

SUMMARY OF MINUTES
Meeting of the 239-Review Committee
Chenango County Planning & Development Board
January 4th, 2012

Members Present

Ted Guinn

Bruce Beadle

Paul Thomsen

Staff Present

Shane H. Butler

Guest(s) Present

The special meeting was called to order at approximately 8:35 a.m.

New Business:

The 239-Review Committee had two (2) 239-Review proposals to consider. Action was taken as follows:

12-01 (Village of Sidney) Sidwood LLC Subdivision

Mr. Butler stated the area already has a number of commercial businesses in the area including Kmart, Price Chopper and Advance Auto Parts. Mr. Beadle stated the application states the building will be used for a Tractor Supply store which tends to store a lot of their equipment outside. Mr. Butler asked if we should recommend all lights be facing downward. Mr. Thomsen stated we should because the lights if faced at other angles can be distracting to drivers.

Chairman Guinn asked if the Village of Sidney had zoning. Mr. Butler stated he thought they did.

Mr. Thomsen motioned to approve the project with the recommendation to have all lights facing downward, seconded by Mr. Beadle. Members voted all ayes, motion carried.

12-02 (Town of Guilford) Haggerty Subdivision

Mr. Butler stated the application was submitted earlier but the application did not match the maps and had to be resubmitted.

Chairman Guinn asked if the property is in the flood plain because they should not build in the flood zone if it is. He asked if a driveway permit would be needed. Mr. Butler stated he sent the application to NYSDOT but they haven't had their meeting yet.

Mr. Beadle motioned to approve the project with the recommendation of not building in the flood plain and to comply with NYSDOT recommendations, seconded by Mr. Thomsen. Members voted all ayes, motion carried.

With no further business, the meeting was adjourned at 8:45 a.m. until our next meeting on **January 10th, 2012.**

SUMMARY OF MINUTES
Meeting of the 239-Review Committee
Chenango County Planning & Development Board
January 10th, 2012

Members Present

Ted Guinn Paul Thomsen
Bruce Beadle Joe Woerter
Dan Palmer

Staff Present

Shane H. Butler

Guest(s) Present

The special meeting was called to order at approximately 8:22 a.m.

New Business:

The 239-Review Committee had one (1) 239-Review proposals to consider. Action was taken as follows:

12-03 (Town of New Berlin) Dollar General Site Plan

Chairman Guinn stated the project will be at the same location as the car wash. Mr. Woerter stated it looks to be the same layout as the Dollar General in the Village of Greene. He asked if there was ample parking and enough room for the delivery trucks to come in and turn around. Mr. Butler stated NYSDOT has received a copy of the plans.

Chairman Guinn asked why there is a pump station and a septic. Mr. Thomsen stated New Berlin does not have a sewage treatment facility. The project will have retention ponds. Mr. Woerter asked how close they were to the river and if they needed an oil/water separator. Mr. Thomsen stated they are quite a ways away from the river.

Mr. Thomsen stated they will be doing landscaping and the plans show the types of trees, signs and also a map of how each area will be lighted. Mr. Palmer stated the light will be zero at the center line of State Route 8. Mr. Thomsen stated he had them do a full SEQR.

Chairman Guinn asked when they would do the subdivision. Mr. Thomsen stated they are still waiting on the subdivision application but there will be a review. He should have it next month.

Mr. Woerter motioned to approve the application with the recommendation of complying with NYSDOT comments, seconded by Mr. Beadle. Members voted all ayes, motion carried. Mr. Thomsen abstained.

With no further business, the meeting was adjourned at 8:45 a.m. until our next meeting on **January 10th, 2012.**

SUMMARY OF MINUTES
Meeting of the 239-Review Committee
Chenango County Planning & Development Board
March 13, 2012

Members Present

Ted Guinn Paul Thomsen
Bob Davis Joe Woerter
Dan Palmer Perry Owen
Paul Romahn George Seneck

Staff Present

Shane H. Butler

Guest(s) Present

The special meeting was called to order at approximately 9:00 a.m.

New Business:

The 239-Review Committee had seven (7) 239-Review proposals to consider. Action was taken as follows:

12-04 (Town of Guilford) Zaczek Subdivision

Mr. Davis stated the parcel is the largest in the Town of Guilford. The applicant is creating a couple of lots for his sons. The property is located in the Hamlet of Mt. Upton on NYS Route 8. The town is requiring a survey be done on the property and a public hearing is to be held.

Chairman Guinn asked if the NYSDOT had comments. Mr. Butler stated they had no concerns.

Mr. Woerter motioned to approve the application with the recommendation of complying with NYSDOT recommendations, seconded by Mr. Owen. Members voted all ayes, motion carried. Mr. Seneck and Mr. Davis abstained.

