

**PLANNING BOARD
JANUARY 12, 2010
7:00 PM**

MEMBERS PRESENT: Pat Rice, Richard Johnson, Walter Geist, Julie Lescynski, John Warner, Duncan McNeill

OTHERS PRESENT: Sally Carlson, Arthur Thomas, Richard Sena, Bill Adamson, Brad Lawson, Don McCord

Mr. Geist opened the meeting. Mr. Lawson said that he has been in contact with a gentleman who wishes to develop a 40 acre parcel on the corner of Butts and Bly Hill Roads. Mr. Lawson said he is planning to meet with him January 14, 2010 to discuss some of the details. Mr. Lawson said he is planning to develop three, 3 acre lots and five, 5 acre lots.

Mrs. Carlson and the board discussed Chautauqua County's 40,000 square foot minimum lot size with regard to private septic and well and the need for the Planning Board to make a recommendation to the Town Board. Mrs. Carlson said that the County implemented the 40,000 square feet minimum last January and the Town needs to have that completed and in the zoning ordinance before the next building season. She asked that the Planning Board have a recommendation prepared to send to the Town Board at next month's meeting.

Mrs. Carlson apologized for any misunderstanding with the compensation payment for the Planning Board for 2009 and said that the Town Board passed a resolution to pay for one meeting per month for 2010, unless there is a need for any additional meeting and the Town Board approves it.

Mr. McCord and the board reviewed a draft document by Glenn Harbeck, titled, "Addendum to the Summary of Recommendations" with their work on the Comprehensive plan. Mr. McCord reminded the board that it is a draft and can be altered to suit North Harmony's specific requirements.

The Board discussed the "Mean High Water Mark" that is referenced in the document, and stated that the Mean High Water Mark is 1309.4' which, Mr. McCord said, most code enforcement officers are not aware of. For that reason Mr. McCord said that he feels the Ordinary High Water Mark should be used along with the Mean High Water Mark. Using the Ordinary High Water Mark is easier for code enforcement to use, because using it, one can see where the "High Water" has "marked" the land.

In the draft document, Mr. Harbeck recommended a minimum 50' set back from shoreline. Mr. McCord said that this seemed to be high, but, New York State has a law in place that states a septic systems distribution field must be 100' from a lake shore, stream or drainage way. Mr. McCord recommended a 75' set back from the lake front for any new construction; however, the final decision is up to the board.

Under (f) in the Addendum to the Summary of Recommendations, Mr. McCord said that he will work with Cornell Cooperative Extension to get the names of available and habitable (ground layer) vegetation that will be suggested to property owners in the comprehensive plan.

After discussion with regard to the addendum, Mr. McCord asked the board for input on possible revisions and/or suggestions to the recommendations so he may begin writing the final draft.

At Mrs. Carlson's request, the board discussed a law implemented by Chautauqua County in January, 2009, stating that any lot shall be at least 40,000 square feet in size to maintain a private well and septic system. Mr. Lawson discussed his concerns about adding

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the 40,000 square foot requirement in Section 602 of the Zoning Ordinance - Cluster Residential Development. After lengthy discussion, Mr. Sena stated that he had previously attended a meeting regarding Cluster Residential and would be would be happy to bring in the material for the board to review before making a detailed recommendation to the town board.

MR. WARNER MADE A MOTION TO RECOMMEND TO THE TOWN BOARD THAT THEY ACCEPT THE PROVISION OUTLINED BY CHAUTAUQUA COUNTY THAT ANY LOT SHALL BE AT LEAST 40,000 SQUARE FEET IN SIZE TO MAINTAIN A PRIVATE WELL AND SEPTIC; IN SECTIONS R-1,2,3,4 AND 5, NOT IN CLUSTER RESIDENTIAL UNTIL THE BOARD REVIEWS THE DETAILS. THIS MOTION WAS SECONDED BY MRS. LESCYNski AND ALL WERE IN FAVOR.

The meeting concluded at 9:32 PM
The next regular meeting is scheduled for February 9, 2010.

Respectfully Submitted,
Penny Best
Planning Board Clerk