

Town of Homer Planning Board

Minutes for Wednesday, May 27, 2015 at 7:30pm

Board Members (absent *)

Eugene Wright, Chairman

Michael McMahon

Betsy Gray

Bruce Crandall

Stuart Young

Chad Butts

Michael Park

Others Present

Lindsay Andersen, Recording Secretary

Kevin McMahon, Deputy CEO

Pat Snyder, Attorney

Public Attendance: Brian Phillips, Stanley Mydlenski

Public Hearing

Chairman Wright opened the public hearing for **an application by Stanley Mydlenski for subdivision approval to subdivide 10 acres out of a 70.65 acre parcel located at 5478 Searls Road.**

Board members reviewed the maps for the proposed subdivision that were provided by the applicant.

With no questions or comments from the public the public hearing was closed.

Regular Meeting

Chairman Wright opened discussion for the **application by Stanley Mydlenski for subdivision approval to subdivide 10 acres out of a 70.65 acre parcel located at 5478 Searls Road.**

Member McMahon made the motion to declare a minor subdivision and request the Chairman to review the short environmental assessment form. Member Gray seconded the motion. With

all member in favor saying “aye”, none opposed and none abstained. The motion was carried unanimous 7,0,0.

Chairman Wright reviewed the short environmental assessment form with the board members and read all questions on Part 2 of the form. All questions were answered no.

Member McMahon made the motion to declare a negative declaration under SEQR and ask the Chairman to sign the short environmental assessment form. Member Parks seconded the motion. With all members in favor saying “aye”, none opposed and none abstained. The motion was carried unanimous 7,0,0.

Member McMahon made the motion to approve the subdivision. Member Gray seconded the motion. With all members in favor saying “aye”, none opposed and none abstained. The motion was carried unanimous 7,0,0.

Chairman Wright advised the applicant that he needs to submit \$150.00 to the Town Clerk for a \$50.00 application fee, \$50.00 public hearing fee and a \$50.00 lot fee.

Chairman Wright opened discussion for the continued review of **an application by Brian Phillips for a conditional permit and site plan approval to build a barn in a residential district on a 5.7 acre parcel on Foster Road to house 2 horses, chickens and a goat.**

Chairman Wright stated that there are deed restrictions on the property which only allow 2 horses. He is not sure that the planning board can grant permission for anything other than the 2 horses. Attorney Snyder stated that the deed restrictions are enforceable by anyone that was part of the original subdivision. In addition, the town planning board does not have authority to enforce private covenants in deeds.

The Planning Board is being asked to grant a conditional permit to allow 2 horses, one goat and 18 chickens in a residential district.

Brian Phillips provided a site plan map for the board members to review. He stated that the chickens would be fenced and not allowed to roam around the property.

Attorney Snyder read the letter with recommendations that was returned from the Cortland County Planning Department.

Chairman Wright read the questions on the short environmental assessment form with the board members and all questions were answered no impact or small impact.

Member McMahon made the motion to declare a negative declaration under SEQR and ask the Chairman to sign the short environmental assessment form. Member Crandall seconded the

motion. All members in favor saying “aye”, none opposed and none abstained. The motion was carried unanimous 7,0,0.

Member Young made the motion to grant the conditional use permit to allow the applicant to keep domestic livestock limited to 2 horses, 18 chickens, and one goat. Member Gray seconded the motion. With all members in favor saying “aye”, none opposed and none abstained. The motion was carried unanimous 7,0,0.

Member McMahan made the motion to approve the site plan contingent that there is a total of 100 feet for setback of the barn from the lot lines and the road. Member Butts seconded the motion. With all members in favor saying “aye”, none opposed and none abstained. The motion was carried unanimous 7,0,0.

Chairman Wright advised the applicant that he needs to submit \$100.00 to the Homer Town Clerk which includes a \$50.00 application fee and a \$50.00 public hearing fee. The applicant paid the \$100.00.

Member McMahan stated that he had written a letter to address the concerns that Amanda Barber of the Soil and Water Conservation District had submitted to the Homer Town Board addressing the manure storage proposed local law. Member McMahan read his letter to the board members and the board discussed each item. A copy of the letter is attached.

Member Young made the motion to accept the letter written by Member McMahan addressing the letter submitted to the Town Board by Amanda Barber and to forward the letter to the Homer Town Board. Member Butts seconded the motion. With all members in favor saying “aye”, none opposed and none abstained. The motion was carried unanimous 7,0,0. Chairman Wright and the entire board thanked Mr. McMahan for the excellent job he had done in responding to the points raised by Ms. Barber.

The next Planning Board meeting is scheduled for June 24, 2015.

Adjournment

The meeting was adjourned at 8:45pm.

Lindsay M. Andersen, Recording Secretary