

Planning Board Meeting

November 19, 2009

Present: Steve Williams, Rebecca Watson, Maryellen Commisso

Others Present: Mark Bombardo, Code Officer

Steve Williams opened with pledge at 7:00

Planning board wants to work on sign code and bring it into a more simplified and condensed version. In addition, there are no guidelines specific to used car lots. Rebecca Watson will copy and send to each planning board member, the codes that she has researched.

Mark Bombardo stated that approval for car lots can require certain minimum requirements. Zoning is not retroactive, it is to make something your view for the future. If a business has been permitted in past, it can not be made to come up to current code. However they can be regulated. They are legal nonconforming – as long as they continue that use. If not there for one year – it then becomes a conforming lot and must meet all requirements.

Carports: Need to meet proper setbacks. Need building permit. Regulations are the same for temporary and permanent.

Next meeting – Dec 17 – Planning Board members to bring research for temporary structures and used car lots. Will review and collect ideas to submit to village board.

Areas that Mark Bombardo has presented to the village board:

- 1) Fences must be one foot off property line, currently creating a gap between two neighbors with fences. Code office would like to consider a mutual agreement in writing between neighbors that would allow the property owners to put the fence on the property line to avoid the gap between the fences.
- 2) Variances are to be sent to the planning commission – we don't have commission (250-30c) Therefore there is no mandate that it comes to the planning board.
- 3) Not a requirement in commercial or industrial district to apply for site plan approval when not adding more than 25 % or changing the use or exterior alterations that would not increase the sq footage more than 25%. No site plan approval is needed. Section 250-23c and 250-28b – d.
- 4) Penalty section of codes – each day/week constitutes a new violation. We need to revise to include this. Section 80-12 and 250-33.

Codes office can site a property owner for maintenance issues. The village can take care of a mess, and charge the fees to the owner's taxes as a relevy. This would allow an extra tool to deal with problem areas.

Planning board wants to work on sign code ad bring it together into a more simplified and condensed version. Print section 250-5 through 9, 250.18 from e-code section of website and draft letter from planning board to each of the village trustees and mayor. Review and highlight sections where there are issues to change delete or add new verbage. Request opinions from the village board by the February 19th planning board meeting. Mark Bombardo will follow up with mayor on conversation. The sign codes and the following should be sent to village board

- Penalty section needs to be reviewed - PB recommends that each day is treated as a new violation – example being if violation is \$200, after 5 days violation is \$1000.
- Fences – planning board recommends adjoining neighbors to agree in writing they share the fence on the property line – village creates a form to be accessible by them and endorsed by an attorney.
- Need a mechanism to require site plan approval for a change of use in an existing structure.
- To give code enforcer a mechanism to discharge owners duties in case of noncompliance.

This is the direction that the planning board will go forward with – requesting any additional input from village board. The sign code will accompany the above information for input on that as well. Please return by February – or earlier, and we will immediate act upon receipt of notes. February date set with holidays in mind, but earlier action would allow earlier action by the planning board.

Motion by Steve Williams to send letter to board, Rebecca second, motion carried.

Request mark to visit the following businesses with recommendations.

PC Store Plus – new sign to be investigated.

Aunt Harriet's Attic - neon sign

JGS Wireless sign - Route 11 across from Barnzy's

Various signs at Barnzy's.

Clarification made of the Board member terms as follows:

Steve Williams 5 year term expires 2013, John Metzger – 5 yr term expires 2012,
Rebecca Watson – 7 yr term expires in 2015, is term for 6 Maryellen 2015, Shirley 2010,
open spot 2011, open spot appt in 2009 to 2016

Motion to approve minutes by Steve Williams. Seconded by Rebecca Watson. Motion carried.

Motion by Steve Williams to adjourn. Seconded by Maryellen Commisso. Motion carried.