12-05 (City of Norwich) McDonalds Variance

Mr. Woerter asked if the structure would be on the same footprint. Mr. Butler stated the site plan has not been submitted yet. The application is for sign variance because they know it will have more signage than is allowed and wanted to get the application out of the way.

Mr. Woerter stated the driveway is a bad location on NYS Route 12. Chairman Guinn stated the area is already commercial.

Mr. Palmer motioned to approve the application with the recommendation of complying with NYSDOT recommendations, seconded by Mr. Owen. Members voted all ayes, motion carried.

12-06 (City of Norwich) Steward Variance

Chairman Guinn stated the property is located across from Norwich Tire on Hale Street.

Mr. Woerter stated the applicant feels they will have ample parking but does not say how many customers they plan to have. Chairman Guinn read a piece of the City of Norwich Parking Regulation included in the packet. Mr. Palmer stated they may park at Norwich Tire. Chairman Guinn stated the application discusses how they can tear down a structure in the back to allow for additional parking.

Mr. Thomsen motioned to approve the application with no concerns, seconded by Mr. Palmer. Members voted all ayes, motion carried.

12-07 (Village of Sidney) Brightman Site Plan

Chairman Guinn asked where they would be located in reference to the Kmart. Mr. Butler stated they would be down the road farther towards Bainbridge. They had to move from their current location due to the Amphenol relocation.

Mr. Woerter suggested all lighting be faced downward.

Mr. Owen motioned to approve the application with the recommendation of all lighting be facing downward, seconded by Mr. Woerter. Members voted all ayes, motion carried.

12-08 (Town of Norwich) Reputable Auto Site Plan

Chairman Guinn stated the property is located on NYS Route 12 north of the plaza. The property is Wehrli's across

from the cemetery. Mr. Butler stated NYSDOT has concerns with the driveway because of the lack of a distinct entrance and exit.

Mr. Woerter asked if any signs are proposed. Mr. Owen asked if it would be sales and service. Chairman Guinn stated it would just be for sales. Mr. Palmer asked if their business exists elsewhere. Chairman Guinn stated they are also located in Binghamton. Mr. Woerter suggested any lighting be facing downward.

Mr. Woerter motioned to approve the application with the recommendation of all lighting be facing downward and complying with NYSDOT recommendations, seconded by Mr. Owen. Members voted all ayes, motion carried. Chairman Guinn abstained.

12-09 (Village of Sidney) Amphenol Site Plan

Mr. Davis asked where the County line is. Mr. Butler stated it is in back of the advanced auto and includes part of the airport. Mr. Davis asked if they talked about traffic. Mr. Woerter stated he is concerned with the traffic volume. Sup. Seneck stated sales is moving and they are planning a smaller facility.

Ms. Jones stated the IDA is the lead agency. She is going to respond as an interested agency. Chairman Guinn stated they should add the Town of Bainbridge and Chenango County Planning Board as interested agencies along with correcting the name of the Town Supervisor.

Mr. Thomsen motioned to approve the application with the recommendation of a completed traffic study, all lighting be facing down, addition of the Town of Bainbridge, Chenango County Planning Board as interested agencies, and correction of the name of the Town of Bainbridge Supervisor, seconded by Mr. Woerter. Members voted all ayes, motion carried.

12-10 (Town of Coventry) Cascun Site Plan

Chairman Guinn stated the insides of the buildings are changing. Mr. Butler stated everything is on the same foot print but they are adding a sign. Mr. Palmer asked where the project was located in Coventry. Chairman Guinn stated it is on NYS Route 206.

Mr. Butler stated the Town has concerns about the smell. Chairman Guinn stated Norwich Meadows has free range chickens but the compost byproducts are what have the odors.

Mr. Woerter asked how big the sign is. Mr. Palmer stated it is four foot by six foot.

Mr. Thomsen motioned to approve the application with the recommendation of complying with NYSDOT recommendations, seconded by Mr. Owen. Members voted all ayes, motion carried.

With no further business, the meeting was adjourned at 9:30 a.m. until our next meeting on **April 10th, 2012.**

SUMMARY OF MINUTES
Meeting of the 239-Review Committee
Chenango County Planning & Development Board
March 13, 2012

Members Present

Ted Guinn Paul Thomsen
Bob Davis Joe Woerter
Dan Palmer Perry Owen
Paul Romahn George Seneck
Bruce Beadle

Staff Present

Shane H. Butler

Guest(s) Present

The meeting was called to order at approximately 8:50 a.m.

New Business:

The 239-Review Committee had five (5) 239-Review proposals to consider. Action was taken as follows:

12-11 (Town of Guilford) Cornell Subdivision

Mr. Davis stated the applicant is moving and would like to subdivide the lot to ensure access to the back lot. The parcels will be given to the children. The Town of Guilford does not have any regulations as to frontage. Mr. Butler stated there is a driveway regulation which states it must be 25 foot wide.

