

PLANNING BOARD

SEPTEMBER 14, 2010

7:00 PM

Members Present: Pat Rice, Louis Rieg, Steve Senske, John Warner, Richard Johnson, Duncan McNeill, Walter Geist

Others Present: Brad Lawson, Dan Mangione, Richard Sena, Don McCord, Sally Carlson

Mr. Rice opened the meeting and Mr. Lawson reported that things have been busy in the zoning department.

- The building project for property located at Neits Crest- Longview area, which has been issued an area variance for lot size by Chautauqua County and the Town of North Harmony, has been started.
- Mr. Lawson said that 10 new homes are scheduled to be built during 2010 and he has issued a couple of violations.
- Mr. Lawson has spoken with the Merritt's who own property located on Open Meadows Road regarding the violation they were issued. Mr. Lawson reported that the property has been signed over to one of their children and they plan to demolish the home and construct a modular home on the site. They will meet on September 16, 2010 to discuss the details.
- Mr. Lawson said that Mr. Mangione wanted to present the board the efforts the Goose Creek Corporation has been working on in an attempt to comply with property regulations. The Corporation has requested an area variance that would allow them to subdivide substandard lots. Dividing the lots into individual parcels would allow the members of the corporation to own the property as well as its improvements. Mr. Mangione explained that if the members owned the individual lots, they would be able to get financing for improvements and stated that he feels that people in general take more pride in something they own.

Mr. Mangione explained to the board which of the existing 21 lots on the map would be joined. Mr. Mangione said that by joining several of the 21 lots they have gotten the

number of lots down to 14 lots and this gets the lots as close to compliance as they are able to. This brings the proposed joined lots to an average lot size of 5,700 square feet.

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The Corporation is willing to impose deed restrictions, which will mimic Loomis Bay subdivision restrictions.

Mr. Mangione presented letters from: Mr. Stow, Director of Chautauqua County Environmental Services; Randy Holcomb, Assessor; Mr. Runyan, Member of Goose Creek Corporation; as well as a sign in sheet of members of the corporation. Mr. Mangione stated that he did speak with John Murphy and Rex Tolman and inquired about the cost of a sewer system for the corporation and they both said that it would be in the range of \$150,000 - \$250,000, which would be far too costly for the members of the corporation at this time.

Taking into consideration that the “subdivision” of the sites within Goose Creek Corporation took place before zoning laws were instituted, Mr. Lawson asked the board what harm is it to the town if the subdivision of the lots is allowed. He said that the lots have been established for 60 years and the town has a letter from the Chautauqua County Health Department stating no violations of the sanitary water and sewer codes and if the town accepted the corporations proposal to subdivide the lots, the Health department would monitoring it more closely. The board asked Mr. Mangione to color code the map to reflect the lots that would be joined.

Mr. Rice stated that the biggest concern in regard to the planning board recommending to the town board that they accept the substandard sized lots is setting a precedent by doing so. The board had a lengthy discussion in regards to this matter and decided that this is a preexisting condition and if the Planning Board were to recommend this to the Town Board, it would have to be with conditions; one being that the green space could not be developed. It was agreed that the Board would have Mr. Stapleton review the proposed changes to the deed restrictions the Corporation has made and make its decision based on his suggestions during the next regular meeting.

- Mr. McCord reported in general, the responses from the Comprehensive Plan public meeting. Mrs. Carlson added that the Ashville Fire Department recently sold the Training Center located in Ashville on the corners of Magnolia Avenue and Cedar Avenue. She said, Jim Wroda from Ohio plans on holding “high end” antique auctions at the facility which will bring 85+ people from all over the country to the area. Mrs. Carlson said that these people will need accommodations and this may have a ripple effect on growth in Ashville.

Mr. McCord said the plan is to have C-1 districts in; Ashville, Stedman and Stow, so that all aspects of growth would be positive in all areas of the town. Mr. McCord stated that after the town board holds a public hearing on the Comprehensive Plan, the next step is

to sketch a blueprint from the revised comprehensive plan.

MR. RICE MADE A MOTION TO APPROVE THE COMPREHENSIVE PLAN AS DRAFTED AND THAT THE PLANNING BOARD SUBMIT THE PLAN TO THE TOWN BOARD FOR THEIR CONSIDERATION: SECOND BY MR. JOHNSON AND ALL WERE IN FAVOR.

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- The board discussed the fact that they will need to revise the Zoning Ordinance to reflect the comprehensive plan after the Town Board makes their decision.
- The board discussed the fact that the “Good Morning Farm” has been sold as three different parcels, and though the town has not seen any formal applications, Mrs. Carlson said that she has heard that one of the new owners has been in contact with the health department to meet regulations to run an Italian Restaurant at that location. Mr. Lawson added that he has also informally heard that part of the property surrounding it has been sold to another company that plans to start an inland marina and the other parcel have been purchased to sell to current land owners who wish to build and do not meet the 40,000 square foot requirement.
- Mr. Lawson said that Mr. Wood will be returning before the Zoning Board of Appeals for a revision to his approved special permit for a potato chip factory. He plans to build a smaller building on the same lot, just a different location on the lot because he is having trouble finding funding to build a new building, however, he can get funding to build an addition. His plans are to build an addition onto his 2,000 square foot golf cart storage garage and run the potato chip factory in that until he is able to get funding to build a bigger building on the other side of the road.
- Mr. Rieg gave board members each a copy of a *Soil Inventory* report he has compiled for the hamlet of Stow. He said that the information contained in the report is useful for septic systems, sewer systems, water wells, depths, flow rates etc.

The next regular meeting is scheduled for October 12, 2010 at 7:00 PM

The meeting was adjourned at 8:29 PM

Respectfully Submitted,

Planning Board Clerk,

Penny Best