

Colden Planning Board Meeting

August 20, 2013

Minutes-DRAFT

Present:

Roy Bergman
Walf Kammer
George Reinhardt
Linda Kottlarsz
John Antkowiak
Ronald Fraser
David Arcara, Councilman
Gerry Pietraszek, Councilman
Annie Hoffman, Supervisor
John Kottlarsz, Code Enforcement Officer

*Approved
9/17/13*

Absent:

Richard Sheldon
Frank Hrycik

Chairman Bergman called this meeting to order at 7:03 PM. This meeting was held at Colden Town Hall, State Rd., Colden, NY.

July Meeting Minutes:

- Linda pointed out the correction to change the date from July Q6 to July 16th.
- John asked that the following change be made from "A motion to accept the recommendations of the HFC report was made but not seconded" to "After reasons were given why the special use was inappropriate and the hydrofracking report was appropriate, a motion to accept the recommendations was made but not seconded."
- A motion was made by Roy to approve the minutes with the above changes, the motion was unanimously approved.

Input Requested by Code Enforcement Officer (inserted item to agenda):

John Kottlarsz was present to ask for the board's input regarding two matters brought before him. A resident purchased property on Lower East Hill Road in 1984 and put up

a building which was considered the principal building. He now wants to put up a second building, which would be an accessory.

He also inquired about a resident that wishes to use her property for a banquet area for catering. The board confirmed that her property is in an agricultural district and stated that she would have to obtain a change of use and the proper permits from the health department. Roy suggested that it may be appropriate for her to complete a special use application.

Special Use Permits:

Roy requested that special use becomes a function of the code enforcement officer (for things such as kennels, junk yards and gravel pits) and John Kotlarsz replied that he does not have a problem with doing that.

Festival SUP:

The board discussed the letter requesting special use and the requirements for the sanitation/portable toilets and stage construction. John Kotlarsz said that he was not happy with only 2 portable toilets and John Antkowiak stated that he believes there will be more than that and will find out more after the next festival meeting. Walt asked if there is a revised site plan since the current one only shows 2 portable toilets and asked whether there was any further information regarding stage construction.

Walt motioned to consider the SUP conditionally approved. SECOND? Unanimously approved.

Hydrofracking:

Roy discussed the purpose of special use and stated that using special use would create a "foot in the door". He stated that the board has been advised by several parties that the the issue of hydrofracking is not an emergency and that we should wait for the DEC to set some regulations and decide at that time if they are acceptable to us as a town.

Walt spoke about the moratorium, and that it is justified since it would allow for the town to conduct due diligence. He asked how long a moratorium can be in place before it becomes a ban and Roy replied that it is 5-6 years and suggested that for now we should research alternatives and wait to see a draft from the DEC.

Linda stated that she would attend a workshop and hear the "other side of the story". Roy stated that one of the training sessions that Richard Sheldon is working on would provide this.

John Antkowiak stated that he feels the board is shirking its responsibilities by not seconding the motion previously and that it means we are not considering the findings of the report.

Roy asked how the board wants to proceed.

Walt reiterated that this is not an emergency and that we have time left on the moratorium. He stated that it would not be right to make a decision in the absence of Richard and Frank.

The topic will be tabled until next month's meeting.

Annie Hoffman asked where the training/workshop will be held, and Roy responded that they are trying to ensure that it takes place in Colden.

ADJOURN:

Roy motioned to adjourn the meeting at 7:50 PM, Walt seconded. Unanimous approved.