Chairman Guinn asked if the town seemed ok with it. Mr. Davis stated yes.

Mr. Owen motioned to approve the project with no concerns, seconded by Mr. Beadle. Members voted all ayes, motion carried. Mr. Davis and Sup. Seneck abstained.

12-12 (Village of Bainbridge) Palmatier Variance

Chairman Guinn stated the applicant would like a variance in order to make their property a multi-family residence. Mr. Butler stated the NYSDOT was notified but did not have any concerns.

Mr. Owen stated they may want to turn the property into an apartment building. Mr. Woerter asked if there are enough parking spaces for the property. Chairman Guinn stated there are two parking lots stated in the application along with a driveway.

Mr. Owen asked if there were any complaints from neighbors. Mr. Butler stated he did not receive any.

Mr. Thomsen motioned to approve the project with no concerns, seconded by Mr. Owen. Members voted all ayes, motion carried.

12-13 (Town of New Berlin) Sopinski Site Plan

Mr. Thomsen stated the applicant would like to put a fourth trailer on their piece of property. The Town of New Berlin law states you cannot have more than one manufactured home per parcel. There are currently three manufactured homes on the property. If the parcel were to be subdivided it would comply with the town law but they are not willing to do so.

Sup. Seneck stated the State Law requires any project with five or more manufactured homes be regulated by Public Health. Mr. Woerter asked if there are any sewer and water lines at the property. Mr. Thomsen stated no plans were submitted relating to sewer and water.

Chairman Guinn asked if it should be denied due to not complying with the Town of New Berlin law. Mr. Woerter suggested they send more information regarding a septic and water system.

Chairman Guinn motioned to deny the project with the concern the application does not comply with the Town Law and recommendation of supplying more information relating to the septic and water capabilities of the site, seconded by Mr. Beadle. Members voted all ayes, motion carried. Mr. Thomsen abstained.

12-14 (Town of New Berlin) Baio Subdivision

Mr. Thomsen stated this is the final map for the subdivision at the Dollar General in the Town of New Berlin. Mr. Butler stated the NYSDOT did not have concerns.

Chairman Guinn asked if all of concerns from the town were addressed. Mr. Thomsen stated they were.

Mr. Owen motioned to approve the project with no concerns, seconded by Mr. Palmer. Members voted all ayes, motion carried. Mr. Thomsen abstained.

12-15 (Town of Fenton) Open Space Plan

Chairman Guinn stated the Town of Fenton is working on an Open Space Plan.

Mr. Butler stated the application was sent because it is similar to a land use plan and the Town of Fenton is on the border of Chenango County. Mr. Woerter stated we should thank them for sending and let us know if they need any help.

Mr. Woerter motioned to approve the project with no concerns, seconded by Mr. Thomsen. Members voted all ayes, motion carried.

With no further business, the meeting was adjourned at 9:03 a.m. until our next meeting on **May 8th, 2012.**

SUMMARY OF MINUTES
Meeting of the 239-Review Committee
Chenango County Planning & Development Board
March 13, 2012

Members Present

Ted Guinn Paul Thomsen
Dan Palmer Perry Owen
Paul Romahn George Seneck

Staff Present

Shane H. Butler

Guest(s) Present

The meeting was called to order at approximately 9:13 a.m.

New Business:

The 239-Review Committee had four (4) 239-Review proposals to consider. Action was taken as follows:

12-16 (Town of Greene) Lippy's Sign Site Plan

Chairman Guinn asked if the sign would be lit. Mr. Butler stated it would not. Chairman Guinn asked if NYSDOT had any comments. Mr. Butler stated there were no concerns other than to stay out of the right-of-way but advised them to contact NYSDOT due to the renovation plans to NYS Route 12.

Mr. Thomsen stated there would be no vision problems due to the sign.

Mr. Thomsen motioned to approve the application with the recommendation to comply with NYSDOT recommendations, seconded by Mr. Romahn. Members voted all ayes, motion carried.

12-17 (Town of Oxford) Wallace/Charles Variance

Mr. Romahn asked where the water and septic are located. Mr. Butler referenced the map given. Chairman Guinn recommended they comply with sanitary regulations. Mr. Romahn stated there is a pollution problem on Gerry Lake due to the septic systems. Mr. Butler stated they would have to comply with the County Health Department. Mr. Romahn stated the town is talking with the lake to possibly hook up to a sewer system. Mr. Thomsen stated Chenango Lake is working on the same thing.

Mr. Romahn stated more and more people are turning their seasonal camps on the lake to permanent residences and it is adding to the problem. People are fixing up the houses and some may decide to retire there.

Mr. Thomsen motioned to approve the application with the recommendation to comply with the sanitary regulations, seconded by Chairman Guinn. Members voted all ayes, motion carried. Mr. Romahn abstained.

