

PLANNING BOARD MINUTES
June 13, 2007

Diana Holt presiding

MEMBERS: Al Newman, James O'Brien, Don McCord, Darlene Golibersuch, Priscilla Nixon

OTHERS: Dave Carr, Vince Luce, Becky Jackson, Jack Bills, Jeff Jaynes, Jack Bills, Joel Seachrist, Wendy G. Santilli, Toby & Brigitte Hallowitz

MINUTES

The minutes of May 9th and May 21st were approved on a motion made by James O'Brien, seconded by Al Newman and was carried unanimously.

SPECIAL USE PERMIT DISCUSSIONS

Chairman Diana Holt reminded everyone this meeting is not a Public Hearing, it is to review and decide how to proceed.

JUSTIN WILKINS 6' FENCE

It is understood from the Hearing this had been approved in the past and was installed by the previous owner; that owner took the fence with her when she moved and this is just the new owner applying to have the same fence which was existing before. Vince Luce noted a referral was received yesterday from the County Planning Board.

The motion was made to approve the Special Use Permit request from Justin Wilkins for a 6' fence at 59 N. Portage St. by Al, seconded by James and was carried unanimously.

HALLOWITZ AMENDED CUSTOMER PARKING REQUEST

A Special Use Permit was requested to revise the original permit for 21 Chase St. Diana noted a letter had been received from John Kutz withdrawing his remarks made at the meeting of May 21st; if they can park off the street and have customers exit properly he could see no problems as long as the dangerous parking issue is addressed. It was further noted that the hedge obscuring visibility would be removed.

Code Enforcement Officer Jack Bills stated the revised request proposed to relegate the parking area up to the garage about another 10' to get the vehicles further off the street. They would modify the garage door and still park their own vehicle in the garage, but the second garage space would be used for a client and there would also be a space available to the right of the garage that could be used as well.

Don McCord is in favor of the revised plan but recommended working closely with the Street Superintendent as it does impact the public right of way so when it gets designed to lay it out keeping that in mind.

The motion was made to approve the amended Special Use Permit request from

Toby Hallowitz by James, seconded by Al and was carried unanimously.

NEGATIVE DECLARATION

Attorney Joel Seachrist prepared a standard SEQR document which was presented and a Resolution to adopt a Negative Declaration that there would be no significant environmental impacts from the fence.

Attorney Seachrist in giving a brief explanation of a Special Use Permit; the assumption is that when something is provided by a special use permit in a district that usage is permitted with some "oversight". Usually if the applicant can show they can meet the standards the supposition is that the permit should be issued. The board would have to find something in the record that would indicate that the fence somehow major effects one of the factors that is listed in Section 155-36 about safety, traffic and environmental issues.

In his opinion the board would have a tough time finding a reason to deny the request.

The Negative Declaration Resolution was approved on a motion made by Al, seconded by Don and was carried unanimously.

MARK SAM 6' FENCE APPLICATION

A Roll Call Vote was requested by Vince Luce:

Al Newman	Yes
James O'Brien	Yes
Don McCord	Yes
Priscilla Nixon	Yes
Diana Holt	Yes

The motion was made to approve the Special Use Permit request from Mark Sam for a 6' fence at 57 Union St. by Al, seconded by Priscilla and was carried unanimously.

CAFÉ BARISTA REQUEST TO GRILL OUTSIDE

Wendy Gollnitz-Santilli of the Café Barista requested permission to grill outside of the Café on Saturday mornings to which the board agreed. Jack Bills suggested keeping a fire extinguisher on hand in case of emergency. The board did not object to this being done although safety was a concern.

OVERHANGING SIGN ISSUE

Further, she requested permission to place an overhanging sign at her place of business. The board felt a committee should be formed to address our signage system, design consistency etc. Darlene volunteered to be on this Committee as well as James (Joel?) and Wendy to expedite the procedure of changing the law. It was also suggested they work along with the Chamber of Commerce for their input with this issue. Certain modification needs to be done to the present sign law. Wendy actually has a design for the sign to present.

The Committee will present recommendations regarding the signage system at the next

Planning Board meeting.