

Town of Hamilton
Planning Board Meeting
Tuesday, January 12, 2021 7:00 PM
VIA: ZOOM

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

Absent:

Others: Jesse Magrath, Earlville Surveying, and applicant Bruce Rivington, applicants Scott and Patricia Peters

Chairman Welshko calls the meeting to order at 7:10 pm. There is some short review about zoom meeting rules.

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

Applicant has come before the board with a revision to the previous subdivision map. There is a small portion of lot 198.-1-1.12 that will be left as a nonconforming lot. It is undersized as well as does not have enough road frontage. That lot will need to be joined with new lot #2 (directly to the south) previously part of 198.-1-6 to make it part of a legal lot in the Town of Hamilton. The applicant agrees to this condition.

Resolution 2021-1: Motion to add a condition to the approval of the Rivington Subdivision that non-conforming northernly piece of lot 198.-1.12 will be combined to lot #2 (parcel to the south), formerly 198.-1-6.

Motion: Travis Dubois

Second: Bettyann Miller

Vote: YES – 5 NO - 0

ADOPTED

Scott and Patricia Peters; Special Use Permit, Poolville Road; Tax Map #199.-1-29

The applicants wish to build a small cottage, with running water and electric on a 9+ acre piece of land that has a slope of 15% or more. According to the Town of Hamilton Zoning Law a Special Use Permit is required.

Chairman Welshko reads section 5.8 (page 18) of the Town of Hamilton Zoning Law which pertains to this application:

SECTION 5.8 Construction on Steep Slopes

The construction of new buildings, roads, and other facilities on slopes of 15% or more grade (15% = 1½ foot rise in 10 feet horizontal distance) shall require a special permit,

and a performance bond may be required. Logging on such areas shall comply with New York State Department of Environmental Conservation requirements.

The board looks at the checklist for the Special Use Permit. They also consider the applicants narrative as well as discuss the exact placement of the property in question. The applicant has provided all the materials needed to proceed with their application. The board then moves on to look at the site plan checklist. Many of the Site Plan checklist items will not apply to this application because it is not going to affect any other property, it is not a business that is opening.

The Deputy Clerk brings the Site Plan checklist up on the screen for all to see, it is in essence; the same checklist that appears on page 62 of the Town of Hamilton Zoning Law. Chairman Welshko will read each category and the board can discuss each item at will. They will just need to wave their hand for acknowledgement. They consider each item independently. There is some discussion about diverting water around the back of the house and along the driveway into a culvert at the bottom of the driveway. The driveway will be crowned to force water to the sides. There is some more discussion about the rainwater running onto the county road, the board will wait to see what the county has to say. The applicant has been in contact with the county and there is already an existing culvert there and that he does not need to get another permit to put a driveway there. Due to this property being on a County Highway and the fact that this is a special use permit it will need to go to Madison County for a GML 239 review. They will be drilling for a well.

There are some technical difficulties, the applicant is asked to turn off their camera to help speed up their audio.

Many things on this checklist are not applicable to this property. They will begin the project once they receive this permit and the building permit.

Resolution 2021-2: Motion to consider the Peters' site plan for their project complete, as per the site plan checklist.

Motion: Mary Galvez

Second: Travis Dubois

Vote: YES – 5 NO - 0

ADOPTED

The board moves on to review part one of the SEQRA (EAF) short form. The staff debated question #9, especially in this case. All questions are answered appropriately. Question 12 has some commentary as well, due to fossils being found in the area. Part of the lot that they will be building on is a wetland or may be prone to flooding; however, that part is across the street along the Sangerfield River. Since there is such an elevated grade the cottage will not be affected by any flooding or collecting water.

Resolution 2021-3: Motion to consider the SEQRA/EAF Short Form part 1 complete; declaring the Town of Hamilton Planning Board the lead agency, making this an unlisted action for the Peters' application.

Motion: Bettyann Miller

Second: Travis Dubois

Vote: YES – 5 NO - 0

ADOPTED

The board explains to the applicant that this application needs to be sent to the county planning board and that may take up to 30 days for their response. Madison County Planning Board tries to return with their answer by the next meeting. The Chairman asks if the applicant has any questions, they do not.

Resolution 2021-4: Motion to Send the Peters' application and supporting materials to the Madison County Planning department for a GML 239 review and to authorize the Deputy Clerk to sign on the Chairman's behalf.

Motion: Travis Dubois

Second: Elaine Hughes

Vote: YES – 5 NO - 0

ADOPTED

The last thing to do is to schedule a public hearing regarding this application and assume that the GML will be returned on time.

Resolution 2021-5: Motion to schedule a public hearing regarding the Peters' Application for a Special Use Permit on February 9, 2021.

Motion: Mary Galvez

Second: Travis Dubois

Vote: YES – 5 NO - 0

ADOPTED

The Board and the Clerk discuss the signing of the Boards vouchers. The Deputy Clerk informs them that she has already done so and submitted them to the bookkeeper.

The board has no corrections for the December minutes.

Resolution 2021-6: Motion to approve the minutes from December 8, 2020.

Motion: Travis Dubois

Second: Elaine Hughes

Vote: YES – 5 NO - 0

ADOPTED

Chairman Welshko asks if there is anything else that anyone wishes to discuss. He thanks the board, the applicant, the CEO, and the clerks for their participation. Deputy Clerk Robertson tells the applicants that if they have any questions that they can call the office.

Deputy Clerk Robertson informs the board about another possible upcoming Special Use application. Chairman Welshko reminds the board that they may want to look at previous minutes and the Zoning Law to familiarize themselves with the process since we have some new members. The minutes are all on the website and the Deputy Clerk will send the dates of the meetings that apply.

The Chairman and the Deputy Clerk discuss a time for him to come to the office to sign the maps.

Resolution 2021-7: Motion to adjourn meeting at 7:55 p.m.

Motion: Travis Dubois

Second: Elaine Hughes

Vote: YES – 5 NO - 0

ADOPTED

Respectfully Submitted by:
Elisa E. Robertson
Deputy Clerk