12-18 (Town of Norwich) SFCU Sign Site Plan

Chairman Guinn stated there is a low sign existing right now. The new sign would be higher off of the ground and would have a scrolling message board. The town has stipulated the message has to take 30 seconds before it changes instead of flashing new messages quickly and there can be no advertising other than their own.

Mr. Palmer stated all of the signs in the area are higher. Mr. Butler stated the sign will be the same as the SFCU in Sidney. There were no NYSDOT concerns other than to stay out of the right-of-way.

Mr. Palmer motioned to approve the project with the recommendation to comply with NYSDOT, seconded by Mr. Romahn. Members voted all ayes, motion carried. Chairman Guinn abstained.

12-19 (Town of Smyrna) Parry Subdivision

Mr. Romahn asked if the town had any regulations concerning the width of the right-of-way and asked how wide this right-of-way would be. Mr. Butler measured the right-of-way but was unsure if the Town of Smyrna had any regulations regarding width.

Mr. Thomsen asked if the property would be adjoining a neighboring property. Supervisor Seneck stated if they need the right-of-way there is obviously no good access to the property. Mr. Thomsen stated Mr. Parry would have to live

with the right-of-way.

Chairman Guinn asked if the mineral rights were being retained. Mr. Butler stated he did not know but it is possible.

Chairman Guinn motioned to approve the application with no concerns, seconded by Mr. Thomsen. Members voted all ayes, motion carried.

With no further business, the meeting was adjourned at 9:25 a.m. until our next meeting on **June 12th, 2012.**

SUMMARY OF MINUTES
Meeting of the 239-Review Committee
Chenango County Planning & Development Board
March 13, 2012

Members Present

Ted Guinn Paul Thomsen
Dan Palmer Perry Owen
Paul Romahn George Seneck
Bob Davis Joe Woerter
Sally Chirlin Bruce Beadle
Jennifer Tavares

Staff Present

Shane H. Butler

Guest(s) Present

The meeting was called to order at approximately 8:50 a.m.

New Business:

The 239-Review Committee had eight (8) 239-Review proposals to consider. Action was taken as follows:

12-20 (Town of Smithville) Smithville Comprehensive Plan

Mr. Butler stated he went through the plan and had a number of comments, mainly grammatical. He thought the mission statement should be closer to the front of the plan. Mr. Woerter stated there is nothing about low income or senior housing in the plan.

Mr. Davis stated the survey was done back in 2004. The plan also states they are not conducive for agriculture. Mr. Woerter stated there are a lot of rocks and shale in the ground. Mr. Butler stated they can still do grazing and other forms of agriculture. Mr. Woerter stated they mentioned Brisben and Oxford for fire protection but did not mention Greene.

Chairman Guinn motioned to approve the application with the below comments and recommendations, seconded by Sup. Seneck. Members voted all ayes, motion carried.

- Recommend including information relating to low income and senior housing needs.
- Recommend the mission statement be towards the front of the document instead of being a bullet point under "Items for Consideration and Goals".
- Recommend changing Page 4 to read "25 miles north of Binghamton and 20 miles south of Norwich".
- Page 13 states: "Most of the soils in Smithville and in the broader area of Chenango County are (...) of poor quality as evidenced by the gradual diminution of farming activity over the last century." Recommend encouraging other forms of farming such as raising beef or other grazed animals which do not require prime soils.
- Page 16, Section 2.6.1.1 states "and are assessed individually." Should this be assessed individually or is this referring to tax assessments?
- Page 23, Section 2.11.1, third sentence, the word "percent" is incorrectly spelled "percept".
- Page 24, Section 2.11.3, forth sentence should read "The major County roads are 2, 3, and 3A." Also, the word "border" is misspelled as "boarder" in the forth and fifth sentence.

12-21 (Town of Columbus) Columbus Site Plan Review Law

Mr. Woerter stated it is well written and thought out. The fee schedule should be lower. Surrounding towns have the fee as \$25. Mr. Davis stated Guilford also charges \$25. Chairman Guinn recommended they look at the fee schedules for adjoining towns.

Mr. Owen motioned to approve the application with the recommendation to compare the fee schedule with those of adjoining towns, seconded by Mr. Romahn. Members voted all ayes, motion carried.

12-22 (Town of Guilford) Davis Subdivision

Mr. Davis stated the applicant plans to subdivide the parcel and sell a piece to his daughter in order to build a house. The driveway is preexisting. Mr. Butler stated there is an error on the NYS DOT letter. The property is not on Stead Road as stated on the letter. Supervisor Seneck asked what the width of the right-of-way was.

Mr. Owen motioned to approve the application with the recommendation to comply with NYSDOT comments, seconded by Mr. Woerter. Members voted all ayes, motion carried. Sup. Seneck and Mr. Davis abstained.

