

Town of Homer Planning Board

Minutes for Wednesday, October 25, 2023 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:

Public Hearing

Chairman McMahon opened the public hearing for **an application by Westan Realty LLC to subdivide out 3 residences and adjust lot lines to create 4 residential lots of 2.4 acres out of the 221-acre parcel on Route 281, tax map no. 56.00-05-07.000.**

The applicant, Dan Weddle stated he would like to subdivide the parcels and create the residential lots with their existing residential homes for future planning purposes.

Acting Chairman May opened the public hearing for **an application by EZ Acres Dairy, LLC for an aquifer permit to construct a new 120 ft by 216 ft addition to an existing barn at 5950 West Scott Road, tax map no. 45.00-03-11.000.**

Mike McMahon was present to explain the proposed project and stated the new owners are not familiar with the building/aquifer permit process and he will be presenting the proposal on their behalf. The project will cover a large area with concrete which will be constructed over the aquifer therefore the aquifer permit is required.

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

Regular Meeting

Acting Chairman May opened discussion for **an application by EZ Acres Dairy, LLC for an aquifer permit to construct a new 120 ft by 216 ft addition to an existing barn at 5950 West Scott Road, tax map no. 45.00-03-11.000.**

Attorney Snyder read the letter returned by the Cortland County Planning Department which is attached to the meeting minutes. The Cortland County Planning Department recommended approval of the construction of a 25,920 sq. ft. addition to an existing 4 row barn only if the following conditions are met:

1. That, if it is the case that the applicant uses 10,000 gallons or more of water per day, the applicant provide the information required as per Code 1108(F).
2. That the town seek and obtain the expert advice of the Cortland County Soil and Water District.

Mike McMahon discussed and reviewed the concerns related to the GML review. The projected water use for the proposed project is 10,500 gallons per day. He also reviewed the correspondence received from Cortland County Soil and Water requested by the GML review. The reviewed documentation is attached.

Attorney Snyder stated this is considered a Type 2 action under SEQR and therefore does not require a short environmental assessment form.

Member Young made the motion to approve the aquifer permit. Member Butts seconded the motion. Members in favor saying “aye”, none opposed, and Member McMahon abstained. The motion was carried unanimous 6,0,1.

Chairman McMahon opened discussion for **an application by Westan Realty LLC to subdivide out 3 residences and adjust lot lines to create 4 residential lots of 2.4 acres out of the 221-acre parcel on Route 281, tax map no. 56.00-05-07.000.**

Attorney Snyder read the letter received from the Cortland County Planning Department which stated there is no state or county wide impact and the request is being returned for local determination.

Chairman McMahon stated the application states there are 3 subdivisions but 4 lots. Attorney Snyder stated the residence closest to the Benson property will be considered a lot line adjustment which will change the current ½ acre lot to a lot of 2.4 acres

Chairman McMahon reviewed Part 2 of the Short Environmental Assessment form with the board members and all questions were answered in the negative.

Member Young made the motion to declare a negative declaration and approve the subdivision and lot line adjustment. Member Miller seconded the motion. With all members in favor saying “aye”, none opposed, and none abstained. The motion was carried unanimous 7,0,0.

Chairman McMahon opened discussion for **an application by Dan Hill for site plan approval to operate a home occupation at his residence.**

The applicant stated he would like to operate a consulting business which will use his residential address and a space inside his existing residence.

Attorney Snyder stated there will be no physical alterations outside the home and therefore there is no need for site plan review.

Member Butts made the motion to approve the home occupation use. Member Young seconded the motion. With members in favor saying “aye”, none opposed, and none abstained. The motion was carried unanimous 7,0,0.

Chairman McMahon opened discussion for **an application by Root Living Trust for a conditional permit to erect a manufactured home (double wide) at 5178 Route 41, tax map no. 56.00-01-59.000.**

Attorney Snyder read the letter received from the Cortland County Planning Department which stated that per NYS EXC Law 616 which considers doublewide manufactured homes to be single-family dwelling and therefore, neither a conditional permit nor a site plan review is warranted.

Chairman McMahon stated the town has no jurisdiction over this matter and therefore the applicants do not need a permit for the proposed manufactured home.

Chairman McMahon entertained a motion to approve the September 27, 2023 meeting minutes. Member Butts made the motion to accept the meeting minutes. Member Young seconded the motion. With all members in favor saying “aye”, none opposed, and none abstained. The motion was carried unanimous 7,0,0.

Adjournment

The meeting was adjourned at 7:20pm.

Lindsay M. Andersen, Recording Secretary