

Planning Board Meeting  
Tuesday, February 14, 2017  
7:00 PM  
Hamilton Court House  
60 Montgomery Street, Hamilton

**Present:** Chairman Darrell Griff, Elaine Hughes, Bettyann Miller, Bill Nolan, Town Attorney Steve Jones, Deputy Clerk Elisa Robertson

**Others Present:** Debra Johnson, Eric Leinbach, Drew Dunham, Michael Dunham, Maryann Dunham

Board Member Mary Galvez has been excused from this meeting.  
Chairman calls meeting to order at 7:02 PM.

**Poolville Country Store, Special Use Permit Application; 1245 Earlville Road, Earlville, Tax Map # 199.12-1-13**

None of the other agencies notified in the SEQRA form have responded, therefore the Hamilton Planning Board is the lead agency by default.

**Resolution 2017-6: Declaration of the Town of Hamilton as the lead agency for the Poolville Country Store's Wedding Barn project.**

Motion: Bettyann Miller

Second: Bill Nolan

Vote: Aye-4            Nay - 0

ADOPTED

**Resolution 2017-7: Table Poolville Country Store discussion until future meeting with applicants present.**

Motion: Bill Nolan

Second Elaine Hughes

Vote: Aye – 4            Nay – 0

ADOPTED

**Debra Johnson, Special Use Permit Application; 598 Borden Road, Earlville, Tax Map # 214.-1-44.1**

Madison County Planning Department has returned their comments regarding this application. There is no adverse county wide or municipal impact would result from this home occupation. Chairman Griff reads the County's GML 239 review signed by Scott Ingmire.

Applicants have been given a copy of the report to read.

**Resolution 2017-8: Re-open Public Hearing on Debra Johnson's application for a Special Use Permit to have a home occupation business that deals in snowmobiling apparel.**

Motion: Elaine Hughes  
Second: Bettyann Miller  
Vote: Aye – 4      Nay – 0  
ADOPTED

Board will address any questions raised by the county at this time. The only employee will be Debra Johnson. There is no real way to estimate the amount of traffic, very minimal. Sign issues were discussed. The sign size is what pushed them into a moderate impact business as opposed to a minimal. There is already a sign on the trail stating that here is no access. Traffic and customers have already been discussed. It is decided that one more "hidden driveway" sign is not going to make a difference to motorists. Neighbor Mr. Hoff has requested that this permit be reviewed every two years.

**Resolution 2017-9: Close Public Hearing on Debra Johnson's application for a Special Use Permit to have a home occupation business that deals in snowmobiling apparel.**

Motion: Bill Nolan  
Second: Bettyann Miller  
Vote: Aye – 4      Nay – 0  
ADOPTED

The County Planning department's questions have been answered, we have a completed application, the letter from Harmon Hoff and Eve Ann Schwartz's concerns have been addressed. Mr. Leinbach has stated that in the 20 years that he has lived next to Mr. Hoff and Ms. Schwartz that they have always talked to one another to work out any issues. The board reviews the criteria. Town attorney reads each criteria and the following responses are recorded.

**Findings as per Town of Hamilton Zoning Law, Section 8.3-8 Criteria:**

- Compatibility - Use is compatible
- Vehicular Access – All are adequate
- Circulation and parking – All are adequate
- Landscaping and screening – All are adequate
- Natural Features – All are compatible

There is a hand drawn site plan provided by the applicant. The Board reviews the Site plan.

There is no construction taking place.

**Resolution 2017-10: Accept Site plan as Exhibit A for the Johnson Special Use Permit Application.**

Motion: Bill Nolan  
Second: Bettyann Miller  
Vote: Aye – 4      Nay – 0  
ADOPTED

The Town of Hamilton Planning Board requires the following conditions be attached to the granting of the Special Use Permit:

- Retail storefront within the existing room on the front of the house at 598 Borden Road.
- The Site Plan (exhibit A) has been approved and will be attached to the permit.
- Review after two years from the date of approval, February 2019.
- All signage to be approved by the Codes Enforcement Officer and subject to law.

They will need to apply for a sign permit and approval from the Codes Enforcement Officer. Hours of operation are not a concern. Permit will expire and will be subject to renewal after two years.

