

Town of Greenville Planning Board

PO Box 38
Greenville, NY 12083

March 25, 2014

Minutes

Attendees: Bud Bear, Ken Elsbree, Don Teator, Brian Wickes, Mark Wilcox and Mary Carney

Guests: Mark Overbaugh (Code Enforcement Officer); Paul Macko (Town Supervisor); David Leal (LMC Property Management); George Schmitt (Morris Associates); Jose Leal; Mark & Mary Jacobs; Vicky Poole; Doug Preisner; Ed Gorch; and Audrey Matott (Daily Mail).

6:30 pm Pledge of Allegiance

Mary & Mark Jacobs – Altered Lot Line, Vly Road (Tax Map # 52.00-2-16)

Mary and Mark Jacobs summarized their altered lot line project on their property located on Vly Road, tax map #52.00-2-16. The adjacent neighbors, the Pooles (tax map #52.00-2-17), accidentally placed two trailers, a bridge, and an electrical line on the Jacob's property. The Poole's believed they had placed these things on their own property, because they did not realize that the property line was slightly diagonal, and not a straight line. To amend this, the Jacobs are proposing an altered lot line that would result in the Pooles acquiring the 50 foot strip of land that they have built on (approximately .4 of an acre). Currently, the Jacobs' property is 1.98 acres and the Poole's property is .8 acres; both properties are zoned as rural residential.

Board members reviewed maps and clarified the details of the project. The Board noted their concern about the setback requirements, which stipulate that the property line must be 50 feet from the property line. Given that the strip of land they are looking to annex is only 50 feet wide, the structures would not meet the setback requirements. In order to proceed with their altered lot line application the applicants may need to seek a variance for the setback requirements. However, if the structures are not permanent, than the setback requirements are not applicable, and the variance will not be needed. The Code Enforcement Officer, Mark Overbaugh, agreed to visit the property and determine if the structures are permanent. He will report back to the Planning Board and Zoning Board of Appeals. Mark and Mary Jacobs agreed to allow the Code Enforcement Officer on their property to view the structures.

Board members had additional concerns about the size of the lots. The minimum lot size for the rural residential zoning area is 5 acres. Both of these lots are undersized, however, the lots were grandfather-in, as they pre-dated the zoning law. The board members determined that altering two undersized lots, especially since one is being made even smaller, will require an area variance for each lot.

Mark Wilcox made a motion to deny the altered lot line application based on the substandard size of the lots, as well as the possible setback requirement issues.

Seconded by: Bud Bear.

All in favor: 5, Opposed: 0, Motion carried.

The applicants were referred to the Zoning Board of Appeals to pursue their variance applications.

Doug Priesner – Subdivision, 158 Highland Road, (Tax Map # 25.00-2-24)

Doug Preisner and Ed Gorch summarized their subdivision project on the Highland Road property, tax map #25.00-2-24. The property is 7.3 acres and is zoned as low density residential. Mr. Preisner is seeking to subdivide the property into two lots; one being 5.3 acres, and the other being 2 acres. There is an existing foundation on the proposed 2 acre lot.

Board members reviewed the project and the zoning requirements. In a low density residential area the minimum lot size is 2 acres, and the minimum lot width is 150 feet. As presented, this subdivision appears to meet the zoning requirements.

Mr. Preisner informed the Board that he would be getting a survey of the property and would re-present his application at the next Planning Board meeting.

David Leal - Dunkin Donuts Project

David Leal of LMC Property Management and George Schmitt of Morris Associates presented their updated plans for a Dunkin Donuts on Lot# 12.02-1-12.1.

Board members reviewed the new building plans and determined that they were in keeping with the structure that was originally agreed upon.

Mr. Schmitt explained that they are still waiting on the final plans for the signs; once these are complete they will present them to the Building Department.

Board members reviewed the Greene County Planning Board's approval of the project. The following is an excerpt from the County Planning Board's letter regarding the project.

“Approve with Comments

- 1. The Planning Board is encouraged to consider options for signage, including use of a multi-tenant sign and an overall sign plan for the site...*
- 2. Please note: An approval and/or local decision designation by the County Planning Board should not be construed as a recommendation that the referring agency approve the referral in question. An approval does not indicate that the County Planning Board has reviewed all local concerns; it indicates that the referral has met certain countywide considerations. Evaluation of local criteria is the responsibility of the referring agency.”*

Mr. Schmitt noted that once the plans are final, they will be presented to the Department of Transportation. He estimated the traffic flow to be approximately eight to ten thousand per week. He added that their deliveries that require larger trucks will not be done during main business hours.

Ken Elsbree made a motion to set the Public Hearing for Tuesday, April 22, 2014 at 6:30pm.

Seconded by: Mark Wilcox.

All in favor: 5, Opposed: 0, Motion carried.

The secretary will provide the applicant with the abutters list and public notice letters, which they will send to all abutters via certified USPS. Publication of the notice and the letters to abutters should go out at least ten days prior to the meeting

Audrey Matott, of the Daily Mail, asked a few questions about how the project will progress.

Minutes - January 28, 2014

Board Members noted inaccuracies in the motions on the last page of the minutes for January 28th; under the motions for the meeting time change, abstained votes were listed where there were none.

Motion to accept the amended minutes of the January 28, 2014 meeting made by Brian Wickes.

Seconded by: Mark Wilcox.

All in favor: 5, Opposed: 0, Motion carried.

Site Visit Consent Form

Mark Overbaugh, Code Enforcement Officer, suggested that the Planning Board develop a Site Visit Consent form, which will give them permission to visit applicant's properties. The Planning Board Secretary will draft a Site Visit Consent form for the Board.

Motion to close the meeting made by Ken Elsbree at 7:20pm.

Seconded by: Don Teator.

All in favor: 5, Opposed: 0, Motion carried.