

Town of Hamilton
Special Planning Board Meeting
Tuesday, December 12, 2023, 7:00 PM
Hamilton Town Community Room
38 Milford Street, Hamilton

Present: Mike Welshko, Elaine Hughes , Bettyann Miller, Mary Galvez, Planning Board Alternate Pam Salmon, Deputy Town Clerk Elisa Robertson

Absent: Board member Kathleen Palmer

Others Present: Jennifer Tomsic

7:04 PM Chairperson Mike Welshko calls the meeting to order.

Board member Kathleen Palmer is unable to attend this meeting and alternate Pam Salmon will be voting in her place.

Jennifer Tomsic; MINOR SUBDIVISION, Preliminary Review; Wilkinson Road; Tax Map # 215.-1-48.1

The Board will conduct a PRELIMINARY REVIEW an application for a **Minor Subdivision** proposed by Jennifer Tomsic. The applicant wishes to subdivide their property into two lots: totaling +/- 29.54 acres on Wilkinson Road, Hamilton, NY. She did a subdivision last year and sold the southernmost part of the property and the buyers wished to acquire some more property to be used for hunting.

The Board reviews the map and sorts through all the neighboring parcels and owners. The people that live south of the property wish to acquire the “L” shaped piece that is left. Chairman Welshko asks if the buyers are going to join the two lots or if they will stay separate. The applicant does not know. The previous subdivision of this property came before this Board last year and was approved. They do not have to come before the Board to join properties. The CEO reviewed the maps earlier in the day and has stated that everything on the map is in order.

The Chairman states that he does not believe that this property is in the ag district for the Ag Data statement; the clerk researched that question, and he is correct. This application does not need to go to the county for a GML review.

The Board turns their attention to Part one of the SEQRA short form. The Deputy Clerk explains what the SEQRA form is, and its purpose to the applicant. There are a few changes that need to be made.

- #5 Forrest and Residential should be selected as well as Agricultural.

- #9 is marked N/A because the question does not apply to this application
- #14 Wetland should be selected as well as Forest and Ag/Grasslands

The Deputy Clerk prepared the SEQRA for the applicant, she agrees with the answers and signs the document.

Resolution 2023- 45: Motion to accept the review of Part 1 of the SEQRA short form and declare the Town of Hamilton Planning Board lead agency.

Motion: Pam Salmon

Second: Bettyann Miller

Vote: YES – 5 NO - 0

ADOPTED

Chairman Weshko asks the applicant if they will be available or be able to have a representative on January 9, 2024 be at the public hearing. The applicant replies yes. The surveyor may come in her place.

Resolution 2023-46: Motion to schedule a Public Hearing for this application on January 9, 2024.

Motion: Mary Galvez

Second: Elaine Hughes

Vote: YES – 5 NO - 0

ADOPTED

OLD BUSINESS

Chairman Welshko asks if the rest of the Board has had a chance to read over the Short-Term Rental Law (STR). Most have. Anyone who wishes to use their property as a short-term rental must get a permit to do so. Most will not involve this Board.

If a property is in the Residential, Hamlet, or Commercial districts and they are not owner occupied, they will need a Special Use Permit. This law is very similar to the Village of Hamilton's law. Primary residences in these three districts do not need a Special Use Permit but will need STR permit. The owner should be in residence at least 260 days a year (8 months). The law at this time is a stand-alone law; it may or may not be included in the updated Zoning Law. The law already needs some tweaking which will work itself out with time. The discussion continues touching on different specificities, including different scenarios and inspections. Property owners will have 180 days to get their permit in order. Thirty days maximum applies to everyone. This Board will only be involved if they need to get a Special Use Permit, and all inspections will be done before the application comes to this Board.

Chairman Welshko asks if there are any other questions.
They do not.

Resolution 2023-47: Motion to Approve the Minutes from the Planning Board Meeting on November 14, 2023.

Motion: Elaine Hughes

Second: Bettyann Miller

Vote: YES – 5 NO - 0

ADOPTED

The Board signs their vouchers and gives them to the Deputy Clerk.

Chairman Welshko asks the Board if they have any other business to discuss.

Resolution 2023-48: Motion to adjourn at 7:30.

Motion: Pam Salmon

Second: Elaine Hughes

Vote: YES – 5 NO - 0

ADOPTED

Respectfully submitted by
Elisa E Robertson
Deputy Clerk
Secretary to the Planning Board