

**Joint Town/Village of Lima  
Planning Board Meeting Minutes  
January 9, 2013**

**Present:** George Gotcsik, Chairman; Colleen Allen, Doug Best, George Harvey, Amy Klausner, Paul Osborne, Rose Reynolds; Deb Shaughnessy, Secretary

**Excused:** Cathy Gardner, Town Liaison

**Absent:** Mike Youngblut; Paul Fleming, Village Liaison

**Guests:** Korey Buzzell, Marci and Aaron Naber; Steve Kruk, Attorney; Charlie Johnson, CEO

The Meeting of Joint Town/Village Planning Board (The Board) was called to order at 7:00 p.m. on Wednesday, January 9, 2013.

The Chairman noted that the Village Board has decided to replace Mike Youngblut as a Planning Board member due to lack of minimum required training credit hours. The Chairman requested that a letter be sent informing him of this decision. He also noted that the Village Board will work to fill the vacancy.

The agenda was reviewed and approved by consensus.

**New Items**

**7005 Woodruff Road – Area Variance**

The applicant plans to purchase the above referenced property to maintain horses on said property. The owner has 2.95 acres and the local law requires at least 3.0 acres.

**Motion was made and Carried to refer this application to the ZBA without comments.**

**6884 Egan Road – Resubdivision**

A letter submitted from the applicants' (Naber) attorney stating the owners intentions was read to the Board and a letter was submitted from the Nabers stating their progress to date since their previous appearance before the Board. The Nabers have applied to the Ag. District, however, the review process begins September 2013 and will not be completed until January 2014. The Sellers do not want to wait for the completion of this process to sell the property.

Options were discussed: The Board suggested the applicants purchase an Easement or enter into a land contract. This would allow the applicants to use the property as they planned. The Chairman offered to speak to the Naber's attorney to assist in the process. Their application fee will be refunded by The Town since no action can be taken at this time. Once both parcels are

accepted into the Ag. District the re-subdivision will follow the expedited process and no appearance before the Board will be necessary.

**2013 Planning Board Meeting Calendar. The calendar was reviewed and approved by consensus.**

## **Open Items**

### **A. 7595 East Main Road – Site Plan Update**

Kistner Concrete has submitted drawings for a proposed free standing sign as part of their original site plan approval. A flag pole is included as part of the sign. Chairman Gotcsik has notified Paul Rowe, of Kistner Concrete, of the Town's lighting ordinance requirement of "Dark Sky Compliant" lighting. Part of the property is in the Historical Preservation Overlay District and, therefore, has been referred to the Historical Preservation Committee for comments. Once the comments are received the Board can take action on the proposed sign.

### **B. 1370 Rochester Street - Milburn Topsoil**

The Town of Lima CEO sent a Notice of Violation regarding incomplete berm to be constructed from soil pile as shown on approved site plan by January 5, 2013. After discussion with applicant and applicant's attorney CEO drafted a letter for Board's review and approval, generally stating that berm is to be completed by June 1, 2013 and funds in the amount of \$1,750 to be held by Town and to be spent by Town in the event the berm is not completed by that date.

Letter also stated that larger soil pile at rear of property is not a part of this current issue. However, should any future development be proposed that requires Board approval a satisfactory resolution of this soil pile will be determined as part site plan approval process.

The Chairman stated that currently there is no distinction in the code between top soil and sub soil. He noted that there could be potential issues on future development. The Chairman asked for a volunteer to research how other Towns handle this matter. Colleen Allen volunteered and will report back to the Board with her findings.

**A Motion was made for The Board to accept the CEO's letter as written. Motion carried.**

### **C. Review Planning & Zoning Board Summit**

Two options were discussed.

- 1) Meet after the next ZBA meeting – the summit would start approximately at 8:30 pm on a Monday evening; or
- 2) Meet after the next Planning Board meeting on a Wednesday evening at 7:30 p.m. Charlie Johnson will contact Dennis Neenan to get his feedback.

**Old Business:**

- A. November 7 Planning Board minutes were reviewed. **A Motion was made to approve the November 7 Planning Board Minutes as written. Motion carried.**
  
- B. December CEO Reports were reviewed. **A Motion was made to approve the December CEO Reports as read. Motion carried.**

**A motion to adjourn the meeting was made and seconded. Motion carried and The Joint Town & Village Planning Board meeting was adjourned at 8:15 p.m.**

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