

Minutes January 17, 2008

Town of Corinth Planning Board

Meeting called to Order 7:03pm
Pledge of Allegiance

Eric Butler, Chairman
Edwin Eggleston, Vice-Chairman
Louise Reed
Althea Rivette, Arrived 7:10pm
Joan Beckwith
Attorney Pozefsky
Fred Mann, Building Inspector
Cheri Sullivan, Secretary

Public Present:

Sigrid Koch, Edward Byrnes, Mitch Saunders,
Gladys Mann

***MOTION TO APPROVE MINUTES FROM DECEMBER 20, 2008**

Motion~ Edwin Eggleston

Seconded~ Joan Beckwith

Polled as follows:

Butler-Yes, Eggleston-Yes, Reed-Yes, Rivette-Yes, Beckwith-Yes

Public Hearings:

Old Business:

New Business:

Other Business:

Chairman Butler said it was common knowledge there had been a change in Chairman. He would like to thank Louise for her 8 years of service that she has given to the planning board. Chairman Butler said he appreciated her staying on the board because she has a tremendous wealth of knowledge.

Chairman Butler said there were a few things that he would like to do differently this year. The purpose of this meeting was to discuss such items.

Chairman Butler said he would like to start the planning board meetings off with the Pledge of Allegiance. There were no objections voiced from any board members in regards to this new practice.

Chairman Butler said he would like the board to be polled individually on all major decisions, this way everyone's personal vote is in the records. Chairman Butler said he would like to use the microphone system that the Town Board has set up. Chairman Butler said he would like all board members to have their Land Use law book with them at the meetings. Chairman Butler said he would like to see maps sent to the board members with the rest of the paperwork that is currently being sent out a week ahead of time. Chairman Butler said he felt that this would be beneficial to all board members to be able to review the maps and the paperwork prior to the meeting. Chairman Butler said the secretary for the planning board is available all day Wednesdays, Thursdays in the a.m. and all day on the Friday's after the meeting.

Chairman Butler said he would like to discuss with the board how they should handle a boundary line adjustment. Chairman Butler said he believes that all boundary line adjustments come to the Planning board at the present time and the board makes a ruling on whether it is non-jurisdictional, which it appears to be nine out of ten times. Chairman Butler said that years ago the decision was made by the building inspector and or the chairperson of the planning board as to whether or not the boundary line adjustment involved a small piece of land. Chairman Butler said that if the board chose this direction, the applicant would not be subject to unnecessary fees.

Board member Rivette said if the board goes that way, she feels that they should receive some type of paperwork regarding the action that has taken place with the boundary line adjustment, so that all board members are aware of any non-jurisdictional activities. Attorney Pozefsky and Code Enforcement officer Mann both agreed that would be a good idea. Board member Reed said, first, Chairman Butler would need to get a ruling from the Town board which should be written into the Town Code on how big a small piece of land really is. Board member Reed said Chairman Butler would have to sign those maps, otherwise the County will not accept them. Board member Beckwith said she assumed that there was a set of rules somewhere regarding what a small piece of land actually was. Attorney Pozefsky said a small amount of land is not defined anywhere in building or

planning codes. Attorney Pozefsky said the APA considers two acres to be a small piece of land because they usually are dealing with large 50-60 acre parcels. Attorney Pozefsky said in the past it has been up to the discretion of the planning board as to what a small amount of land is. Board member Beckwith asked if that should be a ruling by the Town Board, to be added to the Town code as to what a small piece of land is. Board member Reed said she thought the ruling from this planning board was that it had to be less than a half-acre of land. Board member Reed said the planning board had been doing boundary line adjustments since 1995. Attorney Pozefsky said the planning board has always looked at boundary line adjustments if there was any doubt. Board member Reed said recently the County started to request that the Chair of the Planning Board stamp the maps. Attorney Pozefsky said that the Planning Board has to be involved with a Boundary line Adjustment if it is changing the lines on an already filed subdivision map.

Board member Beckwith asked what happens if both parties do not agree. Attorney Pozefsky said that all parties have to be in agreement. Chairman Butler said that when Crystal Clothier was before the board last month that is an example of what he is talking about. Board member Beckwith asked if all the maps had to be stamped. Chairman Butler said all the maps have to be stamped even those that do not come before the board. Board member Beckwith asked if the Boundary line Adjustments that don't come before the board could be put on some type of monthly report so that the Planning Board members are aware of what has come through the department. Board member Beckwith said she feels that the board members should be aware of the Family Exemptions that come through the Planning office and they should also be on the monthly report.

