

TOWN OF BETHANY

REGULAR PLANNING BOARD MEETING

02 MARCH 2006

Chair Bill Williams called the meeting to order at 7:30 p.m.

Planning Board Members in Attendance were:

Bill Williams, Chair	Ramon Cipriano
Jim Phillips	Dan Street

Town Officials in Attendance were:

Joyce Fleming, Councilwoman	Bill Gick, Councilman
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Attendees to the Meeting were:

Jason Haremza, G/FLRPC
Gary Schum
John Glidden, Representative to Black Creek Watershed Committee
Francis Ashley, Chair, Wind Turbine Study Committee
Geoffrey Briggs, Wind Turbine Study Committee Member
Loy Gross, Wind Turbine Study Committee Alternate

Attendees were asked to introduce themselves.

Minutes

Minutes of the February 2, 2006 Regular Planning Board Meeting were reviewed. One correction – note that Wind Turbine Committee alternates are encouraged to attend meetings but should not participate.

A motion was made by Jim Phillips and seconded by Dan Street to approve the minutes of the February 2, 2006 Regular Planning Board meeting with an addition noting that Wind Turbine Committee alternates are encouraged to attend all committee meetings but may not participate. The motion passed with All In Favor.

NEW BUSINESS

SUP0601 – Susan & Gary Schum

Application submitted by Gary and Susan Schum for the construction of an indoor riding arena on the property located at 10789 Molasses Hill Road.

ZEO Douglas was unable to be at the meeting but supplied documentation stating that no variance is required. Site plan provided by applicant shows that all setbacks are met as required by Town of Bethany Zoning Law.

Applicant was asked if it would be feasible to move the new building an additional 14 feet to the south so that there would be a 100 foot set back (50 foot side set back is required when adjacent lot is vacant). Mr. Schum explained that it would then encroach upon the outdoor riding arena and would require that that arena would then have to be moved. There is a sharp slope at the south side of the outdoor arena making this impossible.

Hours of operation were discussed. The applicants were asked to consider shortening the evening hours. Mr. Schum stated that client access would be limited after 9 p.m. but felt that there was a need to allow clients in to exercise their horses up until 11 p.m. to accommodate their work schedules.

The volume of clients was discussed. A significant increase is not anticipated. At the present time the business can only operate approximately 7 months of the year. With the addition of the indoor riding arena it will be able to operate year round.

Traffic volume, pattern and parking are not expected to change significantly and applicants will indicate parking areas on their site plan. Most clients come for lessons or training which does not generate concentrated volume. 1-2 vehicles per hour is average. Clinics would be held on a quarterly basis with about 15-20 clients and about 15-20 vehicles. These clinics would typically be held on a Saturday from 8 a.m.-6 p.m.

Current driveways are adequate for emergency access to buildings and arenas.

There are currently 8-10 horses stabled at this time. This number could increase to 10-12.

There will not be a significant change in outdoor lighting. One dusk to dawn light may be added to the barn to ease walking to the barns in the dark.

A motion was made by Ramon Cipriano and seconded by Bill Williams to recommend approval of SUP0601 submitted by Gary and Susan Schum for the construction of an indoor riding arena on the property located at 10789 Molasses Hill Road based on the information provided verbally and in writing (verbal information to be submitted in writing for the County Planning Board and the Town Board) and moving the building 14 feet to the south be considered. The motion passed with the following Roll Call Vote:

Bill Williams – Yes

Ramon Cipriano – Yes

Jim Phillips – Yes

Dan Street – Yes

Financial Effects of Wind Turbines – Loy Ellen Gross

Gave a presentation concerning the financial aspects of the wind turbines.

Noted that any restrictions in zoning, maintenance and decommissioning of the wind turbines should apply to any company that owns the turbines.

It is mandated by the state that National Grid must buy renewable energy.

OLD BUSINESS

Black Creek Water Shed Grant – Jason Haremza, G/FLRPC

Jason Haremza has reviewed the Town's Comprehensive Plan, Zoning Law and Storm Water Management and Erosion Control Law.

Provided suggestions for updating the Town's Comprehensive Plan, and Zoning Law. Felt that the Storm Water Management and Erosion Control Law was too detailed and cumbersome for the Town to use.

Provided a model suggested by the State that may be more suited for the Town's use. Municipalities are encouraged to comply with the New York State Storm Water Control but it is ultimately the State's responsibility to enforce.

Suggested that the Town encourage voluntary compliance from farmers to use good storm water management practices.

Setbacks from creeks could be considered.

Will return for April's Planning Board meeting and will provide in-service training for the Planning Board concerning Storm Water Management.

Comprehensive Plan Update

Planning Board would like to make all updates to the Comprehensive Plan at one time.

Wind Turbine Study Committee – Update

Will be first on the agenda of each Planning Board Meeting.

Have held two meetings.

Discussed the responsibilities of the committee. Are to compile facts and report to the Planning Board who will in turn report to the Town Board.

Questioned extension of moratorium due to the amount of information to review and limited time frame. Town Clerk will speak with Town Attorney David DiMatteo about the extension.

Have reviewed information that the Town has had on file and dismissed it as unsubstantiated.

Committee would like to acquire the financial statements for UPC Wind. Town Clerk will work on this.

Permitting of residential turbines was discussed.

Correspondence

Received letter from the Genesee County Planning Department.

Due to the ruling by the State Supreme Court that overturned Judge Noonan's decision that an application is not complete prior to the completion of Part II of the SEQR, it is no longer a requirement for an application to be reviewed by the County Planning Department.

Also received a copy of a letter sent to all agricultural operators in the town by ZEO Douglas.

It has come to his attention that the Planning Board must review all site plans for any construction other than single family dwellings and their accessory use buildings. Therefore, any construction of agricultural use buildings must have site plan review by the Planning Board.

Adjournment

A motion was made by Ramon Cipriano and seconded by Jim Phillips to adjourn the meeting at 10:05 p.m.

Respectfully Submitted,

Debbie L. Douglas
Planning Board Secretary