12-23 (Town of Guilford) Schlafer Subdivision

Mr. Davis stated this is a major subdivision. The project is to settle the estate. The family is trying to keep the core of the farm intact with the rest going into other lots. Chairman Guinn asked if any of the property was on County Road 35. Mr. Davis stated it is not.

Sup. Seneck stated one of the lots only has a seasonal road as access and could be an issue down the road. Mr. Davis stated the other end of the road had enough people living permanently on the property to make it a permanent road. The Planning Board approved the application and a public hearing is to follow.

Mr. Woerter asked if there were any covenants. Mr. Davis stated they would like to add some relating to no trailer parks but have not done it. Mr. Romahn stated the covenants are usually on the maps. Ms. Tavares asked if the property is currently used. Mr. Butler stated there are cows in the pasture.

Mr. Thomsen asked if there is anything in the Town of Guilford law about neighbors having to merge the parcels. Mr. Butler stated this can be a problem if they have an existing mortgage. Sup. Seneck stated it affects the taxes on the parcels.

Mr. Beadle motioned to approve the application with no concerns, seconded by Mr. Owen. Members voted all ayes, motion carried. Sup. Seneck and Mr. Davis abstained.

12-24 (Town of Guilford) Dickey Subdivision

Mr. Davis stated the property is on Stead Road. The house is existing and the applicant would like to subdivide the house from the property. Ms. Chirlin asked if this is near where the log cabins are on the hill. Sup. Seneck stated it is near but not close.

Mr. Palmer motioned to approve the application with no concerns, seconded by Mr. Owen. Members voted all ayes, motion carried. Sup. Seneck and Mr. Davis abstained.

12-25 (City of Norwich) Zoning Amendment

Chairman Guinn stated the City plans to rezone a couple of parcels from Industrial to Multiple residential. The City is requesting to be lead agency for the project. Mr. Woerter asked if they need a public hearing. Chairman Guinn stated they do not.

Mr. Owen motioned to approve the application with no concerns, seconded by Mr. Davis. Members voted all ayes, motion carried. Mr. Beadle and Mr. Palmer abstained.

12-26 (City of Norwich) Norwich Family Housing

Mr. Butler stated the City plans to tear down two houses and rebuild a house, apartment complex, and community building. The apartment complex will have 36 units and are for low income. Ms. Tavares stated they may end up being HUD regulated. If the funding is through the state they will have to.

Mr. Beadle stated there is a major shortage in apartments. Chairman Guinn stated it would help that end of the town. Bordentown apartments look decent. Ms. Tavares stated it depends on the property owner. Mr. Beadle stated he liked how they pushed it away from the street.

Mr. Owen motioned to approve the application with no concerns, seconded by Chairman Guinn. Members voted all ayes, motion carried. Mr. Beadle and Mr. Palmer abstained.

12-27 (City of Norwich) Norwich Revitalization Project

Mr. Butler stated he sent the application to NYSDOT and they did not feel they needed to review it. Mr. Woerter stated they should include a map of the BID properties. Ms. Tavares stated the City is applying for a Main Street Grant. Two of the buildings are the former Stevens Heritage Building and former Salvation Army Building.

Mr. Palmer asked if the interested buyer is from Norwich. Ms. Tavares stated maybe one of them. Mr. Woerter asked where the two acres of County land is.

Ms. Tavares stated the BID runs from Attorney Emersons office to Byrne Dairy (east-west) and from Rite Aid to NBT Bank (north-south). Ms. Chirlin asked if the Morrisville Building is in it. Ms. Tavares stated it is not. Mr. Woerter stated there is no mention of code compliance. Mr. Butler stated in the back of the SEQR there is a section about code enforcement.

Ms. Tavares stated they want to make sure the grant goes through first before starting to develop the properties. The projects will not happen without the grant money. The grant is a 75-25 reimbursement grant. There is also a maximum of what they will pay.

Mr. Woerter asked if the residents of Norwich are funding part of it. Ms. Tavares stated they are not. The City is selling it and is unaware of any public funding. Mr. Palmer asked if there were any restrictions on continued use. Ms. Tavares stated on Main Street Grants there is usually a five year requirement.

Chairman Guinn motioned to approve the application with the recommendation to include a map of the area and a supplemental description, seconded by Mr. Davis. Members voted all ayes, motion carried. Mr. Beadle and Mr. Palmer abstained.

With no further business, the meeting was adjourned at 9:35 a.m. until our next meeting on **July 10th, 2012.**

SUMMARY OF MINUTES
Meeting of the 239-Review Committee
Chenango County Planning & Development Board
July 10, 2012

Members Present

Ted Guinn Paul Thomsen
Perry Owen George Seneck
Paul Romahn

Staff Present

Shane H. Butler

Guest(s) Present

The meeting was called to order at approximately 9:25 a.m.

