

Colden Planning Board Meeting

May 21, 2019

Planning Board
Members Present: Frank Hycik, Walt Kammer (Chairman), Linda Kotlarsz,
Peter Newsom, George Reinhardt, Rich Sheldon and Bobby Walker

Excused: George Reinhardt

Also Present: Jesse Hycik (Councilman) John Kotlarsz (Bldg. Insp/Code -
Enf. Officer), Tom Dziulko (Fire Inspector/Asst Code –
Enf. Officer) and 1 Citizen

The May 21, 2019 Planning Board Meeting was called to order at 7:02 PM in the courtroom at the Colden Town Hall.

April Minutes

The Board Members reviewed the April minutes and Peter asked to remove the last sentence under his ECRT update. Peter motioned to approve the revised minutes and Bobby seconded. Six out of seven Board Members were in favor. Rich abstained his vote because he was absent from the April meeting.

Citizen Courtesy Consultation on Potential Bread and Breakfast Site Plan & Possible Actions

Walt gave a detailed review for the Board Members pertaining to a Colden Citizen that would like to establish a Bed and Breakfast business located in Agricultural zoning. Walt explained the options the Citizen has regarding how to establish the Bed and Breakfast on the property involved. After reviewing the details with John and Tom, the decision was to speak to the Town Attorney. The concern among the Board Members is setting a precedent for future businesses. John and Tom will review the topic before giving a final decision from the Code Enforcement Officer on the proposed matter.

ECRT

Peter didn't attend the recent Colden-West Falls meeting regarding the Rails to Trails. He did receive the minutes and didn't have time to review them. Peter mentioned that the walk of the trails is still scheduled and will distribute the minutes of the meeting if anyone is interested.

Bobby's Action Items

Bobby didn't have any topics to discuss.

Rich's Action Items

Rich spoke with John and Tom before the meeting and didn't have any new updates to discuss. Linda mentioned that she attended a seminar regarding tiny houses and they are being treated as manufactured homes which are typically classified as affordable housing in accordance with NYS guidelines on the matter. There might be limits due to zoning but it wasn't clear if the houses would be banned or restricted severely in any district. Rich mentioned that the Town Board needs to review the topic with respect to the TB desires on Colden's future. Walt stated that it was on his list as discussed in recent Colden Town Board Workshop but as far as he knew there wasn't any action taken as of April. Jesse did not indicate any actions which Walt was unaware of to date.

General Update Regarding Spectrum Cable/Infrastructure Expansion for Colden

Walt didn't have any new updates.

General Update on NYSEG LED Streetlight Conversion Action

Walt mentioned that the work of converting the street lights will commence in July and one LED conversion was done near 9365 State Road when the existing unit failed.

Colden's Clean Energy Community Initiative Updates

Walt updated the Board Members that the next meeting for the Solarize Southtowns consortium will be held on May 31, 2019 for interviewing the contractor's proposals in response to the Green Springville RFP.

Prior PB Agenda items B3, B4, B5, B6, B7, B12, B13, and B14

Walt tabled these items from the Planning Board's agenda pending directions from the Town Board.

Flag Lot Cases, and do we need define flag lot viz-a-viz subdivision issues?

Walt asked the Board Members to think about the topic for the next meeting as a general assignment as this matter periodically is problematic in Colden for Code Enforcement and also certain Planning Board actions.

Zoning changes for 5G Cellular Equipment Installations

Walt provided the fee schedule attached to the agenda for the Board Members to review and stated that the fee schedule needs to be added to the code before the deadline, which the Town

Board recently did during their meetings. So this matter is now properly in the Colden Fees and Fines tabulation as maintained by the Town Clerk's Office.

Local Planning for Agriculture Training Session

Walt tabled the topic until further notice.

NYS Ag&Markets Law Regarding Actions with 500' of Parcel in Ag Overlay District

Walt is working with the County and will report as soon as feedback from ECDP is received. Their intent is to supply Colden's Planning Board, Town Clerk, and Code Enforcement Officers with a mapping tool to be used in making the determinations per NYS Ag&Mkts requirements.

New Town Business

Formal new Town business: Walt reported he didn't receive any topics as he checked with the Town Clerk prior to the Planning Board meeting.

Other Such Matters As May Come Before the Board

Walt asked the Board Members to review the fines and fees attached to the agenda before the next Planning Board meeting. Walt mentioned another topic of interest to review with John and Tom. The towers in Colden need to be tagged a database stating if it is decommissioned or active as a telecommunication tower. Clearly for towers which have been decommissioned, there would need to be additional fees due for any subsequent co-location of new equipment associated with that tower, as well as the proper permitting and inspection of such co-location activities. This will help prevent other companies adding onto existing towers that were decommissioned and confirm that proper permitting is done for any subsequent uses of that facility. We should also be more active in monitoring any subsequent co-location of additional equipment on existing active towers. The Colden Fees and Fines schedule clearly indicates that permitting is required for any and all co-locations with appropriate inspections and enforcement by Colden's CEO. At some point, Walt will review the files in the Clerk's office because co-location is a concern, and in some cases may NOT even be permitted on the existing Special Use Permit's conditions for a tower. All towers have independent restrictions and limitations so it should NOT be assumed that co-location is even permitted in the SUP!

Bobby mentioned he met a representative that has 5G knowledge and has his business card.

Walt reminded the Board Members that annual SUP inspections will be held on June 1, 2019.

Rich motioned to adjourn the meeting at 9:04 PM, and Peter seconded. All were in favor.

Submitted by: Crystal Barrett