

Rescheduled Planning Board Regular Meeting Agenda

Colden Planning Board, 16Apr24 Regular Meeting **Tuesday, April 16th 2024 at 7:00 PM - 8:45 PM (EDT)**

This meeting will be held as an In-Person Meeting, no Virtual Session, at the Town Hall 8812 State Rd, Colden, NY, 14033. Two agenda items are rescheduled due to the snowstorm cancellation of our March 19, 2024 meeting; Item#5 below is revised with new supplemental data, and a new Item#6, has been added.

Planning Board 4/16/24 7PM Meeting Agenda:

1. Call to Order and Roll Call by Secretary
2. Chairman Introductory Comments, if any.
3. Approval of prior Planning Board Minutes (pending issuance of draft)
4. Processing of a Special Use Permit (SUP) by applicant Lisa Holmer, 9034 Maltby Dr. The residence is in Colden R-1 Zoning District. Processing of the SUP will be in accordance with Colden Code Chapter 108, Article XXII (Special Use Permits), §108-124.B (Dog Kennels), Chapter 36 sections §36-1 through §36-24, specific requirements of §36-21 (Kennel license), and Chapter 108, Article V §108-12 {R-1 Zoning Permitted Uses} (Note1: Colden defines a “Dog Kennel” as consisting of more than 3 Dogs, older than 6 months, on a parcel per definition of Dog Kennel contained in §108-132 {Definitions}. Note2: For R-1 Zoning District: A “dog kennel”, is NOT a permitted principal use or accessory use in R-1 Zoning. However, a Colden ZBA wavier was previously granted at a Zoning Board of Appeals Regular Meeting held on or about 7Dec23; decision was in accordance with authority in Article XXIV §108-126 through §108-128). The ZBA written decision and the code for allowable uses for R-1 Zoning contains no Special Use Permit prose within R1 Zoning for kennels as a Principal or Accessory Use. None the less, per other Colden Code(s) dog kennels ALL require a SUP. Thus, we shall process this SUP according to the superior stipulations in Article XXII §108-124.B {Dog Kennels}, including consideration of the “implied wavier of conditions” as reasonably concluded due to the ZBA decision on this matter). The Colden Environmental Board has previously rendered their Advisory Negative Declaration for the applicant’s SEQR Short Form SEQR/EAF Part 1. The Lead Agency will process the SEQR Part 2 & 3 subsequent to the Planning Board advisory decision on this application.

5. **Change of Use Application, Brett Kelly & Christopher Koepf, 9190 Center St, for change of use of an existing agricultural barn to new use of supporting the applicant's electrical contracting business and the existing residence on the parcel. Per Colden Zoning Chapter §108, Article XX {Admin, Enforcement, Violations}, §108-108 {Certificate Zoning Compliance Required}, Article XXI {Site Plan Review} §108-113, Article IX {Ag - Agricultural Zoning District} §108-36 through 43. The proposed new supplemental Principal Use is an allowed use in Ag-Zoning under §108-36.A(20) {... *Construction and contracting business, such as but not limited to builder, electrician...*}. Applicant has supplied all supplemental information for PB consideration, including required SEQR Short Form Part 1 which was processed on an advisory basis by the Colden Environmental Board on 4/2/24. The Lead Agency will process the SEQR Part 2 & 3 subsequent to the Planning Board advisory decision on this application.**

6. **Change of Use Application, CG Land/Ryan Solem, {vacant land} Blanchard Rd, for change of use on an existing parcel classified as "vacant land w/improvements" to a new principal use supporting the applicant's landscaping/site maintenance business, including a new principal structure supporting the proposed use. Per Colden Zoning Chapter §108, Article XX {Admin, Enforcement, Violations}, §108-108 {Certificate Zoning Compliance Required}, Article XXI {Site Plan Review} §108-113, Article V §108-12 through 19 {R-1 Single Family Residence District}, Article IX {Ag - Agricultural Zoning District} §108-36 through 43. Restrictive road frontage zoning is R-1 but proposed new principal use is in Ag-zoning. The proposed new Principal Use is an allowed principal use in Ag-Zoning under §108-36.A(20) {... *Construction and contracting business, such as but not limited to builder, electrician, plumber, landscaping and general contractor...*}. Applicant has supplied all supplemental information for consideration, including a SEQR/EAF Short Form Part 1 previously reviewed by the Colden Environmental Board on 4/2/24. The Lead Agency will process the SEQR Part 2 & 3 subsequent to the Planning Board advisory decision on this application.**

7. **Other business as may come before the Board.**

8. **Adjournment**