New Business:

The 239-Review Committee had one (1) 239-Review proposals to consider. Action was taken as follows:

12-28 (Town of Greene) Barons Inn Site Plan Review

Mr. Romahn asked if the building was staying the same. Chairman Guinn stated it is. There will be less traffic going into the facility.

Mr. Butler stated the driveway is not in place yet because of the road construction being done in the area. NYS DOT will be constructing the driveway.

Mr. Romahn asked what was to say they wouldn't want to develop the back later. They have sold it once and bought it back. They have remodeled a building in Smithville for apartments as well. There is concern for future expansion.

Chairman Guinn motioned to approve the application with the recommendation that any future expansion be reviewed and to comply with NYSDOT recommendations, seconded by Mr. Owen. Members voted all ayes, motion carried.

With no further business, the meeting was adjourned at 9:35 a.m. until our next meeting on **August 14th, 2012.**

SUMMARY OF MINUTES
Meeting of the 239-Review Committee
Chenango County Planning & Development Board
August 14, 2012

Members Present

Ted Guinn Paul Thomsen
Perry Owen George Seneck
Paul Romahn Joe Woerter
Dan Palmer

Staff Present

Shane H. Butler

Guest(s) Present

The meeting was called to order at approximately 8:55 a.m.

New Business:

The 239-Review Committee had two (2) 239-Review proposals to consider. Action was taken as follows:

12-29 (Town of Oxford) Kennedy Variance

Chairman Guinn stated the variance is for a property on Lake Gerry. Mr. Woerter asked what percentage of applications are on Lake Gerry.

Mr. Romahn stated this is going to be a permanent residence and there are no restrictions to stop it. Sanitary code won't do much. Mr. Woerter stated they could do engineered systems. Mr. Butler stated the lot is too small.

Mr. Thomsen motioned to approve the application with no concerns, seconded by Mr. Palmer. Members voted all ayes, motion carried. Mr. Romahn abstained.

12-30 (Town of Norwich) Mataev Subdivision

Chairman Guinn stated the property is located south of the intersection of County Road 32 and 33. The owner passed away and the neighbors bought it. There is a mobile home on the corner in disrepair. The son wants to replace the mobile home. The Town of Norwich does not have a minimum lot size. If a driveway is constructed they will have to get a permit from the County Highway Department.

Mr. Woerter stated they won't be able to put a house and septic on a ¾ acre parcel. Sup. Seneck stated the well has to be at least 100 foot from the house. Mr. Woerter would like to know where the well and septic will be. Mr. Thomsen stated usually Rhinevault will put the locations on the maps. Chairman Guinn stated it leads him to believe they are receiving water from the main house.

Mr. Thomsen motioned to approve with the recommendation of obtaining a driveway permit when needed, seconded by Mr. Owen. Members voted all ayes, motion carried. Mr. Guinn abstained.

With no further business, the meeting was adjourned at 9:05 a.m. until our next meeting on **September 11th, 2012.**

SUMMARY OF MINUTES
Meeting of the 239-Review Committee
Chenango County Planning & Development Board
September 11, 2012

Members Present

Ted Guinn Paul Thomsen
Perry Owen George Seneck
Paul Romahn Joe Woerter
Dan Palmer

Staff Present

Shane H. Butler

Guest(s) Present

The meeting was called to order at approximately 8:37 a.m.

New Business:

The 239-Review Committee had one (1) 239-Review proposal to consider. Action was taken as follows:

12-31 (Town of New Berlin) Huddleston Subdivision

Mr. Thomsen stated the property is the old Button Farm on NYS Route 23 just before you get to South New Berlin. There is a sweeping curve in the area.

Mr. Woerter asked if this was an existing farm. Mr. Thomsen stated they do hay and part of the property is rented for hay and other farming activities. Mr. Palmer stated they really aren't changing anything.

Mr. Butler stated NYSDOT did not have any concerns.

Mr. Palmer motioned to approve the application with the recommendation to comply with NYSDOT recommendations, seconded by Mr. Woerter. Members voted all ayes, motion carried.

With no further business, the meeting was adjourned at 8:44 a.m. until our next meeting on **October 10th, 2012.**

SUMMARY OF MINUTES
Meeting of the 239-Review Committee
Chenango County Planning & Development Board
October 10, 2012

Members Present

Ted Guinn Dan Palmer
George Seneck Bruce Beadle
Paul Romahn

Staff Present

Shane H. Butler

Guest(s) Present

The meeting was called to order at approximately 9:12 a.m.

New Business:

The 239-Review Committee had five (5) 239-Review proposals to consider. Action was taken as follows:

12-32 (City of Norwich) CWS Variance

Mr. Palmer stated CWS would like to extend their building but do not have the required setback of 20 foot. The variance would be for an extra five feet. The warehouse will be 5,325 sq ft. Sup. Seneck asked if this was based on a local ordinance. Chairman Guinn stated it was based on the City of Norwich Zoning. The City has approved the project.

