

Town of Homer Planning Board

Minutes for Wednesday, March 22, 2017 at 7:00pm

Board Members (absent *)

Eugene Wright, Chairman

Michael McMahon

Betsy Gray

Bruce Crandall

Stuart Young

Chad Butts*

Michael May

Others Present

Lindsay Andersen, Recording Secretary

Kevin McMahon, CEO

Pat Snyder, Attorney

Public Attendance: Kevin Walsh, Tom Kile, Jim Newman, Evetta Anderson, Jonathan Ferrari, Mark Ferrari

Public Hearing

Chairman Wright opened the public hearing for an **application by Diana McClure for subdivision approval to create 4 lots out of an 11.3 acre parcel on Cosmos Hill Road, tax map no. 66.00-07-04.000.**

Jonathan and Mark Ferrari from Diaz Architects were present to represent the applicant. They stated that the applicant would like the 3.7 acre lot in the back of the property to be a flag lot and the lot would be considered lot #4. She would like to keep this to ensure a view and to provide a common area for the owners of the front lots.

Member McMahon stated that lot #4 is represented as a buildable lot on the application and the lot will not be able to be built on because there is not enough road frontage. Diaz architects stated that her intent is to keep it as a flag lot under her ownership and the upper 3 lots with homes would use the remaining lot as communal property.

Attorney Snyder stated that her intent is not relevant after the subdivision happens. He also stated that the survey map would have to be noted that the parcel could never be developed and each of the 3 building lot occupants would have to be notified.

Member May recommended that a subdivision proposal be submitted. Attorney Snyder recommended that not buildable be noted on all survey maps to ensure future owners are put on notice.

Diaz architects stated that the only building that may be proposed would be a community type pavilion or art studio type building.

CEO McMahon stated that the flag driveway would have to meet several requirements for code to be met for a building permit for a community type of building.

Diaz architects stated that they wanted to be sure of the language that would be required for the proposal which would be determining in writing who would be responsible for the maintenance of the property, the association would need to be outlined and any owner whether present or future be on notice.

The board members confirmed that all of the items noted would need to be in the language of the proposal.

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

Chairman Wright opened the public hearing for **an application by James Newman for subdivision approval to create a 5 acre lot out of a 75 acre parcel at 2520 East River Road, tax map no. 68.00-03-09.000.**

Jim Newman stated that he and his wife have been planting trees and making desirable hunting land for several years but now have to relocate due to his job. They would like to sell the home with the barn and approximately 5 acres to allow the buyer adequate land to have a hobby farm. They would like to retain the remaining land to continue planting trees and for hunting purposes. The lot still needs to be surveyed but he does not anticipate any major changes to the proposed map and acreage.

With no questions or comments the public hearing was closed.

Regular Meeting

Chairman Wright opened the meeting for discussion of **an application by James Newman for subdivision approval to create a 5 acre lot out of a 75 acre parcel at 2520 East River Road, tax map no. 68.00-03-09.000.**

Chairman Wright read the letter received from the county planning department; which stated the request was technically adequate and had no state or county wide impact.

Member McMahon made the motion to request the chairman to complete part 2 of the short environmental assessment form. Member Crandall 2nd the motion. With all members in favor saying “aye”, none opposed and none abstained. The motion was carried unanimous 5,0,0.

Chairman Wright read and reviewed all questions of part 2 of the short environmental assessment form. All questions were answered no.

Member McMahon made the motion to declare a negative declaration under SEQR, declare a negative subdivision and approve the subdivision. Member May 2nd the motion. With all members in favor saying “aye”, none opposed and none abstained. The motion was carried unanimous 5,0,0.

Chairman Wright opened discussion for the **application by Diana McClure for subdivision approval to create 4 lots out of an 11.3 acre parcel on Cosmos Hill Road, tax map no. 66.00-07-04.000.**

Member McMahon stated that he feels the board needs more information prior to making a decision which includes: legal language designating lot #4 as non buildable, documentation explaining a maintenance plan, a plan to put future owners on notice, possible deed covenant language, and legal notation on survey maps identifying lot #4 as not buildable.

Diaz architects stated that they would talk to their attorney and discuss the proposed requirements and possible language.

Member McMahon made the motion to table the application pending further information. Member May 2nd the motion. With all members in favor saying “aye”, none opposed and none abstained. The motion was carried unanimous 5,0,0.

Note: the Osbourne’s contingency to remove/demolish the building from the November 15, 2016 meeting has been met and proof was submitted.

Adjournment

The meeting was adjourned at 8:15pm.

Lindsay M. Andersen, Recording Secretary