

**TOWN OF BETHANY**  
**REGULAR PLANNING BOARD MEETING**  
**MARCH 04, 2010**

Chairman Bill Williams opened the March 4, 2010 Regular Planning Board meeting at 7:30 pm.

**Planning Board Members in Attendance:**

Bill Williams	Ramon Cipriano
Francis Brunner	Jim Phillips
Dan Street	Kennedy Wilson
Absentee: Dave Carli	

**Town Officials in Attendance:**

Bill Gick            Councilman

**Other Attendees:**

Bernard Schmieder PE, LS  
Pat Pietrzykowski

**Opening Comments:**

Bill Gick presented an invitation to the members regarding the GCEDC annual luncheon.

Bill Williams welcomed and introduced Tim Leary as the Planning Boards new secretary. He also thanked Planning Board member Skip Wilson for offering to do the minutes in the interim and commended him for doing an outstanding job.

**Minutes:**

Regarding Land Separation #09-03 Richard Barrie 10628 East Rd. An amendment to the January minutes was submitted that line 1 should read David S. Lamendola.

A motion was made by Bill Williams to approve the January 14, 2010 planning board minutes as amended and 2nd by Francis Brunner. The motion passed all in favor 6-0.

**New Business:**

Land Separation #LS1001 - Susan Blackburn 9778 Creek Rd. / Harold Barrie 9864 Creek Rd.

- Bernard Schmieder submitted to the board tax maps and mylar of the final survey for the merger of .119 acre of parcel 64.2 into 64.1.
- Bill Williams read and completed the SEQR without issue

- Motion was made by Bill Williams for preliminary approval of the land separation with final approval contingent upon the merger of parcel 64.2 to parcel 63. Motion 2<sup>nd</sup> by Ray Cipriano.
- Motion passed with all in favor 6-0.

Land Separation #LS1002 - Town of Bethany 10510 Bethany Center Rd.

- Exchange of property (reference LS#1003) with the town
- A letter was submitted to the board by Pat Pietrzykowski from the law office of David M. DiMatteo confirming agreement to cover costs associated with the land transfers.
- Discussion ensued around the validity of adding the 50 x 224.3' parcel to parcel 8.-1-90.2. There was concern that the merge resulted in a non conforming lot size and should be referred to the ZBA. After reviewing the zoning law, it was determined that since both the existing parcel 8.-1-90.2 and new parcel are of non conforming sizes and the new parcel is still a non conforming size, there is no violation.
- Bill Williams read and completed the SEQR without issue.
- Motion was made by Kennedy Wilson for preliminary approval of the land separation with final approval contingent upon merge with 8.-1-90.2 and 2<sup>nd</sup> by Jim Phillips.
- Motion in Favor – Williams, Cipriano, Phillips, Street, Wlson
- Motion opposed – Brunner
- Land separation approved 5-1.

Land Separation #LS1003 – Barbara Pietrzykowski 10330 Bethany Center Rd.

- Exchange of property with the town (reference LS#1002)
- Merge of approximately 25.67' x 460.35' from parcel 8.-1-2.111 to 8.-1-2.12
- Bill Wlliams read and completed the SEQR without issue.
- Motion by Ray Cipriano for preliminary approval with final approval of the land separation contingent upon merger with 8.-1-2.12 and 2<sup>nd</sup> by Fran Brunner.
- Motion passed with all in favor 6-0.

**Old Business:**

Bethany Town Hall Temporary Use Permit

- Update from Bill Gick regarding use of the old Town Hall.
- Cost of code compliance continues to grow.
- Bill met with the cemetery committee regarding the possibility of an easement of 20' to the north of the building which could prevent having to beef up the north wall to the extent previously discussed.
- A variance could possibly be obtained
- Other expenditures such as heat and electric are of concern for the vacant building
- Historical classification still under review

Route 63 & 20 Corridor

- Still no official information

Renewable Energy / Windmills

- Jim Phillips explained that changes to the home rule could be forth coming effectively forming a single rule across the state. Concern is that towns will lose voice and renewable energy companies will gain advantage. No official information.

**Adjournment:**

A motion was made by Fran Brunner to adjourn the meeting at 9:00 PM and 2<sup>nd</sup> by Bill Williams. The motion passed with all in favor 6-0.

Respectfully Submitted,

Tim Leary  
Planning Board Secretary