

H. DOUGLAS BARCLAY COURTHOUSE

1 BRIDGE STREET

PULASKI, NEW YORK 13142

March 19, 2014

The Town Of Richland Planning Board met at the H. Douglas Barclay Courthouse on Wednesday March 19, 2014.

Planning Board members present, Joe McGrath, Brian Leary, Melvyn Minot, Ron Novak and Dave Shipway. Also present CEO/ZEO John Howland and Gloria Higby Clerk. Members from the public present, Don Merritt, Joe and Tracy Lindowski, Jeff Edick, Anthony Angelo, Caitlyn Mack, Melanie and Ryan Gigliotti and Christine Goudy.

The meeting was called to order at 7:35pm by Joe McGrath.

1st order of business Application #14-03 from Joe And Tracy Lindovski at 1456 County Route 48 for a **Use Variance** to have an agricultural use in a RA Zone. The property is 2.39 acres and it requires 4 acres for Agricultural use.

Joe McGrath stated this Board is just a recommending Board and we decide if this either makes sense to us or it doesn't. The board that makes the decision is the ZBA. The controlling body on the Variance is the State Of New York and they have established pretty concrete laws and for someone to truly get a use variance is much more difficult than an area variance because you are changing the use of the property that is contrary to the zoning in that area and you have to show a hardship for that piece of property.

Joe and Tracy Lindovski came forward to explain what they wanted to do. Tracy asked if Oswego County is an Agricultural District and wanted to know what that meant. John Howland explained it to them that their land is residential agricultural. They felt that they were not asking for anything unreasonable and they were only asking for a couple of animals. They did not know about the zoning

and the four acre limit. Joe McGrath stated that the board did not want someone with less than 4 acres to bring in a whole bunch of cows. Four acres is the minimum amount of land.

And they bought a piece of land that is not 4 acres and are not allowed to have any animals. And the ZBA would have to make the decision on this matter. Tracy Lindovski felt that this was unreasonable.

A motion was made that that the Zoning Board recommends the application for a use variance. Motion made Mr. Minot and was seconded by Mr. Leary.

Roll Call – Mr. McGrath – No, Mr. Leary – Yes, Mr. Novak –No, Mr. Minot – No and Mr. Shipway – No.

2nd order of business Special Permit Application #14-07 from Jeff Edick at 536 Canning Factory Road for a Tourist Home in a RA Zone. A **SEQR** was read by Mr. Novak and signed by Mr. McGrath. A motion was made by Mr. Novak that the chairman make this a **Negative Declaration and** was seconded by Mr. Shipway.

Roll Call - Mr. McGrath – Yes, Mr. Leary – Yes, Mr. Novak – Yes, Mr. Minot – Yes and Mr. Shipway – Yes.

A motion was made by Mr. Novak to deem this application complete and schedule a public hearing and was seconded by Mr. Leary. Public hearing scheduled for April 23, 2014 at 7:30pm.

3rd order of business Application #14-05 from Ryan Gigliotti at 3174 County Route 2 for a 21" side yard wavier for the construction of a 30'x 53'garage and lean-too addition in an RA2 zone. Ryan Gigliotti stated that he would like to put a garage on an existing foundation for storage of his personal property. He stated that if they used the existing foundation they would not flood out the neighbor's property. They talked to the neighbor and he said he had no problem with it. A motion was made by Mr. Minot that the Board is in favor of a variance application and was seconded by Mr. Shipway.

Roll Call – Mr. McGrath – Yes, Mr. Leary – Yes, Mr. Novak – Yes, and Mr. Minot – Yes and Mr. Shipway – yes.

Public hearing ZBA on April 15th at 6:30pm

Renewal of 13-004 for William Garvin and Tina Goudy at 11 North Bar & Grill.
Special permit expired on February 22, 2014. (Condition of special permit)

Mr. Howland read all of the conditions and they were all met. No complaints from the neighbors.

A motion was made by Mr. Minot to approve the permit for 1 year and was seconded by Mr. Leary.

Roll Call – Mr. McGrath – Yes, Mr. Leary – Yes, Mr. Novak- Yes, Mr. Minot – Yes, and Mr. Shipway – Yes.

Application will expire on February 2, 2015.

Comprehensive Plan minutes and meeting. The Town Village Boards are having a comprehensive plan meeting on Thursday April 3, 2014 at 7:00pm. The Town Board has requested that the PB/ZBA members attend this meeting for the boards input on changes proposed to the future of the town and village. The village PB/ZBA are also invited.

Minutes January 21st joint PB/ZBA meeting. Motion to accept the minutes made by Mr. Leary and was seconded by Mr. Minot.

A motion was made by Mr. McGrath to change the meeting to April 23, 2013.

Motion was made by Mr. Leary and was seconded by Mr. Minot.

With no further business, a motion was made by Mr. Leary to close the meeting at 8:30pm and was seconded by Mr. Minot.

Respectfully submitted,

Gloria Higby, Clerk