

Town of Constantia Planning Board Meeting - Oct.27, 2009 approved

Members Present: Chairman Chuck Gilkey, Mike Marr, Ken Macari, George Scriba, Curt Schwalbe, Bob McNamara, and alternate #1 Brenda Ko sitting in for Paul Heins.
Also present: Anthony Barnello, Jeff Ballagh, and Austin Mead

The meeting was called to order at 7 pm by Chairman Chuck Gilkey with the pledge of allegiance.

Sept. 22, 2009 minutes

The minutes were read by Chairman Gilkey.

MOTION: Curte Schwalbe made a motion to accept the minutes with changes, seconded by Ken Macari. Vote as follows: Chuck Gilkey, yes; Mike Marr, yes; Ken Macari, yes; George Scriba, yes; Curt Schwalbe, yes; Bob McNamara, yes; Brenda Ko, yes. Motion approved unanimously.

JUNK in YARDS

The code office is looking into official complaints concerning junk in yards in the Town. Some places mentioned were the vacant house next to Joa's Pizza, the gas station and the house next to it, and a couple of places on Kibbee Lake Road.

SIDEWALKS

The Planning Board discussed citizens' interest in sidewalks on Rte. 49. The responsibility and expense falls on the homeowners, including maintenance, but grant money may be available.

MIKE MARR

Chairman Gilkey read emails from Dave Bardoun Land Surveying. Mike Marr stated that he hired an engineer who contacted NYSDOT and submitted a drainage report to them. NYSDOT is satisfied with the plans for drainage.

Chairman Gilkey requested that the measurement of the west driveway be added to the survey map. Mr. Marr will submit 5 new copies of the survey for filing purposes.

Chairman Gilkey asked that Mr. Marr submit a copy of the engineer's drainage report.

Mike Marr stated that the building enclosure for the dumpster has been built with a permit and a certificate of compliance has been issued by the code office.

Anthony Barnello expressed his concern that the driveway on the east side of Mike Marr's property is not legal for truck traffic as it is not 5' from his property line. This is his only remaining concern at this time.

Chairman Gilkey stated that he would write for comments from NYSDOT and ask Town Attorney Warren Bader for his opinion. Chairman Gilkey asked the Planning Board for

a motion to pursue the matter of the driveway by way of letters to see if Anthony Barnello's complaint has merit and to address it at the next meeting. George Scriba made the motion, there was not a second to the motion. The Planning Board agreed that the survey satisfies the issue of the driveway, therefore the matter will not be pursued further.

MOTION: Ken Macari made a motion to approve the site plan application as complete with the 5' being shown on the west driveway. The motion was seconded by George Scriba. Vote as follows: Chuck Gilkey, yes; Ken Macari, yes; George Scriba, yes; Curt Schwalbe, yes; Bob McNamara, yes; Brenda Ko, yes. Motion approved unanimously. Mike Marr was recused from the vote.

MOTION: Curt Schwalbe made a motion to approve the site plan application with one modification to the survey, seconded by George Scriba. Vote as follows: Chuck Gilkey, yes; Ken Macari, yes; George Scriba, yes; Curt Schwalbe, yes; Bob McNamara, yes; Brenda Ko, yes. Motion approved unanimously. Mike Marr was recused from the vote.

JEFF BALLAGH - Townhouse project, 299 State Rte. 49

Jeff Ballagh gave an update to the Planning Board: Atty. Bill Buchan has met with the homeowners a few times concerning the water and sewer lines. The contracts are complete and under review with the Village of Cleveland. A formal bid has been put out for the project. They are hoping to begin work on the water and sewer lines in November. The lines will be in the NY State right of way. The lines will be dedicated to the Village. The Village will maintain the lines. There are now more people interested in being connected to the lines than the original 12.

MOTION: Mike Marr made a motion to grant a one month extension on the site plan application, until the November 24th meeting, as long as progress is being made, seconded by Ken Macari. Vote as follows: Chuck Gilkey, yes; Mike Marr, yes; Ken Macari, yes; George Scriba, yes; Curt Schwalbe, yes; Bob McNamara, yes; Brenda Ko, yes. Motion approved unanimously.

Jeff Ballagh asked if the Planning Board needed the contract signed by both parties. Chairman Gilkey answered "yes".

The homeowners association agreement has been sent to Atty. Bader.

Chairman Gilkey asked Jeff Ballagh to send something in writing to Atty. Bader, stating what he said in this meeting.

ADJOURN

MOTION: Curt Schwalbe made a motion to adjourn the meeting, seconded by George Scriba. Vote as follows: Chuck Gilkey, yes; Mike Marr, yes; Ken Macari, yes; George Scriba, yes; Curt Schwalbe, yes; Bob McNamara, yes; Brenda Ko, yes. Motion approved unanimously.

Respectfully submitted, Kay Foster, Planning Board Secretary.
The next meeting will be November 24, 2009.