sup>th</sup> meeting. Before finalizing the agreement it must have the Town Attorney's blessing and then finally filed with Oneida County Planning. The vote went as follows:

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

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

- A motion was made at the May 12, 2014 Planning Board Meeting to table this matter until June 9th to give the Planning Board Members the opportunity to review the minutes of this matter to become familiar with it.
- Member Althoff stated that he has reviewed the March 10, 2014 Public Hearing Meeting Minutes regarding “Qwackle Farm” and he sees no reason to overturn any part of the minutes. He feels that no further action should be taken by the Planning Board.

- Member Althoff does feel that in the future any information or concerns from the public needs to be presented to the Planning Board in writing if an individual cannot be in attendance.
- The Howards who represent Qwackle Farm stated that the matter of opening and operating “Qwackle Farm” never needed to come to the Planning Board for permission because they are grandfathered under the Ag rules and regs.
- Chairman Entwistle asked the Howards when they became an Agricultural property and they stated “2012”. Chairman Entwistle continued with the fact that he had researched the “grandfather” portion of this matter and that because the Howards were not a registered Ag property back when they began their “Qwackle Farm” operation that they are not grandfathered under the Ag rules and regs. Fortunately, the public hearing resulted in the farm being legitimized.
- Member Swasey stated that in the near future the Planning Board hopes to change the policy of how the Town accepts information from individuals regarding public hearing matters. The Planning Board would like to see comments in writing in the event someone is unable to attend a hearing.
- The Howards asked the Board when the minutes of the meeting are typed, who has the authority to pick what goes on the minutes? Chairman Entwistle stated that the minutes are a synopsis of the business that was conducted at that meeting. The Clerk is responsible for paraphrasing the actual recordings of the meetings.
- Member Althoff stated that it is the Planning Board’s responsibility to review the minutes and either approve with changes or approve as presented.
- Member Rejman also commented that he felt the minutes were an accurate representation of what transpired at the hearing.
- Chairman Entwistle did check with an outside Attorney from the Association of Towns and found that the Town Board does not have the authority to change the Planning Board’s minutes.
- The Howards stated that they will file a suit against the Town. They have spoken with Attorney Bill Riley. The Howards feel that there is malice on behalf of Mrs. Kratzenberg.

\*\* A motion was made by Member Althoff and seconded by Member Swasey to take no action regarding the March 10, 2014 Planning Board Public Hearing Meeting Minutes. The vote went as follows:

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

- Chairman Entwistle thanked the Howards for attending tonight's meeting and stated that the Planning Board will not amend the March 10, 2014 public hearing meeting minutes that were approved.

\*\* A motion was made by Member Althoff and seconded by Member Swasey to approach the Town Board about adopting a resolution regarding the process of how information is obtained from the public for scheduled public hearings. The vote went as follows:

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

## 6. New Business:

### A. Comprehensive/Master Plan:

- Kim has prepared a comprehensive/master plan book for all the Planning Board Members. Thank you to Phil Street for providing the colored maps for the booklets.
- These were handed out to all members.

### B. Training Certificates:

- The Tug Hill Commission has sent the Planning Board Members their training certificates for training that took place on May 12, 2014. Kim will hand them out.
- These were handed out to all members.

### C. DEC – Management Plan for State Forests:

- A brief discussion took place.

- Kim attended the June 3<sup>rd</sup> Open House presented by the DEC to listen to the DEC's proposed Unit Management Plan for the six state forests in Northern Oneida and Herkimer Counties.
- Handout was given.
- The DEC is accepting comments until June 30, 2014. Would the Board like to give comments or send suggestions as to the use of the State Lands (atv use, more camping, better hiking trails, lean-tos' built, more snowmobile trails, better access to state lands for people of all types, better signage)

D. Michael E. Cook – Firearm Dealer:

- 3030 Bower Road, 67.003-3-52
- Mr. Cook is relocating his residence from Pine Bush, NY to Forestport, NY.
- Being that Mr. Cook holds a firearms license the Bureau of ATF wants to be sure that the Town of Forestport does not require anything specific for the relocation of his license.
- Chairman Entwistle spoke with the investigator from ATF regarding this matter.
- Mr. Cook stated that he does not plan on operating a business out of his Bower Road residence. He does not plan to hang a sign or advertise in anyway. Mr. Cook only plans to continue as a collector of firearms.
- The Planning Board would like to obtain a letter from the Oneida County Sheriff's Department stating that the Oneida County Sheriffs know that Mr. Cook has relocated to his Bower Road residence and that he is operating as a collector only.
- Chairman Entwistle sees no reason why the Planning Board cannot give a conditional 60 day approval as a collector. This will give the Board time to obtain the letter from the Oneida County Sheriff's Department. Member Althoff felt the Board should table this matter until the July Meeting so as to ensure the proper procedures are followed by the Town.

\*\* A motion was made by Member Rejman and seconded by Member Swasey to table this matter until the July 14, 2014 Planning Board Meeting. The vote went as follows:

TJ Entwistle – Yes  
Ginger Swasey – Yes

Thomas Althoff – Yes  
Paul Rejman – Yes  
Mary Rieth – Absent

7. Open Discussion:

A. Public Hearing Comments:

- The Board discussed the fact that the Planning Board and Town Board should pass a resolution that if a person cannot be present for a Public Hearing and they have comments to make, the individual should file their comments in writing with the Secretary to the Planning Board. The Board suggested also that comments be accepted up to 4:00 P.M. of the close of business on the day of the hearing. The Board would like to see all written comments attached to the minutes as well.

\*\* A motion was made by Member Althoff and seconded by Member Swasey to have Chairman Entwistle present this matter to the Town Board for the comments and then to have the Town Attorney write up a legal resolution to be passed to implement this policy. The vote went as follows:

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

B. July Planning Board Meeting:

- Next regularly scheduled Planning Board Meeting is scheduled for July 14, 2014 at the Woodgate Fire Hall.

8. Adjourn Meeting:

\*\* A motion was made by Member Althoff and seconded by Member Rejman to adjourn the June 9, 2014 Planning Board Meeting at 7:25 P.M. The vote went as follows:

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