

TOWN OF BETHANY
REGULAR PLANNING BOARD MEETING

March 7, 2013

Chairman Francis Brunner opened the March 7, 2013 Regular Planning Board meeting at 7:30 pm.

Planning Board Members in Attendance:

Francis Brunner	Chairman	Ray Cipriano
Dan Street		Jeff Fluker
Tim Leary (alt. Wilson)		

Town Officials in Attendance:

Bill Gick	Councilman
Tom Douglas	CEO
Diane Fowler	ZBA

Other Attendees:

None

Opening Comments:

Bill Gick made public that Planning Board member Kennedy Wilson will resign his seat on the Board effective immediately.

Tom Douglas mentioned that a moratorium of 2 years has been enacted in Albany regarding Hydro-Fracking.

Minutes:

Minutes of the February 7, 2013 Regular Planning Board meeting were submitted for review. Dan Street pointed out an error with LS1301 on line #4 should read "There are no mergers required but, one merger is pending of parcel three with an external property". Motion was made by Street to accept the Minutes as modified and was seconded by Brunner. The Motion carried with all in favor 5 – 0.

New Business:

LS1302 - Lor-Rob Associates LLC 10171 Bethany Center Rd. E. Bethany, NY 14054

- To separate 3.18 acres from 143.1 acres
- All setbacks are compliant with zoning law
- There have been no separations in the last three years

- SEQR was read without issue
- Final Mylar Survey has been submitted

Motion was made by Dan Street to approve the Land Separation as submitted and was seconded by Brunner. The motion carried with all in favor 5 – 0.

LS1303 – Lor Rob Associates LLC 10171 Bethany Center Rd. E. Bethany, NY 14054

- To separate .09 acres from 6-1-32 and merge to 6.-1-33.1
- Mylar survey has been submitted
- SEQR was read without issue
- There have been no separations in the last three years

Motion was made by Dan Street to grant preliminary approval of the Land Separation pending the merger of the properties and was seconded by Brunner. The Motion carried with all in favor 5 – 0.

IV1301 – Ronald F. Edson 6360 Lemley Rd. Wyoming, NY 14591

- Request an interpretation for minimum dimensional criteria would be met by 6 foot porch on the full length of a 14 X 70 single wide manufactured home.
- CEO Douglas explained the circumstances in detail
- Zoning law Art. III, Sec.301, I says “residential units located on individual lots shall have a minimum outside width of at least 20 feet”. This is interpreted by the Planning Board as meaning year round livable space. Although, it does not have specific verbiage excluding porches or car ports.
- Research of prior Zoning Laws revealed that such verbiage was included previously but was not carried into the current copy.
- Zoning Law was previously updated to reflect a dimensional requirement change from 14 to 20 feet to be applied to all housing.
- The Planning Board’s interpretation is that the exclusion of porches and car ports carries forward into current zoning law.

Motion was made by Brunner that The Planning Board would recommend denial of the project to the ZBA because the minimum width of the manufactured housing does not meet criteria set forth in Art.III, 301, I and was seconded by Dan Street. The motion carried with all in favor 5 – 0.

Closing Comments:

Ray Cipriano submitted and explained proposed changes to Zoning Law section 613 regarding WECS. More discussion is needed and the topic was tabled until the next meeting of the Planning Board.

Bill Gick made an announcement regarding training available 3/13 in Bergen. Bill also submitted information from the DEC regarding Invasive Plant Species and the following information via email;

An important element of environmental protection that should not be overlooked is the increasing threat of invasive species which are prevalent throughout Genesee County. Some have been identified in the Town of Bethany, such as Black Swallow Wart in the Genesee County Park and Forest. The Japanese Knotweed in front of the Stafford stone quarry may also be present in Bethany. Giant Hogweed is also scattered about the County and possibly in Bethany. It can be very harmful if touched and can even cause blindness if it comes in contact with the eye.

Some groups are forming to identify and eradicate these plants. One called "PRISM" is composed of people from various agencies throughout Western New York. A supply of pamphlets identifying local invasive species is available at the Town Hall.

Adjournment:

Motion was made by Brunner to adjourn the meeting at 9:30 PM and was seconded by member Street. The Motion carried with all in favor 5 – 0.

Respectfully Submitted,

Tim Leary
Planning Board Secretary