

Town of Homer Planning Board

Minutes for Wednesday, March 22, 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: none

Public Hearing

Chairman McMahon opened the public hearing for **an application by Gaelen Head for site plan approval to open a small gun shop at the office building of New Hope View Farm, 5937 US Route 11, tax map number 47.00-02-01.120.**

There were no questions or comments from the public and the public hearing was closed.

Regular Meeting

Member Miller made the motion to approve the meeting minutes from the November 30, 2022 meeting. Member Young seconded. With all members in favor saying “aye”, none opposed, and none abstained. The motion was carried unanimous 7,0,0.

Chairman Young opened discussion of **an application by Gaelen Head for site plan approval to open a small gun shop at the office building of New Hope View Farm, 5937 US Route 11, tax map number 47.00-02-01.120.**

Gaelen stated he is looking to pursue a part time hobby in one of his office spaces. He is planning to keep it small and simple at this time and possibly pursue it further in his retirement. He stated he has all of his ATF applications filled out and but has not submitted them. He

wanted to receive the appropriate approval from the town prior to proceeding with submitting the applications.

Attorney Snyder stated the application is for site plan review and there were no comments received back from the County Planning Department.

Chairman McMahon read the questions on Part 2 of the short environmental assessment form and all questions were answered in the negative.

Member Young made the motion to declare a negative declaration under SEQR and approve the site plan contingent there are no recommendations from the county planning department by April 3rd. Member May seconded the motion. With all members in favor saying "aye", none opposed, and none abstained. The motion was carried unanimous 7,0,0.

Attorney Snyder explained the process going forward. The application was submitted to the county planning department on March 3rd. The county planning board has 30 days to submit any comments pursuant to General Municipal Law section 239-m. In addition, SEQR must be complied with, and there is a question as to whether more than 1 acre of land will be disturbed. If so, a stormwater pollution prevention plan must be prepared. Furthermore, the criteria for obtaining a use variance are quite difficult to meet. The ZBA public hearing was re-scheduled to April 26, 2023 at 6pm.

Attorney Snyder stated the Town Board is currently reviewing the billboard proposal for property owned by Nisweinder's near the tower across Route 81 from Little York lake, Mike Parks property on Route 11, and 2 other nearby spots. The comprehensive plan that was adopted originally in 2002 stated signs should be restricted more than they were. The new zoning regulations that were adopted 6 years later prohibit billboards. Attorney Snyder stated that he explained to the Town Board that all zoning must be in accordance with a comprehensive plan. If a zoning law is amended in a way that is contrary to the comprehensive plan there is a good chance that it could be overturned in an Article 78 proceeding. The Town Board has asked for recommendations from the Planning Board.

Member McMahon stated he will speak to Bob Haight at the Chamber of Commerce and ask him to poll local business' and review the general opinion and will also speak to Fred Forbes regarding a combined public hearing for the Town Board and Planning Board.

Adjournment

The meeting was adjourned at 8:00pm.

Lindsay M. Andersen, Recording Secretary