Mr. Romahn asked if the setbacks were due to fire protection. Chairman Guinn stated it is right next to the road.

Sup. Seneck motioned to approve the application with the recommendation to comply with NYSDOT, seconded by Mr. Romahn. Members voted all ayes, motion carried.

12-33 (Town of Norwich) Posson Subdivision

12-34 (Town of Norwich) CJS Auto Repair

12-35 (Town of Norwich) CJS Auto Sales

Chairman Guinn stated the application is located at the old can and bottle redemption center. This application relates to the next two applications. One side of the subdivision is going to house two separate businesses and the other is going to remain with a home on it. The businesses are moving from the former Advanced Fire Protection building.

Mr. Palmer asked if a privacy fence should be added around any dumpsters or scrap parts. Mr. Thomsen asked if there could be a restriction on the number of cars. Chairman Guinn received information from NYSDOT that the existing sign is in the right-of-way.

Chairman Guinn stated the businesses will be in the same building. Sup. Seneck asked if the subdivision seemed ok. Chairman Guinn stated it was. Mr. Beadle asked how much frontage the trailer would have. Chairman Guinn stated it would have about 150 feet.

Mr. Romahn motioned to approve the application for subdivision with the recommendation to comply with NYSDOT, seconded by Mr. Beadle. Members voted all ayes, motion carried.

Chairman Guinn stated there could be issues with the repair shop being so close to the river. Sup. Seneck stated this would be a NYSDEC issue. Chairman Guinn recommended an oil/water separator. Mr. Beadle stated you wouldn't be able to restrict how long the cars would be able to stay on the lot to be repaired.

Sup. Seneck motioned to approve the CJS Auto Repair site plan with the recommendation to comply with NYSDOT, installation of an oil/water separator, and a privacy fence around any scrap parts and dumpster, seconded by Mr. Romahn. Members voted all ayes, motion carried.

Sup. Seneck motioned to approve the CJS Auto Sales site plan with the recommendation to comply with NYSDOT, seconded by Mr. Romahn. Members voted all ayes, motion carried.

12-36 (Town of Norwich) Spratley Can and Bottle Redemption Site Plan

Chairman Guinn stated the redemption center would be between Lowes and the Music shop on NYS 12 below the City

of Norwich. The site will remain as is. NYSDOT is recommending a site plan even though the site is not changing. They have a concern with tractor trailers entering into NYS 12. The applicant has stated they will be using smaller trucks.

Mr. Romahn stated there is plenty of room for a tractor trailer to turn around on the property.

Mr. Romahn motioned to approve the application with the recommendation to comply with NYSDOT, seconded by Mr. Palmer. Members voted all ayes, motion carried.

With no further business, the meeting was adjourned at 9:35 a.m. until our next meeting on **November 14th, 2012.**

SUMMARY OF MINUTES
Meeting of the 239-Review Committee
Chenango County Planning & Development Board
October 17, 2012

Members Present

Ted Guinn Paul Thomsen
Perry Owen Paul Romahn

Staff Present

Shane H. Butler

Guest(s) Present

The special meeting was called to order at approximately 8:29 a.m.

New Business:

The 239-Review Committee had one (1) 239-Review proposal to consider. Action was taken as follows:

12-37 (Town of Afton) Town of Afton Highway Garage Site Plan

Chairman Guinn stated the new garage would be located next to the Suburban Propane. They are currently renting the facility they are in now. The flood plain won't be an issue because the railroad would act as a buffer. Mr. Butler checked the floodplain map and it is not in the floodplain.

Mr. Butler stated the NYSDOT residency had submitted the request for a review by the Binghamton NYSDOT office and therefore did not have a formal letter as they usually do.

Mr. Romahn stated there is a gravel pit across the road. With the amount of industries around it there shouldn't be any issues with the character of the area.

Chairman Guinn made the motion to approve the application with the recommendation to comply with NYSDOT, seconded by Mr. Romahn. Members voted all ayes, motion carried.

With no further business, the meeting was adjourned at 8:37 a.m. until our next meeting on **November 14th, 2012.**

SUMMARY OF MINUTES
Meeting of the 239-Review Committee
Chenango County Planning & Development Board
November 7, 2012

Members Present

Ted Guinn Paul Thomsen
Paul Romahn
Sup. George Seneck

Staff Present

Shane H. Butler

Guest(s) Present

Steve Palmatier

The special meeting was called to order at approximately 8:30 a.m.

New Business:

The 239-Review Committee had two (2) 239-Review proposal to consider. Action was taken as follows:

12-38 (Village of Oxford) Moratorium on Gas Exploration/Extraction/Disposal

Mr. Butler read the City of Binghamton decision. Chairman Guinn asked Mr. Palmatier to explain what was meant by the "dire need". Mr. Palmatier stated the NYSDEC is not doing any permitting regarding high volume hydraulic fracturing.

