

Colden Planning Board Meeting

October 17, 2017

Planning Board Frank Hrycik, Walt Kammer (Chairman), Linda Kotlarsz,
Members Present: Peter Newsom, George Reinhardt, Rich Sheldon, and Bobby Walker

Also Present: Jesse Hrycik (Councilman)

The October 17, 2017 Planning Board Meeting was called to order at 7:03 PM in the courtroom at the Colden Town Hall.

I. Old Business

September Minutes

The Board Members reviewed the September minutes and Peter motioned to approve the minutes and Linda seconded, all were in favor.

Continued Accessory Structure/Use Discussions

Walt asked Bobby if he received more feedback from Contractors regarding tree house codes and zoning regulations. Bobby mentioned that he talked with a Representative from Tree Top Builders and he needs to return the phone call back to Buffalo Tree House. Bobby shared that he asked about zoning, codes and masonry foundation requirements when he spoke with Tree Top Builders. Bobby stated that the Representative couldn't confirm if there was any building codes established for tree houses or zoning restrictions in other nearby towns. Walt stated that he tried looking on the web on the NYS Department of State filing database for tree house zoning, requirements, and specific construction/building codes, but nothing seemed to be filed by other municipalities around New York State as of this time. Linda asked if someone would be able to build a tree house if it didn't have a foundation and Walt responded that he will review the concern with the Town Attorney during the next meeting with him before the end of the calendar year; Walt also noted that a tree house structure is presently being built in Colden (although that particular situation is not classified as a "residence") and it does not have a foundation as classically defined in common use.

CEC Update on Pending Solar/PV Code Enforcement Training

Walt sent a letter via email to the company that schedules and executes the CEC High Impact Area for Solar/PV Code Enforcement Training. As previously, Walt never received a response from the contracted company and will try to reach them again by email and phone, as done in

the past. Walt reminded Linda to ask John to give him an update of his schedule when he returns in the event that the contractor calls and wants to formalize a specific date for the training session and subsequent field activities.

Expedited Special Use Permit (SUP) Renewals

Walt shared his concern regarding Expedited Special Use Permit (SUP) with the Board Members. Walt explained that the code book isn't updated to specifically support the Expedited Special Use Permit (SUP) renewal process being used for many renewal applicants. Walt asked for a Volunteer to draft up a letter to the Town Board asking for annual Special Use Permits to be reviewed by the Environmental and Planning Boards in an advisory capacity, including review of any citizen complaints or Code Enforcement violations related to the SUP being renewed. The Board Members discussed their concern if items were being over looked with annual Special use Permit (SUP) being processed without the customary advisory board review(s). Since no volunteer was identified, Walt will draft a letter and will submit to the Town Board regarding expedited SUP renewal as well as the related topics.

Interviewing of Engineering Firms for Potential Comprehensive Plan Update/Review

Walt asked if any was interested in identifying Engineering/Consulting Firms and calling Towns that are similar to the Town of Colden. Presently the Planning Board has only interacted with representatives of Nussbaumer and Clarke who supply such services to Towns which Walt knew of. Rich asked if there will be funding for future Comp Plan projects and Walt mentioned that the State sent the stipend for adopting the Unified Solar Permit so that is the start of the Comprehensive Plan review budgeting; this is being coordinated with the Colden Supervisor. It is appropriate that the stipend funding will be marked as going towards the Comprehensive Plan. Rich will do some research on Engineering Firms, Consultants, and Planners used by other Towns similar to Colden and will report back in the coming months. Walt also reminded the Planning Board that Colden should incorporate a Farmland Protection Plan as an Appendix to any updated Comprehensive Plan activities.

New Items

Jesse mentioned that the Town Board wanted to review if stiffer penalty charges for building without a permit are appropriate and/or justified. Feedback from the Planning Board was desired on this matter. After discussions, Rich volunteered to look into this matter and will compare nearby Towns that are similar to the Town of Colden and will review their penalty procedures for building without a permit. It was also noted (as FYI) that the Planning Board has reviewed and concurs with the latest Fees and Fines schedule from the Subcommittee who drafted them, but that the penalty matter is independent from that recommendation of Fees and Fines; it is suggested that processing of the newest schedule should continue by the Town Board so that application of the new fee schedules can be done in time for the January Town Board Organizational Meeting in 2018. Please recall that this updated schedule establishes the fees for the various classes of Solar/PV permitting, among other things, so it should go into

effect in a timeframe consistent with any Local Law which approves the recommended Colden Chapter 107 Solar Energy Conversion System code.

There was no additional new business from any Board member.

Rich motioned to adjourn the meeting at 7:59 PM, and Peter seconded. All were in favor.

Submitted by: Crystal Barrett

DRAFT