

Planning Board / Town Board
February 4, 2010

At a Regular Meeting of the Planning Board of the Town of Cambridge, duly called and held the 4th day of February 2010, 7:30 at the Town Hall, the Town Board also attended for a joint meeting the following were present:

Planning Board : Eric Pearson, Danny Thomas, Earl Horton, Gerald Moppert, Charlotte Banzhaf, Stuart Ziehm, Mark Rogers, Sally Beelen Eddy clerk to the Planning Board

Town Board : Supervisor William Watkins
Councilman Ted Berndt
Councilman Alan Davis
Councilman Frank Ziehm
Councilwoman Catherine Fedler

Others present: Heather Greenawalt Town Clerk, Scott Keller, Gloria Kelley, Gerald Skiff, Dan Schmitt, Rani Bass, Nancy Maebus, Chris DeBolt, Leah Everhart (Representative of Miller, Mannix, Schachner & Hafner, LLC.) Robbie McIntosh

Charlotte Banzhaf motioned, seconded by Gerald Moppert to approve the minutes of the January 7th meeting of the Planning Board.

Communications

Eric Pearson reported no communications, Sally Beelen Eddy Clerk to the Planning Board was asked if there was any communications through her and she responded that there were no request of subdivisions.

New Business

The Town Board was present at this meeting to discuss the future of the Town. Supervisor Watkins questioned Eric Pearson about a lot that was subdivided in the town because the town has no minimal lot size this lot is very small. Eric Pearson corrected the Supervisor in saying that the lot that he is referring to is part of another parcel. What Supervisor Watkins wanted to point out is that we have no subdivision rules. We need some rules and regulations. We need a master plan for the Town and this doesn't have to be a Comprehensive Plan, just subdivision rules so that we can control development. As long as there is ample room between the well and septic there is as of now no rules about minimal lot size. The question was asked by Councilman Ziehm doesn't NYS have guidelines to follow referring minimal lot size. Chris DeBolt stated at this meeting that with the NYS Building code setbacks it is not unreasonable to see .125 of an acre as a standard lot size with a well and septic. Councilwoman Fedler inquires of the Planning Board what new rules they would like to see instituted. The Chair of the Planning Board Eric Pearson states that they have to be careful because of the situation with Comprehensive Plan, and there is not a lot that you can do without zoning. Chris DeBolt did mention that if you institute zoning that the Town must by law have a zoning review of appeals.

Leah Everhart a representative from the law firm Miller, Mannix, Schachner & Hafner, LLC. who specifically deals with planning, zoning and municipal representation attended this meeting she states that the difference between the planning board and zoning is the

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appeal determination. When it comes to planning board and site plan review there is a lot of gray area there. The planning board has much more authority than zoning of appeals this board is very limited and can only ask for leniency. Leah Everhart states that a town can have ordinances for different things it doesn't have to adopt zoning because once you have zoning it's a restriction. Zoning Board of Appeals may divide a town and create hard feelings. The Town doesn't have to have a single document it can have a Master Plan and this could be as simple as where you see the town in the future. Good planning requires you to think ahead. The town of Argyle was referred to as an example they adopted Zoning with one administration and the public was very unhappy so when the Town Board came up for re-election they were all voted out and the new administration revoked the law.

Robbie McIntosh handed out pamphlets about a zoning ordinance in the Town of Alstead, New Hampshire that was adopted in March 14, 1989. He states that this pamphlet illustrates that zoning can be simple this pamphlet is only 7 pages and is worded in easy language. Eric Pearson recommends that we look at what other towns have around us and then go from there. Leah Everhart questioned what the evil was in this town that zoning is going to fix, what problem are you as a town trying to address? Many people in the Town that were present voiced their concerns about some Junk Yards in the community. It was then made known to the people by Leah Everhart that Junk Yards are regulated by a state statute. The town can pass a law regulating Junk Yards in the Town of Cambridge. Scott Keller questioned then what if the town adopts this law and the Junk Yard doesn't comply? It was then made known that a performance bond must be purchased and this bond will be the Ordinance Security Bond to force the Junk Yards to comply.

It was suggested that the Planning Board look over the regulations that already have been adopted by this Board. Once this is done Gerald Moppert questioned what the vision for the town is does the town want to control development or not, do they want ridge top development, hillside development, site plan review, set back provisions. It was brought to the attention of the Board that when doing site plan reviews reasonableness is always the key.

Councilman Berndt suggested to Supervisor Watkins that the Town Board put site plan review on the agenda for the March 8th meeting and also to invite the public to talk about where to go from here and what everyone in the town wants.

It was also suggested that the Planning Board make recommendations to the Town Board of what they need for site plan review and the Town Board deal with the Junk Yard situation. Everyone had agreed that they don't want something to happen like with the Comprehensive Plan, that communication is the key here. It was agreed to start with the basics and expand upon the unforeseen, things can be added as they go along.

There being no further business before the Board, the meeting was moved and carried to adjournment at 8:50 PM.

Respectfully yours,
Heather Greenawalt-Town Clerk

Heather A. Greenawalt