Mr. Romahn suggested they work on a noise ordinance and other regulations instead. They won't drill in the village and this seems to be more about politics. The Howe Farm and golf course are large landowners on the boundary of the Town and Village of Oxford.

Mr. Butler stated in Section 11 of the General Provisions, it designates the Code Enforcement Officer as the enforcement officer for the law. It doesn't specify who this is. They have a zoning officer and the "Code Enforcement Officer" is actually Chenango County Codes.

Chairman Guinn stated they have natural gas within the Village. Mr. Butler stated they have made transportation and existing storage exempt.

Sup. Seneck asked if they had done any other regulations. Mr. Butler stated they had not to his knowledge. They have gone to Pennsylvania. Sup. Seneck stated he had gone to Pennsylvania and asked the pros and cons. It's not always what people expected. Mr. Romahn visited the Finger Lakes region and there are only tanks and the "Christmas tree" visible.

Mr. Butler stated the public hearing is next week.

Sup. Seneck and Chairman Guinn agreed with the concern over dire need. There won't be a rush in to drill. Mr. Thomsen stated the NYSDEC will be the lead agency. Mr. Romahn stated they will need a road use agreement still. Sup. Seneck asked what actions were being taken to address the concerns.

Sup. Seneck motioned to approve the application with the following concerns; (1) Section 11, General Provisions, states "The Code Enforcement Officer is hereby designated as the enforcement officer for purposes of interpreting and enforcing this Local Law". The term "Code Enforcement Officer" should be further defined. We feel this should state; "the Zoning Officer". Based on the Chenango County Directory of County, Town, and Village Officials, the Code Enforcement Officer for the Village of Oxford is the Chenango County Code Enforcement Office. If you designate the Chenango County Code Enforcement Office as the enforcement officer of this local law, there must be a memorandum of understanding between the Chenango County Code Enforcement Office and the Village of Oxford stating such. (2) Based on the decision of the court case of Elvin Jeffrey v. City of Binghamton, we feel the Village of Oxford is not under a dire necessity to enact such a moratorium. Within the Village of Oxford there are currently no permits, nor applications for permits, filed at the NYS Department of Environmental Conservation. (3) Based on the decision of the court case of Elvin Jeffrey v. City of Binghamton, we feel the Village of Oxford has not taken, or proposed, steps to rectify the described problem, **seconded by Mr. Thomsen. Members voted all ayes, motion carried. Mr. Romahn abstained.**

12-39 (Town of Guilford) Marble House Subdivision

Sup. Seneck explained the town purchased the property with life use to the previous owner. The town hall and highway garage were relocated at the site. The town took full possession after the life use agreement was settled. The property is now for sale and the buyer would like 5.34 acres. The town will keep the rest of the land for now.

Mr. Thomsen motioned to approve the application with no concerns, seconded by Mr. Romahn. Members voted all ayes, motion carried. Sup. Seneck abstained.

With no further business, the meeting was adjourned at 8:55 a.m. until our next meeting on **November 14th, 2012.**

SUMMARY OF MINUTES
Meeting of the 239-Review Committee
Chenango County Planning & Development Board
December 11, 2012

Members Present

Ted Guinn Dan Palmer
George Seneck Bob Davis
Perry Owen Joe Woerter

Staff Present

Shane H. Butler

Guest(s) Present

The meeting was called to order at approximately 9:12 a.m.

New Business:

The 239-Review Committee had two (2) 239-Review proposals to consider. Action was taken as follows:

12-40 (Town of New Berlin) Dickinson Site Plan

Chairman Guinn stated the parcel looked to be part of an old right-of-way for NYS Route 8. They are adding structures near the existing structures. Sup. Seneck stated there is an existing driveway. Chairman Guinn stated there were no concerns from NYSDOT.

Sup. Seneck suggested they may have to upgrade their sewer. Chairman Guinn asked who the sanitarian is for the Town of New Berlin. He would recommend the applicant talking with them.

Sup. Seneck motioned to approve the application with the recommendation they talk with the sanitarian and comply with NYSDOT, seconded by Mr. Owen. Members voted all ayes, motion carried.

12-41 (Town of Smyrna) Siciliano Subdivision

Mr. Woerter asked if the applicant had sent a short form SEQR. Mr. Butler stated they had not. Chairman Guinn stated they are subdividing the property to sell it to their neighbor. Mr. Butler stated it is basically a land swap.

Sup. Seneck motioned to approve the application with no concerns, seconded by Mr. Palmer. Members voted all ayes, motion carried.

With no further business, the meeting was adjourned at 9:20 a.m. until our next meeting on **January 8th, 2012.**