

Town of Homer Planning Board

Minutes for Wednesday, March 23, 2022 at 7:00pm

Board Members (absent *)

Michael McMahon, Chairman *

Jon Miller*

Erin Mahunik

Bruce Crandall *

Zach Young

Chad Butts

Michael May *

Lindsay Andersen (alternate)

Others Present

Lindsay Andersen, Recording Secretary

Kevin McMahon, CEO*

Pat Snyder, Attorney

Public Attendance: Chris Kabat

Public Hearing

Acting Chairman Young opened the public hearing to consider and application by Chris and Mary Kabat to subdivide a 5.1 acre parcel into two lots of 2.49 and 2.64 acres.

The applicant stated he currently has a pad and septic to build a second residence but while in the process of having National Grid run electricity to the residence was told that the parcel needed its own tax map parcel prior to having service to the residence. Therefore, he is present to present the subdivision.

Mr. Kabat also stated the Cortland County Health Department has approved the appropriate permits for his second residence and proposed lot.

Acting Chairman Young opened the public hearing to consider and application **by Harold A. & Jeffery M. Atkinson to subdivide 12.5 acres from an existing 98-acre parcel.**

The applicant stated that he had been approached by an individual for several years that wanted to purchase property in the area, and this is the parcel they agreed to sell. He stated it is a vacant field that he does not have use for.

Regular Meeting

Acting Chairman Young verified all members had received the January 26, 2022 meeting minutes. There were no changes recommended.

Acting Chairman Young opened the meeting for discussion of **the application by Chris and Mary Kabat to subdivide a 5.1 acre parcel into two lots of 2.49 and 2.64 acres located at 856 Grange Road.**

Acting Chairman Young read the letter received from the Cortland County Planning Department which stated there is no state or countywide impact and is being returned for local determination. The county planning department did note that new lots in the AG district are required to have a minimum lot width of 300 feet. The applicant would need to move the proposed division line for both parcels or apply and obtain a variance to waive the requirement.

Attorney Snyder stated the minimum lot width that was read and interpreted by the county planning department in the zoning law which states the minimum lot width of 300 feet. This requirement is a requirement for the residential district but is not stated as a requirement for the agriculture district which is where this property is zoned. Attorney Snyder stated he has communicated the discrepancy with the planning department, and they agreed with his interpretation and therefore the applicant does not need an area variance to proceed.

Acting Chairman Young reviewed the short environmental assessment form with all board members. All questions were answered no.

Member Butts made the motion to declare a negative declaration under SEQ. Member Mahunik seconded the motion. With all members in favor saying "aye", none opposed, and none abstained. The motion was carried 4,0,0.

Member Butts made the motion to approve the subdivision as set forth on survey map. Member Andersen seconded the motion. With all members in favor saying "aye", none opposed, and none abstained. The motion was carried 4,0,0.

Acting Chairman Young opened discussion to consider the application **by Harold A. & Jeffory M. Atkinson to subdivide 12.5 acres from an existing 98-acre parcel.**

Acting Chairman Young reviewed the short environmental assessment form with all board members. All questions were answered no.

Member Butts made the motion to declare a negative declaration under SEQR. Member Mahunik seconded the motion. With all members in favor saying “aye”, none opposed, and none abstained. The motion was carried 4,0,0.

Member Butts made the motion to approve the subdivision application as proposed. Member Andersen seconded the motion. With all members in favor saying “aye”, none opposed, and none abstained. The motion was carried 4,0,0.

Adjournment

The meeting was adjourned at 7:15pm.

Lindsay M. Andersen, Recording Secretary