

TOWN OF CONSTANTIA
MINUTES, Special Meeting - TOWN BOARD -9:00 am -June 19, 2012
Constantia Town Hall

Present: Charles Gilkey - Supervisor
Richard Colesante, John Metzger, Thomas Moran, Frank Tomaino- Council Members
Clare Haynes - Town Clerk

CALL TO ORDER:

At 9:04 am the meeting was called to order with the pledge of allegiance.

SUPERVISORS REPORT:

Mr. Gilkey told the board that Ms. Butlers computer was infected with a virus. This virus deleted the Quick Books program. Fourteen months worth of data is gone, it will take a while to input all data again. For this reason for the next few months there will be no Supervisor's report.

LAND DEVELOPEMENT LAW:

The following listing was reviewed and changes made. This list will be reviewed at the joint planning board and town board meeting, date to be announced.

LISTING OF TOWN BOARD COMMENTS ON
LAND DEVELOPEMENT LAW CHANGES
June 19, 2012

Definitions:

Agricultural Use: Change roads to **access**

Article 4 -

Section 410 - Lot size is an issue, with the water many would like to lower this, but the concern for this area would be for septic systems. The health department does not want to see this lowered. More discussion to follow.

Section 430 - 1. Yards and Setbacks change to **80 feet from centerline (state road)**

Section 440 - 4. C. Change 700 sq ft to **900 sq ft.**

Section 470 - This portion needs an application created and a fee set. Plus, **remove one or more of**

Discussion on **Section 480 Recreational Vehicle Outside a Recreational Camping Vehicle Park** started the meeting. Mr. Moran is against this section, he does not think this is fair to other taxpayers, what is the benefit to allowing this. Mr. Colesante asked what would happen to the residents that are doing this, would it still be legal. After lengthy discussion, the members present **decided to remove this entire section.**

Article 5 - **Planning Board Question**

Section 505 - 1. Mr. Moran started discussion on Article 5 - Special Development Standards, Principal Residential Structures Per Lot. It was brought to his attention that when this happens, both structures would then get the benefit of the principal owners' exemptions. Same property two houses, an example could be, older parent/disabled child would like to put a second home on same parcel. The problem is that situations change and then that second home never goes away. Why not make them subdivide? Discussion followed. Mr. Moran would like Mr. Gilkey to ask both Mr. Wheeler and Mr. Bader if we should be allowing this at all.

2. Definition of interim

Article 7

Section 715

The board questioned why #5 and #8 were removed. **Planning Board Question**

Article 8

Section 845

(a) Where the proposed land use is potentially incompatible with the adjacent uses and effective vegetative screen shall be developed **and maintained** to visually separate the proposed use from view from adjacent inhabited areas. The highlighted area was added to the section, other changes were reviewed, no changes by board.

Article 9

Section 930 changes reviewed, with the following changes:

7. Roadside Stand Signs: **Multiple** signs for roadside stands selling agricultural produce grown on the premises in season, not to exceed **a total of 64** square feet.

Section 960 changes reviewed, #3* ***Planning Board Question distance***

Section 970 changes reviewed, #2, d* ***Planning Board Question distance***

*Both of these deal with how far from property line and or right of way, would like clarification as to why they are different, the board would like consistency.

#3 - change letters to a. b. c. (clerical)

Article 10-

#11 No person in the town of Constantia shall occupy a recreational camping vehicle on an overnight basis, except in a recreational camping vehicle park which has been approved by the planning board or on private land with the consent of the owner for a period not to exceed 120 calendar days per year. On site disposal of sewage only by approved means.

#12 remove (clerical)

Article 11-

Section 1114 - a- **Change 10,000 to 12,000 and change 7,500 to 9,000**
c- **Change to 120 foot side depth**

Section 1115 - b - **Needs clarification - refer to Matt Johnson**

Section 1116 - e, f, g - **Needs clarification with definitions**

Section 1117 - c - **remove paved - (compare with sub-division wording)**

d - **Needs further review**

e - **Define Cul de sacs**

f - **Needs further review**

Article 11 - Manufactured Home Parks

Section 1118 - Manufactured Home Park Parking

-Change **second a to d - need reference to road standards**

Section 1122 - Manufactured Home Park Sewage

-add - in accordance with the New York State Department of Health **and Oswego County Health Department** standards and regulations.

Article 12 - Manufactured Home Park and Campground License

Section 1220 - ***Planning Board Question with old law***

Section 1240 - Question on **or renewal of a license** Mr. Illingworth will follow up on this.

Article 13 - Telecommunication Towers

Section 1310 - take out s in towers (towers) (clerical)

c - add **wireless service providers definition in Article 2**

Section 1340 - **revisit and compare to Section 4 of Land Development Law 2009 - Planning Board Question**

Section 1350 - b - (1) - change **buildings to structures**

d - (3) - Painted light gray **or in compliance to FAA standards**

(4) - **question on 199 feet**

h - remove **Provide an**

Article 15- Administration

Section 1530 - #7 - **Construction in a town highway's right of way for a road access**

Section 1532 - #12- This needs to be rewritten, we do not at the current time have any provisions for alterations. Mr. Illingworth will redo for next meeting.

#13 Mr. Gilkey will ask Mr. Matt Johnson from the Tug Hill Commission why this is included. - ***Question for Matt Johnson***

Section 1534 - Temporary building permits may be issued by **enforcement officer** upon site plan approval of the planning board for a period not to exceed six months for temporary uses and structures incidental to a construction project. Such temporary building permit shall be conditioned upon agreement by the applicant to remove any nonconforming uses or structures upon expiration of the permit. The planning board may place such appropriate conditions on the use so as to protect the character of the surrounding area. A temporary building permit may be extended by the **enforcement officer** one time **basis** for a period of six months upon showing of special necessity **to the enforcement officer**.

Section 1536 - #3 - remove *road line* change to **road center line**

#4 - add: **applicable** fees.

#5 - add: **applicable** fees.

Section 1539 - Certificate of Compliance **and** Certificate of Occupancy

No use or structure requiring a building permit shall be occupied, used, or changed in use until a certificate of compliance or **certificate of occupancy** has been issued by the enforcement officer stating that the use or structure complies with the provisions of this law and **the New York State Building Code**. All certificates of compliance **or certificates of occupancy** shall be applied for coincidentally with the application for a building permit and shall be issued within 10 days after the use or structure has been approved as complying with the provisions of this law **and the New York State Building Code**.

Section 1540 2. **During the course of site plan reviews, the planning board may waive, subject to their judgment and appropriate conditions, the provisions of any and all site plan review standards that are not requisite in the interest of public health, safety and general welfare or that could cause hardship to the applicant.**

3. b. Approval of **issuance of** temporary permits **by the enforcement officer**.

Section 1550 - 3.

3 a. b. remove **Code** (clerical)

b. - Mr. Illingworth will look to see if SEQR question should be in there. If possible it is suggested that "if applicable" is put in there so it is not a burden and applicants are not required to fill the SEQR out.

4. Change to: Procedure for Appeal *from Land Development Law Regulations*

d. - add: hearing, **and shall notify applicant of application process**.

ADJOURN:

At 12:00 pm the meeting adjourned.