

Town of Hamilton Planning Board Meeting
Tuesday, January 19, 2016 at 7:00 pm
Held at Town Office 16, Broad Street, Hamilton, NY

Board Members Present: Mary Galvez, Darrell Griff-Chair, Bill Nolan, Bettyann Miller.
Absent: Elaine Hughes. **Also in Attendance:** Town Clerk Sue Reymers, Code Enforcement Officer (CEO) Don Forth, Penny Strong-Collins.

Meeting called to order by Darrell Griff, Chair at 7:00 p.m.

RESOLUTION 2016-1: Approval of Minutes from December 15, 2015.

On a motion of Planning Board Member Bill Nolan, seconded by Mary Galvez, the following resolution was: ADOPTED: Ayes - 4, Nays - 0
Resolved that the minutes from the December 15, 2015 be approved with noted changes. A final revised copy will be circulated to the board.

Penny Strong-Collins, 1233 Earlville Rd, Earlville, NY; Tax Map # 199.12-1-4, Subdivision

Prior to the meeting, Steve Jones, Town Attorney, called to advise the Planning Board that they should accept the application, a decision should not be made, and believes that it needs to go to the County with the Zoning Referral Form. After the County reviews and it comes back to the Town, the Planning Board can make a decision. Mr. Jones believes this is the right thing to do, but if the Planning Board disagreed, they could go ahead with a public hearing. He thinks if the Planning Board denies it and sends it to the County, they will say we do not have a right to deny it. The public hearing would be on the subdivision application. The board discussed the options and reviewed the Subdivision Regulations. Despite the intention to deny it, further reflection by the attorney led to the thought that a public hearing may be a more prudent path. Mary Galvez reminded the board that she has recused herself from this application. The board moved forward with the SEQRA form. Mr. Griff reviewed Part 1 of the Short Environmental Assessment Form. No changes were made. Mr. Griff then read through Part 2 - Impact Assessment. All answers were 'No, or small impact may occur.'

RESOLUTION 2016-2: Declaration that the Planning Board is Lead Agency for the Short Environmental Assessment Form

On a motion of Planning Board Member Miller, seconded by member Nolan, the following resolution was: ADOPTED: Ayes - 3, Nays - 0

Resolved that the Town of Hamilton Planning Board be the lead agency for the SEQRA. During the review of Part 2, question 7, Ms. Strong-Collins shared with the board that Kirley Septic came to her house to assess the location of the septic system. They believe it's a plastic tank as their metal detector could not find anything. They went into the cellar as well to see where the system exited the basement. They felt pretty confident that the system is less than 30 feet from the house. There was no determination on the leach field at this point. Kirley will look at old records from the previous owners to see if there is any further information. She is waiting to hear back.

RESOLUTION 2016-3: Short Environmental Assessment Form

On a motion of Planning Board Member Miller, seconded by member Nolan, the following resolution was: ADOPTED: Ayes - 3, Nays - 0

Resolved that a negative declaration was determined.

RESOLUTION 2016-4: Authorization to send the application to the County

On a motion of Planning Board Member Nolan, seconded by member Miller, the following resolution was: ADOPTED: Ayes - 3, Nays - 0

Resolved that the Subdivision Application and SEQRA form from Ms. Strong-Collins be sent to Madison County Planning Department for their review as recommended by Town Attorney.

Don Forth then asked the board to review page 14 of the Subdivision Regulations in Section 380.3 for Waiver of Public Hearing. "If the final plat is in substantial agreement with the preliminary plat, the Planning Board may waive the public hearing requirement. If no hearing is held, the Planning Board, shall approve, conditionally approve, or disapprove the plat within 45 days of the official submission date."

The Planning Board discussed the Regulations and noted that they will follow the attorney's advice and send it to the County and await their decision.

Next meeting date is set for Tuesday, March 1, 2016 at 7:00 p.m.

A motion for adjournment was made by Board Member Miller and seconded by Board Member Nolan. Meeting adjourned at 7:40 p.m.

Respectfully Submitted by
Suzanne Reymers, Town Clerk