Chairman Butler said if the Boundary Line adjustment was a straight forward and simple boundary line adjustment Fred should be able to give approval on it. Board member Beckwith said she would be good with that as long as Attorney Pozefsky reviewed it first. Chairman Butler asked if the Board should make a motion that everyone is in agreement with this procedure. Chairman Butler asked board member Reed if she was okay with this. Board member Reed said that she was not and did not feel that Chairman Butler had the authority to remove the Boundary line Adjustments from the Planning Board to Fred. Board member Reed said she believes that has to be done by the Town Board. Board member Reed also said she does

not believe that Chairman Butler has the authority to remove fees that were set by the Town Board. Chairman Butler said they are discussing non-jurisdictional Boundary line adjustments. Board member Reed said the Town Board sets the fees and the Planning Board cannot change that. The Town Board says whether the Planning Board does Boundary line Adjustments or not. Board member Reed said the Planning Board couldn't say that they are not going to do them. Board member Reed said if Chairman Butler wants to change it, all he has to do is go in front of the Town Board and ask them to make a motion on it. Attorney Pozefsky said that if it was a straightforward simple Boundary Line Adjustment then it could be done between Chairman Butler and Fred. Board member Reed said that in some towns the code enforcement office handles Boundary line adjustments. Attorney Pozefsky asked Board member Reed if the charging of the fee was the issue she was concerned about. Board member Reed said yes that charging a fee was a whole different issue. Attorney Pozefsky said he did not know if the Town had fees set for a Boundary Line Adjustment or not. Board member Reed said she believed the fee was \$25.00. Attorney Pozefsky asked if the fee was on the fee schedule. Board member Reed said she felt just to be on the safe side he should go to the Town Board and ask these things. Chairman Butler said that it is not something that has to be dealt with right this moment and he can research it and address it next month.

Chairman Butler said he had one item left to review and that it the Vice-Chair position. This position is chosen yearly. Chairman Butler wanted to know if board member Eggleston was still interested in the position. Board member Eggleston said that he was. Board member Beckwith said that she was not. Althea wanted to know what the responsibilities and requirements of the vice-chairman were. Board member Eggleston said it was just to take the place of the Chairman when he was unable to make a meeting. Board member Rivette said she was interested. Chairman Butler asked if there were any time limitations to the vice-chairman. Board member Eggleston said that every year a Chairperson is picked by the Town Board and every year and it is the Chairpersons choice every year who is picked for vice. Chairman Butler said he believes that he has read somewhere that it is not his choice but a choice of the board as a whole. Chairman Butler asked Board member Reed if she was interested and she responded that she was not. Chairman Butler asked the board if anyone would make a motion for nomination of the vice-Chair position. Board member Beckwith said that

there is at least two board members that are interested in the position so maybe the board should nominate by secret ballot. Attorney Pozefsky said that normally the board would vote on it and a majority vote would rule.

***MOTION TO VOTE ON VICE-CHAIRMAN** ~ Joan Beckwith
SECONDED ~ Althea Rivette

Polled as follows:

Butler-Yes, Eggleston-Yes, Reed-Yes, Rivette-Yes, Beckwith-Yes

The planning board members chose to vote on vice-chairman by secret ballot. Attorney Pozefsky read the ballot as follows:

Edwin- yes, yes, yes

Althea- yes, yes

On a vote of three to two Edwin Eggleston was voted in as Vice Chairman.

Chairman Butler opened the meeting up for open discussion to the rest of the board. Board member Rivette said that she would like Secretary Sullivan to write a thank you note from the Town of Corinth Planning Board to the Town Board for their Christmas gifts. Board member Rivette said she felt it was very thoughtful of the Town Board to put such thought into the gift cards during these difficult times.

Board member Beckwith wanted to thank board member Reed for the time that she has put into the planning board and all the knowledge that she has. All other board members were in agreement with board member Beckwith.

***MOTION TO ADJOURN MEETING** ~ Althea Rivette
SECONDED ~ Joan Beckwith

ALL IN FAVOR~ Louise, Althea, Edwin, Joan, Eric

Meeting Adjourned 7:43 pm.

Respectfully Submitted

Cheri Sullivan