



TOWN OF CAIRO PLANNING BOARD

PO Box 728, Cairo, NY 12413

Chairman-Ray Pacifico

Email: planning@townofcairo.com

Meeting Minutes: March 3, 2016

Members Present: Allen Veverka, Ray Pacifico, Elizabeth Hansen, Edward Forrester, Richard Lorenz, Jessica Dillon and Peter Kavakos

Pledge of Allegiance

- 1.) Chairman Pacifico opened the meeting with the reading and approval of the minutes from the February 4, 2016 meeting by the Planning Board. Motion to approve: Pete Kavakos, Seconded by: Alan Veverka. All were in favor.
- 2.) Chairman Pacifico brought up via email to the Planning Board Members that there is a need for volunteers to be on the new Planning Board Committee. He is also putting it out to the public. Please get in touch with the Planning Board members or Dan Benoit if anyone knows of anyone who might be interested in volunteering. Ed Forrester, Pete Kavakos, Alan Veverka and Mike Villela have shown some interest, Rich Lorenz said he did not have any interest and Jessica Dillon and Beth Hansen are considering it.
- 3.) Discussions are needed on the present density issue which is now on the books. Ray spoke with Dan Benoit and Tal Rappetyea about the issue. Until the zoning law is changed the concept is based on the sub-division law. A survey has to be done to make sure it is a buildable lot. We now have real live applicants who require the Planning Board to look at the density concept. The example used was, you have a 100 acre parcel if you wanted to do a 2 lot subdivision with one lot being 15 acres the other is 85 acres. The perks would be done to show the engineering and prove to the Planning Board by a qualified surveyor/engineer that they are at least able to have one house on it. On the new

proposal, as long as you are not borrowing density units from lot to another it would be ok. The density would be done only on the smaller lot. With the survey in place have an independent third party qualify surveyor/engineer do the density calculation on the smaller lot. So on the 15 acre lot, 3 acres are steep slopes and wetlands, of the 15 acres there are only 12 acres as allowable for density and in a 3 acre zoning district that would mean 4 potential lots for the 15 acre. The surveyor/engineer would come before the planning board and show there are 4 potential future units that could be made, and put that on the map. The 85 acre remains one building unit. When the person who owns the 85 acre property and wants to subdivide it, the owner would have to come back to the Planning Board and do density on the 85 acres along with the perk test, septic and well. They would still have to show well /septic and all the other requirements. It would be like it was before zoning came into place. Dan Benoit explained to the planning board they will continue to monitor density and be sure that there is no borrowing from other parcels. This is the suggested proposal for the Town Board to review to vote on the amendment to the current law. A public hearing will also need to be held on the proposal. Motion made by Pete Kavakos Seconded by Alan Veverka.

- 4.) **Public Hearings – Nicholas Glaviano 2 lot subdivision**, County Route 67 – Al Macdonald from Santos Associates Engineering representing Nicholas Glaviano and Doris Monahan. Mr. Macdonald provided a map for demonstration and clarification on what is being presented to the planning board. They are proposing to 2 lot subdivide to cut out a 17.5 acre parcel from the existing 104.8 with a 50' flagpole on it. The 50' is fee/titled. On the 17.5 acres there is only 50% to use based on the density leaving 13.5 acre. This is a 5 acre zoning so only 2 lots can be done. Santos will provide information on the location of the well and septic to the planning board. When a right-a-way is created over the flag lot it would then become a private road which would have to be built to town code. The public hearing on this will be kept open.
- 5.) **Anna Parra Subdivision** – The property is located on Joseph Chadderdon Road. Al Macdonald from Santos Associates is also representing Anna Parra on this project. Mr. Macdonald said the client has put the project on hold. What they are discussing is to subdivide out 13 acres on one side and 150 acres on the other side of Joseph Chadderdon road. They would do the lot density on the 13 acres. We will have another public hearing on this matter at the next meeting.
- 6.) **Slater's Smartshop** – Chairman recused himself from this part of the public hearing. Alan Veverka, Vice Chairman, chaired this part of the meeting. Justin Slater spoke about putting another sign on his property. Justin stated that the sign will be 12' tall, 4' wide by 6' tall and it will be located on the south entrance to the property on Route 32 and set

back 25' to Alan Veverka asked if there were any questions or concerns from the public, there were none. Alan then made a motion to close the public hearing. Jessica Dillon seconded the motion. All were in favor. The public hearing was closed. Chairman Pacifico rejoined meeting.

