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**TOWN OF NORTH HARMONY
PLANNING BOARD MEETING
Tuesday, December 8, 2008
7:00 PM**

Members Present: Pat Rice, Walter Geist, Steve Senske, Richard Johnson, Julie Lescynski, Richard Sena, John Warner

Others Present: Sally Carlson, Bradley Lawson, Don McCord, Duncan "Mac" McNeil

Mr. Rice opened the meeting at 7:00 PM at which time Mrs. Carlson introduced Mr. McNeil who will be appointed to Richard Sena's seat on the board as of January 1, 2009, when Mr. Sena begins his term on the Town Board.

Mrs. Carlson said that the Town Board passed a resolution certifying all members of the Planning Board for the 4 hour yearly training required based on their work with Mr. McCord.

Mr. Rice asked if the comprehensive survey that was sent to residents had been compiled. Mrs. Carlson said that Mrs. Best finished recording the input earlier today. Mr. McCord said he would look at the results with the formulas he has created and return next month with end result figures. Mrs. Carlson said that she appreciated the fact that there were a few letters with suggestions.

Mr. McCord reviewed the changes that were made to the secondary effects study with the board and still there were a few additions with names and locations of churches and cemeteries as well as a few minor spelling corrections. After discussion in regards to the corrections that were made, **MR. SENSKE MADE A MOTION TO RECOMMEND TO THE TOWN BOARD THAT THE SECONDARY EFFECTS STUDY OF ADULT ORIENTATED BUSINESSES IN THE TOWN OF NORTH HARMONY BE ADOPTED AS PRESENTED. JULIE LESCYNSKI SECONDED THE MOTION AND IT WAS CARRIED UNANIMOUSLY.**

Mr. McCord gave the board a copy of the LOCAL LAW ON ADULT ENTERTAINMENT. Mr. McCord said that he had the answer to the question that was raised last month regarding the reason for 600 square feet under CLASS III ADULT USES; he went on to say that a larger room allows for larger groups and it also protects the person on the stage performing. Mr. McCord said that under CLASS III number 6. was added describing Live Sex Act Business; CONSIDERATION was added as well as a definition; the term Live Sex Act was added as well as a definition; the term OPERATE AND MAINTAIN as well as a definition.

The board reviewed the remainder of the Law and the only other revision was to change North Harmony Municipal Court under Class III adult use regulations to North Harmony Town Court.

Mr. McCord said that Mr. Stapleton reviewed the law and was happy with the language. Based on the review of the local law on Adult Entertainment, **Mr. SENA MADE A MOTION TO RECOMMEND THAT THE TOWN BOARD ADOPT THE LOCAL LAW ON ADULT ENTERTAINMENT AS PRESENTED, STEVE SENSKE SECONDED THE MOTION AND IT WAS CARRIED UNANIMOUSLY.**

Mr. Rice asked Mrs. Carlson if the Adult Entertainment issue was ready to be scheduled for an informational meeting. Mrs. Carlson said that it would be best to have both the Planning Board and the Town Board be present at the informational meeting that will be held at the Senior Citizens Building. After discussion, it was decided that Penny Best would go door to door along Panama-Stedman Road and personally speak with the residents and give them objective facts regarding the proposed Adult Entertainment Law and explain that the board has exhausted every avenue in their recommendation to the Town Board of the location.

Mr. McCord asked if the board had reviewed the changes that were made to the draft of A LOCAL LAW GOVERNING WIND ENERGY FACILITIES IN THE TOWN OF NORTH HARMONY. For those who had not reviewed the changes Mr. McCord went over them again; The first change is 690.04 D.

PB 12/9/08

Pg. 2

The change will define the district that will be "upland" from the lake as West of Route 394; 690.10 E. 20' will be changed to 30'; 690.12 E. 3. will read the minimum of 1000' or three times the height; 690.25 1. will be changed from ½ half acre to 1 acre. After review and discussion of the Local Law,

JOHN WARNER MADE A MOTION TO RECOMMEND ACCEPTANCE OF THE LOCAL LAW GOVERNING WIND ENERGY FACILITIES IN THE TOWN OF NORTH HARMONY AS PREPARED. STEVE SENKE SECONDED THE MOTION AND IT WAS CARRIED UNANIMOUSLY.

Mr. Lawson asked the board to review accessory structure in the zoning ordinance. "Accessory structure" needs to be redefined; he went on to say the size and the number of accessory structures need to be written more clearly. Mr. Lawson said he would like to have the Board work on this next month.

Mr. McCord said that he would he would work on the data analysis for the board to review at next month's meeting. **The next regular meeting will be January 13, 2008.**
The meeting was adjourned at 8:50 PM.

Respectfully submitted,
Penny Best
Deputy Town Clerk