

Minutes of the Public Hearing held December 20, 2005 at 6:30 p.m. in the town hall for the purpose of reviewing the proposed amendments to the Land Development Law.

Present : Thomas Moran - supervisor
George Nowack, Paul Holst, John Metzger,
Richard Colesante - council members
Janet Warford - town clerk
Warren Bader - town attorney

Supervisor Moran opened the hearing asking Robert Mc Namara, chairperson of the Comprehensive Plan Committee to give a brief overview of what has been done to date. McNamara stated the recently adopted Comprehensive Plan was the result of many years of work. Data was compiled, public input solicited through a survey done in '98 and several public hearings were held. Proposed changes to the Land Development Law in effect since 2000 are being done as a result of this plan. It's intent is to promote the health, safety, and general welfare of the town, while ensuring the overall conservation, protection, preservation, development, and use of resources of the town, through setting minimum standards. The significant changes to the law are the establishment of districts. Those being, Rural, Hamlet, Highway Corridor, and Lakefront. Changes in rules for the Lakefront and changes to the Route 49 corridor to maintain smooth traffic flow. The Oswego County Planning Board and Tug Hill have been instrumental in working with the commission in setting our goals along the way.

Ken Macari questioned all properties 200 feet off Route 49 in the hamlet. Boundaries would be the minimum standard.

Andy Kelsey, Councilman elect stated he was willing to work with the committee and felt the proposal was not ready to be enacted at this time. He questioned Section 140 of the draft addressing prior laws that shall be replaced and superseded, parcels that fall between two districts, set backs and height of buildings. He added wood fired boilers should be addressed, along with minimum chimney heights. He reiterated the proposal was no where near ready for passage.

Mr. Colesante stated the purpose of the hearing was to resolve issues pertaining to the amendments. They have to be identified by organizational changes or substantive changes.

Roland Hrywnak, commented the county had thirty days to look at the proposed changes and the people most effected by the changes had three weeks. He asked if the board wanted comments provided to them in writing and was told yes. He spoke with regard to the lakefront and said these proposals were 100 years to late. The code process we now have should handle several issues addressed in the proposal. He questioned what the board was trying to regulate and the definition of lakefront as it appears in the proposal.

Paul Auringer, as Chairperson of the Appeals Board, would have to interpret this law in hearings that his board holds after adoption. He addressed nonconforming lot sizes and their road frontage, stating these proposals would create more problems, as larger lot sizes would be required. He questioned grandfathering in undersized lots. Mr. Auringer believes all subdivisions should come before the planning board.

Joe Vella agreed with Mr. Kelsey's comments. He suggested people of different professions; such as realtors and contractors are asked to join the committee for their input. He spoke about the views from Route 49 and commented the plan was a good one, but needed some changes made to it.

Dick Barry thought these proposals were punishing lakefront people. He questioned the setback limitations and height requirements and feels there shouldn't be these restrictions.

Marlene Barry questioned the article in the Citizen Outlet that said a vote on the proposals would be held after the hearing. She was told that the article stated "Following the hearing, at the town board's discretion, the amendment may be approved."

Mr. Nowack stated variances may be requested at any time with regard to town laws.

Mr. Holst stated that lot sizes were determined based on the lack of sewers and public water. When these come into play the sizes can be changed.

Bob Harrington stated it is now hard to get out on Route 49 safely. He noticed in the district descriptions it refers to rural with no mention to agricultural. And he finds that disappointing. He addressed earthmoving activity on page 3 and waste materials on page 6 having no mention of agricultural. He questioned Section 650, the height of all buildings being 40, maximum inhibiting agricultural structures such as silos and barns. He felt the proposal needed to be fine-tuned.

Sherry Hostetter asked if concerns about lot lines had been brought to the attention of the Town prior to passage of the new law, which rules would apply – the ones that were in effect at the time of construction or the new rules. She questioned Section 630, line #2 relating to front yards and private roads being deleted, asking do they follow the same measurement standard as all front yards?

Ron Sakonyi stated recommendations made at the November 29th Special meeting with regard to the mobile home definition being 12' or wider and 700 square feet or greater in floor area were not included in the 11/29/05 draft, along with any mention of HUD standards. The definition was included in Section 640, #2, but not in Article 2, Definitions. HUD standards were not mentioned.

John Kastler addressed the 200-foot frontage in the highway corridor. He questioned adding on to building if this were to be passed. We have laws now that we are not enforcing and asked why pass more, but not enforce the ones we have. He feels that environmentally the town is dragging its feet on sewers and water.

It was noted the town presently has a Sewer and Water Committee that meets monthly the third Thursday and the public is invited to attend.

Jack Campbell wanted something done to enhance Constantia. He feels the area has deteriorated over the years. We need public water, sewers, natural gas and sidewalks. He owns a 110 x 110 lot in the hamlet and feels it would be an impossible task to build a pole barn on it. He addressed the Home Business Occupation definition and questioned how this fit into the intent and purpose of the law.

Dealing with such diversion of needs is a thankless job and members of the committee should be commended a resident said, although a vote on the proposed amendments should not be taken at this month's board meeting.

Mr. Hoefert said the plans for sewers were shot down and defeated by public opinion. He said anyone could pursue a variance.

Mr. Nowack discussed bringing water to town and the costs associated with such. A questionnaire will be going out to residents in regard to this.

Mr. Kastler commented variances are not easy to get. Instead of fighting people, we should make them welcome.

Mr. Barry asked the purpose of increasing side lots and was told this was because of sewer and water limitations.

Mr. Nowack made the motion to close the hearing. Seconded by Mr. Holst.

Carried	Moran - yes	Holst - yes	Metzger - yes
	Nowack - yes	Colesante - yes	