

Town of Hamilton  
Planning Board Meeting  
Tuesday, November 10, 2020 7:00 PM  
VIA: ZOOM

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

**Absent:** none

**Others:** Jesse Magrath, Earlville Surveying

One member of the Board is experiencing technical difficulties with the technology and is getting some assistance. Instead of waiting Deputy Clerk Robertson asks to inform the board about an upcoming application for next month's meeting. A local Creamery has 3 plots of land that cross the highway. They would like to subdivide each of those lots using the highway as the boundary marker. The Deputy Clerk has some questions for the board about how the applicant should apply. How many applications? What would the cost be? Mr. Magrath is also the surveyor for this application. All the lots are next to each other, one piece may be in the Town of Lebanon. Mr. Magrath may come in to discuss the application with the Codes Officer. There could be a large price difference depending on how many applications there will be. Mr. Magrath asks about an exemption, but that clause has been removed from the Town of Hamilton's Zoning Law.

Chairman Welshko clarifies that it is 3 separate parcels making one split. He is unsure as to whether this would be a minor or a major. He believes that it can be a minor but wants to make sure; so as not to cause problems in the future. All the properties are agricultural, and they are going to stay agricultural. Mr. Magrath shows the map to the board and talks about the divisions. He explains a bit more. The Deputy Clerk reminds Mr. Magrath that the cut-off date for these materials is November 25, 2020 and urges him to get them in as soon as possible so the board has time to review them. The Deputy Clerk has a question about the fees. It would save the applicant a bit of money if it were all on one application. It may end up being a total of 7 lots, but from 3 original plots. There would only be one application fee. This does not need to be decided at this meeting, the decision can be made at the next meeting about the fees.

Chairman Welshko officially brings the meeting to order at 7:23 pm due to some technical difficulties. Elaine Hughes has resolved her technology issues and has joined the meeting.

The agenda is posted for all to see. Mr. Jesse Magrath, the Surveyor, is present to explain the map and the circumstances of this subdivision.

**Kenneth Slentz, Jr.; Subdivision; Preliminary Review, 8354 South Hamilton Road, Tax Map # 215.-1-31.1**

After having their property surveyed, it came to the applicant's attention that their neighbor's shed was on their property. The shed cannot be moved so the applicant wishes to subdivide a piece of property including the shed and the proper setbacks. This then will be conveyed to the neighbor and joined with their current lot. There was some difficulty finding some of the pins so this would actually firm up where the boundary lines are between these two properties. One party is looking to sell their property therefore cleaning up these lines is good. This is basically a lot line adjustment. Considering that there is no provision for that in our code, therefore it must be accomplished through a subdivision and a merger. The board looks at and reviews the SEQRA/EAF short form part 1. The total acreage being conveyed is .265 acres. No construction taking place, no variance or Zoning change needed.

**Resolution 2020-21: Motion to review and accept Part 1 of the SEQRA/EAF short form regarding the Slentz subdivision application and designate The Town of Hamilton planning board as the lead agency.**

Motion: Mary Galvez

Second: Bettyann Miller

Vote: YES – 5                      NO - 0

ADOPTED

The applicant has asked that this application be fast tracked since they were unable to make the agenda for last months meeting. They have requested that the board waive the public hearing with the full knowledge that someone can file a complaint within 30 days and then we will have to hold a public hearing. Chairman Welshko asks if anyone on the board has any questions or concerns regarding waiving the public hearing. There is some short discussion and then the board agrees to waive.

**Resolution 2020-22: Motion to waive the public hearing in accordance with Section 420 of the Town of Hamilton Subdivision Law**

Motion: Travis Dubois

Second: Elaine Hughes

Vote: YES – 5                      NO - 0

ADOPTED

Town Clerk Sue Reymers obtains a copy of part 2 and 3 of the SEQRA/EAF form for the board to continue their review. Deputy Clerk Robertson will record the answers for the board. The board reviews the two parts of the short form. The Deputy Clerk makes arrangements with Chairman Welshko to come to the office to sign the paperwork.

**Resolution 2020-23: Motion to authorize the Chairman to review part 2 and sign part 3 of the SEQRA/EAF short form declaring this an unlisted action and that it will have no adverse environmental impact on the surrounding area.**

Motion: Bettyann Miller

Second: Travis Dubois

Vote: YES – 5                      NO - 0

ADOPTED

Chairman Welshko asks if there is any final discussion from the board about this application.

**Resolution 2020-24: Motion to approve the Slentz subdivision**

Motion: Mary Galvez

Second: Travis Dubois

Vote: YES – 5                      NO - 0

ADOPTED

**Resolution 2020-25: Motion to add an addendum to the Slentz subdivision approval that states as a condition that the subdivided area is to be conveyed to the neighbors and joined with their existing property (Tax map #215.-1-39).**

Motion: Bettyann Miller

Second: Travis Dubois

Vote: YES – 5                      NO - 0

ADOPTED

Chairman Welshko reminds Mr. Magrath to put a note on the map about the joining of the properties as well as a signature box for the Chairman to sign in. Deputy Clerk Robertson will contact the applicant about getting the paperwork to join this strip with the Sconzo's parcel.

**Resolution 2020-26: Motion to approve of minutes from the September 8, 2020 minutes.**

Motion: Mary Galvez

Second: Travis Dubois

Vote: YES – 5                      NO - 0

ADOPTED

The next meeting will be December 8, 2020. The cut-off date for all materials will be November 25, 2020. If for some reason this application does not make it in on time the board requests that the Deputy Clerk notify them by email that there will be no meeting.

**Resolution 2020-27: Motion to adjourn.**

Motion: Travis Dubois

Second: Bettyann Miller

Vote: YES – 5                      NO - 0

ADOPTED

Respectfully Submitted by:  
Elisa E. Robertson  
Deputy Clerk