

Planning Board
September 11, 2012
7:00 PM

Members Present: Pat Rice, Steve Senske, Louis Rieg, Richard Johnson, John Warner, J. Phil Strand.

Others Present: Vincent & Colette Freeman, R.A. Putney, Dorothy Reinstetle, Leslie West, Jonathan & Mary Henck, Don McCord, Sally Carlson

Mr. Rice opened the meeting with a moment of silence in memory of those who lost their lives on 9-11-2001.

Mr. Rice asked those present to introduce themselves and state their reason for attending the meeting. Mr. Freeman said he and his wife were there to what has been decided in regards to the privy in the R-1 District. Mr. Rice said the board would be discussing that matter during this meeting. All members and others present were given a copy of the proposed Section 639 Portable Toilet and Privy Management to review prior to discussion. Mr. Senske reminded everyone that the Town Board has already passed a motion to have a six month moratorium on privies.

Mr. Rice asked Mrs. Carlson if there had been any complaints in regards to Port-A-John's in the town. Mrs. Carlson said the only complaint that she is aware of is the one at Route 394 and Cheney's Point and said that there have been a number of complaints in regards to it and the matter is in court now. After discussion, Mr. Rice asked if anyone from the floor wished to comment. Mr. Freeman said he had a lot of comments; The Amish owners of a land locked piece of property which his property surrounds at Route 394 and Cheney Point have had a Port-A-John (150 feet from his back door) that 20-60 people use at any given time between the months of May and September. Mr. Freeman said he listens to the slamming of the door on the privy and has had to deal with the odor and wants to make sure this is not allowed to happen. He said the privy is not maintained and he and his wife would like to see it removed. Mr. McCord said when a property owner makes an investment you have to give them a reasonable amount of time to remove it. He said he will discuss with Mr. Stapleton what that time period may be.

Mr. Freeman said Mr. Wengerd, owner of the property, has been made to remove the privy however the 1000 gallon tank is still in the ground and the Port-A John continues to be used. After discussion the board made the following changes to the proposed Section 639;

#4.a - 72 hours will be changed to 96 hours

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#5.c. - Migrant labor camps will be changed to language that will include Farm & Agricultural Related.

#5a- Special Use Permit will be eliminated and Mr. McCord will add language so a Portable Toilet will have to comply with administrative approval from the town code enforcement. Additional Definitions- Under Portable Toilet language will be added to state portable toilets must be cleaned/serviced weekly.

Members of the Planning Board were given copies of Mr. Putney's application as well as a copy of ZBA minutes stating their reasons for referring the application to the Planning Board for their recommendation. Mr. Putney who is requesting Area Variances to construct a new home on a sub-standard size lot and closer to setbacks in Zoning Code Section 401 at property located at 3506 Mason St., Specifically Section 332.20-1-21 (Old # 21-1-15) approached the board with drawings of his plans. He said he is in the process of joining all three of the parcels he owns in order to comply with the new 40,000 square feet regulation and he is only asking to do what all of his neighbors have already done. Mr. Rice asked Mr. Henck if he had any position in regard to the application. Mr. Hence said he was concerned about the paper road, who owned it and if Mr. Putney's plans would be encroaching on the right-of-way. After reviewing the tax map, Mrs. Carlson said in fact the town did own the paper road. There was a lengthy discussion with regards to setbacks and welfare of the lake. Mr. Senske stated a lot of time and effort has been put into the comprehensive plan and close attention was given to welfare of the lake and because of this work, the board now has a new set of guidelines to work with. After a lengthy discussion and Mrs. Best confirmed with Mrs. Thomas a legal notice could be published in order to comply with open meeting laws the board decided to meet at Mr. Putney's address on September 17, 2012 at 6:00 PM to further review the requests of Mr. Putney in his application before making any decisions.

The next regular meeting is scheduled for October 9, 2012 at 7:00 PM

The meeting concluded at 8:43 PM

Respectfully Submitted,
Penny Best
Planning Board Clerk