

Town of Hamilton
Planning Board Meeting
Tuesday, December 8, 2020 7:00 PM
VIA: ZOOM

Present: Travis Dubois, Michael Welshko, Bettyann Miller, Elaine Hughes, Town Clerk Sue Reymers, Deputy Town Clerk Elisa Robertson, CEO Mark Miller, Alternate Kathleen Palmer

Absent: Mary Galvez

Others: Jesse Magrath, Earlville Surveying, and the Applicant Bruce Rivington

Chairman Welshko calls the meeting to order at 7:06 pm. There is some short discussion about procedure.

Bruce Rivington; Subdivision; Preliminary Review, Route 12 B; Tax Map # 198.-1-1.12,6,9

Chairman Welshko asks the applicant or the surveyor to please explain the map while the Deputy Clerk brings the map up on the screenshare for all to see. Surveyor Jesse Magrath speaks to the map that has been presented. He explains that by looking at the map inset the board will get a clearer picture. The Deputy Clerk struggles a bit with the map but eventually conquers it.

Mr. Magrath explains that the subdivisions will take place along route 12B where the lots are already bisected. Mr. Magrath only surveyed the parcels being subdivided out because it is a lot less expensive. The northern most lot (189.-1-1.12) is mostly in the Town of Lebanon, only a small portion of it is in the Town of Hamilton. Unfortunately, if the subdivision map stays as is this small piece will have to be mapped separately and would become a nonconforming lot. If the lot line is changed to exclude that piece it can remain attached to the preexisting lot across the street and will not need to be its own lot. Hamilton Subdivision Law would not allow for that nonconforming lot. Mr. Magrath states that the map will be redrawn to exclude that small piece to keep it with the larger parcel across the street. The result is that only two of the parcels will be subdivided (198.-1-6 and 198.-1-9). There is some discussion about the road frontage on the parcel in the Town of Lebanon, that has no impact on these proceedings.

Chairman Welshko confirms with the applicant that this land is going to remain agricultural. He asks the board members to refer to Section 340 of the Subdivision Law which refers to the agricultural exemption, which reads:

Section 340 Agricultural Subdivision Waiver

If, at the sketch plan conference, the Planning Board determines that the subdivision is for agricultural purposes only, does not involve the creation of a new road or highway, and does not include more than one lot of less than five (5) acres in area, the Planning Board may waive the subdivision from these regulations.

He asks the board to think about that and then they can discuss if they wish to apply it in this situation. The board agrees that this section can apply to this application. That would mean that there would be no need for the SEQRA review or a public hearing; they can approve what is presented to them as is or with modifications.

Resolution 2020-28: Motion to apply Agricultural Subdivision Waiver, Section 340 of the Town of Hamilton Subdivision Regulations, to the Rivington subdivision lots # 198.-1-6&9.

Motion: Bettyann Miller

Second: Elaine Hughes

Vote: YES – 5 NO - 0

ADOPTED

The Board reviews the modifications that will need to be made for the map to be complete, the Surveyor agrees. He makes notes on where to put the signature box and any other notation that needs to be included on the map.

Resolution 2020-29: Motion to approve the Rivington Subdivision with edited map and paperwork to include only parcels 198.-1-6 &9.

Motion: Travis Dubois

Second: Bettyann Miller

Vote: YES – 5 NO - 0

ADOPTED

Chairman Welshko would like to address something that he read about in the association of Towns magazine. The article was discussing Zoom meetings, and how to make meetings streamlined and clear for the public. Often the public does not really understand how these procedures really work and it would be nice to come up with some visual aids to help them easily understand the procedures when they attend meetings or public hearings. Flow charts may be helpful for both the public and for the board. In the past the Deputy Clerk has helped the board by including procedural notes on the agendas that they receive. The Chairman expresses that this has been very helpful in the past. The board agrees and the Clerks office will work on preparing materials to that end. The board and staff discuss some procedural changes that may make things easier and more clear to the public.

Resolution 2020-30: Motion to approve minutes from November 1, 2020.

Motion: Elaine Hughes

Second: Travis Dubois

Vote: YES – 5 NO - 0

ADOPTED

Resolution 2020-31: Motion to adjourn.

Motion: Bettyann Miller

Second: Travis Dubois

Vote: YES – 5 NO - 0

ADOPTED

Respectfully submitted by:

Elisa Earnest Robertson

Deputy Clerk