- 7.) **Kowalski Subdivision** – They are proposing a 5 lot subdivision on a private road. There was no one in attendance for the project so there was no discussion. This item is still open with the planning board so Chairman Pacifico will contact Kowalski to see if it should remain open or if it can be closed.
- 8.) **Slater's Smartshop** – Chairman Pacifico again recused himself from this portion of the meeting. Alan Veverka took over this portion of the meeting again. Justin Slater presented his specs for the proposed sign stating that the sign would have LED lighting but that it is smaller than the current one he has, about a third of the size of his current one. Jessica Dillon asked if Justin was going to be adding signage underneath the proposed sign and Justin stated he was not. The setback will be 35' from the center of the road. Jessica Dillon made a motion to approve the sign, Pete Kavakos seconded the motion.
- 9.) **Slater's Storage** -- There was a discussion on the outdoor storage permit for Slater's Smartshop. Unk Slater stated that he was told he needed an outdoor permit for his storage area. He stated he went through the town laws and could not find that law. So he asked the planning board if he needed one or not and he was told he didn't need one. Mr. Slater said he has several issues that he wanted to get cleared up with the planning board so he is in complete compliance. The next issue Mr. Slater brought up was the fact that there is an issue with what he is storing in his storage facility, again he stated if there is a law against it then he wants to know what it is and fix it. The last issue was if he wanted to sell something out of the storage area what did he need to do? He was told that he needed to come in for a site review and a change of venue and that would take care of the issue. Chairman Pacifico rejoined the meeting.
- 10.) **Bear's Rest/ Paul Rappelyea Subdivision** – The property is located on 311 Bogardus Road. And it is a 52.3 acres. The planning board as Paul that he get an independent party third party surveyor for the project using the Topos and layers. The surveyor would indicate lot one is 16 acre and lot two is 36 acre, driveway with frontage. The perk test would be done so there is at least one building site where the well would be located. The planning board recommended that that perk tests be done on the both properties. They also recommended Paul have the surveyor use the overlays with the notes about the lots so they can put it on the map as combined parcels. It would become two separate acres. On the second the lot it would have to be marked as not being

approved as a building lot. Join the two lots together by having the surveyor state that the lots are joined so no perk test is needed on the one parcel. There will be a public hearing on this project at the next planning board meeting.

- 11.) **Long Live Fitness** was not in attendance so their project was tabled.
- 12.) **Al Macdonald** from Santos Associates Engineering representing Nicholas Glaviano and Doris Monahan spoke again. Mr. Macdonald presented maps of the proposal for the subdivision. He talked about the 13 acres left over, there is 5 on the density on one is a 3 acre density and he recommended allocating 2 density units to lot two and save one unit for lot one. He would like to come back next month for further discussions.
- 13.) **Anna Parra Subdivision** is to remain open for now.
- 14.) **Bill Metzler** – He presented a site plan application to the planning board for his proposed project at Route 23 and Vernal Butler. He would then have to go to the Zoning board for completion. His son, Bill Jr. has a 3 acre parcel with a residence on it and he would like to put a modular or double wide on the property. Chairman Pacifico stated that if he would consider building a new property or an accessory unit. For an accessory unit or a multi-family you would be in a 3 acre district, the property is located in the CMU district. So in order to have an accessory unit you need 4 acres, if you wanted to build you would need a variance. The accessory unit deals with 50% or smaller than the existing building. The current building is 1,400 square feet so the accessory unit would be 700 square feet. Dan Benoit stated that if he wanted to put a modular on the property he can do that but he would need an area variance. To convert a one family to a two family then he would need a special use permit. He only needs an area variance when wanting to do a single separate building. Once the area variance is granted he would then need a special use permit. Finally, if he just wants to do a 700 square house then he would not need a special use permit or area variance. Chairman Pacifico will make sure and double check the law and give him the guide lines on what he needs to do to have the project move forward. There will be a public hearing on the project on April 7, 2016.
- 15.) **The Mountain Brauhaus** – they have proposed adding a deck on the end of the Mountain Brauhaus. Chairman Pacifico stated they need to drop off the application and application fee of \$100. Richard Lorenz made a motion to wave the site plan review. Jessica Dillon seconded the motion. All were in favor.
- 16.) **Nolan Propane** -- Pete brought up the fact that Nolan Propane has not followed the site plan and there is an issue with what they have done. Code Enforcement will need

to do a violation on the property for not following site plans. Follow up by Code Enforcement, the Planning Board and the Town Board will need to be done on the issue.

- 17.) **Executive Session** -- The planning board went into executive session to interview applicants for the planning board clerk vacancy. There were three applicants. Alan made a motion to go into executive session, Richard seconded the motion. The executive session is to discuss their qualifications one on one.
- 18.) **Exit Executive Session** -- Motion by Richard to come out of executive session, Alan seconded it. All were in favor.
- 19.) A motion was made by Alan to approve Sherry True and Ed seconded the motion. Pete approved, Richard abstained, Alan approved, Ed approved, Ray approved and Jessica abstained.

Motion to adjourn the meeting. Allen Veverka made a motion seconded by Jessica Dillon. Motion carried.

The meeting was adjourned at 9:45 pm.

Respectfully submitted,
Angela Bedani