

**Village of Hamilton
Planning Board
7:00pm
Regular Meeting of March 22, 2012**

APPROVED MINUTES

Present: Chairman Bob McVaugh; Members: Jerry Fuller, Morgan Larson, Ben Eberhardt and Ben Barrett; CEO Paul Mc Ginnis; Trustee Dominick Pangallo.

Public Present: Robert and Christy Maxwell; John Basher; Stephanie Webster, Edward Keplinger, and Jim Hartman, Focal Credit Union.

Chairman McVaugh called the meeting to order at 7:03 p.m.

Approval of Agenda: Chairman McVaugh requested to add site plan review and amplified sound to tonight's agenda. The Agenda was approved as amended.

Approval of Minutes: Regular Meeting of January 26, 2012 - A motion was made by Member Fuller to accept the minutes of January 26, 2012, as presented. The **motion** was seconded by Member Larson and unanimously carried.

Approval of Minutes: Regular Meeting of February 23, 2012: CEO McGinnis requested the word "scrubs" in sections 9 Eaton Street and Parry's Hardware be changed to "shrubs." A **motion** was made by Member Barrett to approve the February 23 minutes as amended. The **motion** was seconded by Member Fuller and unanimously carried.

Unfinished Business

10 Eaton Street Site Plan Revision-Fence Installation: CEO McGinnis has not received any new information.

9 Eaton Street, Special Permit for Parking Lot: Chairman McVaugh stated that he had a lengthy conversation with Mark Crane after he submitted plans at the Village office. The plans were reviewed by the Board. Changes were documented on the plans. Lighting looks good. There were concerns with parking so close to the sidewalk. No one was present representing 9 Eaton Street. No action was taken.

New Business

Basher Subdivision, 38 Eaton Street: Robert Maxwell gave a brief history of his purchase of a parcel behind his house, known as the orchard, and that he is unable to access this property without using a neighbor's lot. They presented plans by Rhinevault Surveyors, P.C., 35 Cortland Street, Norwich, NY, 13815, dated February 7, 2012. Chairman McVaugh stated that with this addition to the Maxwell lot, it will make it compliant with the 65' frontage law in the BT. The lines are not quite perpendicular. Subdivision law recommends lines perpendicular to the street. The reason for allowing this is that it follows the historical angle of the lots. The law seems unreasonable in this

particular case. Chairman McVaugh will accept one milar as long as both properties are accurately recorded should include full lots with the new lines. A **motion** was made by Member Larson to approve the lot line transfer under the subdivision process and that the 38 Eaton Street land be added to the 47 Montgomery Street land and to authorize Chairman McVaugh to execute the mylar once all changes have been approved by the Chairman. The **motion** was seconded by Member Fuller and unanimously carried.

Focal Point Credit Union: Plans were distributed to the Board for the proposed Focal Point Credit Union on 31 Utica Street, by Keplinger Freeman Associates, dated March 22, 2012. Mr. Hartman stated that they have a presence in this area, but not a facility. They would like to utilize the old gas station. They would like to restore it back to a 1930's gas station design. They are asking for advice and guidance as to what their next steps should be. The building is 900sq ft. Section 174.62 states a minimum of four spaces are needed. NYSDOT has seen the plans presented tonight and stated it is workable. The back lot line was questioned. The use of a sound board was discussed and will probably not be an issue. This is a B2 Zone-Commercial Use. There are no coverage issues. There are no issues with the proposed use. Drive in bank, is not subject to the 200-ft restriction. An ATM is being proposed to be on the property. Sound reduction measures were discussed. Member Eberhardt stated his concern with: car lights bothering neighbors, the signage should be in keeping with the character of the building, and cars parking on the sidewalk. Member Larson was concerned with snow storage. CEO McGinnis stated there are utility poles on the property that drainage may be an issue and pervious pavements could be an option. Chairman McVaugh stated that curbing is suggested between the parking lot and the sidewalk to protect pedestrians and allow for sidewalk plowing. Chairman McVaugh questioned the size of the parking spaces. The law states 180sq. ft. Screening for the neighbors was suggested. No special permit is needed. The DOT needs to be consulted. Code 174.47A-buffer strips, was referenced and the need for getting an area variance from the Zoning Board of Appeals was discussed.

Advisory Site Review Discussion: CEO McGinnis would like to be able to address all site plans with the Planning Board. Revising the law to include the formal requirement for this review was discussed. Having Trustee Pangallo bring a narrative to the Board of Trustees was suggested. Code 174.53 was reviewed by the Board. CEO McGinnis would like all site plans to be reviewed by the Planning Board. Code 174.53 will need to be changed. Changes to the use (RR) list will include #'s: 21, 32, 34, 41a-45a, 47, 49,50-60, 63, 64, 72a, 74a, 76a, 81, 83, 86, & 97. Code 174.53B may need to be changed. What Trustee Pangallo will bring to the Trustees is the notion that the Planning Board is extending to specific uses on the schedule, the requirement for site plan review, until the new law is passed, and all site plan reviews will be required to be brought to the Planning Board, subject to approval by Attorney Jim Stokes. A **motion** was made by Member Larson to change 174.53b "and approved by the Planning Board" text be removed and add site plan review requirements Appendix A(remove under heading RR= "for SP uses", replace with "see 174.53B") Schedule 1 to #'s: 21, 32, 34, 41a-45a, 47, 49,50-60, 63, 64, 72a, 74a, 76a, 81, 83, 86, & 97. The **motion** was seconded by Chairman McVaugh and unanimously carried.

Amplified Sound: Chairman McVaugh made a **motion** to provide this advisory statement to the Board of Trustees: It is the judgement of the Planning Board that property in the residential zone would normally not have more than two amplified sound events per address in any twelve month period. The **motion** was seconded by Member Barrett and unanimously carried.

The next meeting will be **April 26, 2012**, at 7:00pm, at the Village Courthouse.

There being no further business to come before the Planning Board, Member Larson made a **motion** to adjourn. The **motion** was seconded by Member Fuller and unanimously carried. The meeting was adjourned at 9:40 p.m.

Respectfully submitted,
Kim Taranto