**Resolution 2017-11: Approve Special use Permit for Debra Johnson Snowmobile apparel store with the aforementioned conditions.**

Motion: Bill Nolan  
Second: Elaine Hughes  
Vote: Aye – 4      Nay – 0  
ADOPTED

Second part of the EAF (SEQRA) Short form to be signed by Chairman Griff.

**Drew Dunham, Special Use Permit Application and Preliminary Site Plan Review, 1647 Poolville Road, Earlville, Tax Map #184.-1-35,36,37**

Chairman Griff checks to see if all the paperwork is in order. The Board will go through the EAF (SEQRA) form line by line to check for accuracy and make the following correction/modifications:

- B.    -b. Not marked, change to yes      Town Planning Board
- g. Not marked, change to yes      State Agencies DEC
- C.2   -a. Changed from no to yes
- C.3   - a. Remove with, so it shall read, "...in less than 5,000 ft in an Ag/Res district"

- c.i. Changed from yes to no- no zoning change
- C.4 -b. Cross out Hamilton, add State Police
- c. Add SOMAC
- D.1 -a. Add recreational
- D.2 -j. Changed from no to yes
  - j.i. Check box marked weekend
  - j.iii. Proposed -51; 100% net increase
- m. Changed from no to yes; during operation
- m.i. Consider measures for noise abatement
- E.1 -a. Add check mark in box for Residential; cross out suburban
- E.2 -e. Check well drained and moderately well drained
- h.i. Changed from yes to no
- E.3 b. Unanswered, check no

The Project details and site plan will be attached to this when it is sent to the other agencies. The Planning Board reviews the sight plan that has been submitted using the Town of Hamilton Site plan Checklist on page 62.

The following questions are raised:

- F. No dimensions on the other buildings on the property; will need to be added.
- G. Questions about the parking around the building, Codes Officer's concern.
- I. No storage outside.
- K. Portable restrooms will be placed inside the venue. Applicant will check if this is legal and if they need to be vented to the outside. Sewage systems are not on the site plan for the current site plan (leach field).
- L. Both wells serve both houses. They can be switched between the two wells.
- M. Driveways must be 20 ft wide and able to support 75,000 pounds for fire apparatus.
- O. See what is permissible through codes (40 sq. ft.)
- Q. More outdoor lighting may be needed; on the houses as well; put current lighting on Site Plan; lighting for parking will be portable towers.

The Codes Enforcement Officer would like to see some sample plans as to how the interior set up would be for different events to be able to determine occupancy, and the number and type of parking spaces needed. The applicant needs to determine this with Codes it is not the Planning Board's job. The checklist is determined to be complete.

The Board will hold off on approval until the changes are made on the site plan but it can be sent to the Madison County Planning Board for the GML 239 review. It is sufficiently complete.

No further action needs to be taken at this time.

The Board reviews the Agricultural Data Statement form. The form states "list all farm operations within 500 feet of the parcel", not the site. There are other farm operations with 500 feet of the parcel. The Deputy Clerk states that the Assessor checked into that and there are not. The Board states that there is pasture land across the street. Not all farm operations are in the Ag district. Number 5 on the Ag Data sheet needs to be marked yes. All properties within 500 feet of the PARCEL need to be notified. There is discussion of the owners of other parcels.

Town Attorney Steve Jones inquires about having a Public Hearing. It will be set for our next meeting March 21, 2017 at 7 pm. The Board is in agreement.

The Board discusses options for a consulting engineer for large projects, there are two names. No action is needed at this time.

Alternate member update: Attorney Jones states that he alternate member law passed he is going to file with secretary of state and it will be official. The term of office will be 3 years, there could be one or more of these individuals, and they will need the same training. The Board took a broad approach so they can serve not only in the case of a conflict but also if someone just fails to show up. Chairman Griff asks if they need to attend meetings even if they are not needed. That is up to the individual board. Chairman Griff thinks that it would be beneficial if they attended meetings to stay up to speed on current projects. There are no current bylaws for the Planning Board.

Deputy Clerk Robertson will research bylaws for the Planning Board for the next meeting.

**Resolution 2017-12: Approve Minutes From January 10, 2017.**

Motion: Bettyann Miller

Second: Elaine Hughes

Vote: Aye – 4      Nay – 0

ADOPTED

**Resolution 2017-13: Adjourn Meeting**

Motion: Bill Nolan

Second: Bettyann Miller

Vote: Aye – 4      Nay – 0

ADOPTED

Respectfully submitted by  
Elisa E. Robertson, Deputy Clerk