

**Town of Urbana
Planning Board Minutes
January 6, 2009**

Board Present	Randy Robinson	Chairman
	Betty Fitzpatrick	Board Member
	Jim Mitchell	Board Member
	Andy Mazzella	Board Member
	Mike Adams	Alternate Board Member
Public Present	Carly McConnell	Recording Secretary
	Delia Stull	Fred White
	Mike & Jill Regan	Luke Kelly

Public Hearing: Reopened 7:09PM

The Board reopened the Luke Kelly public hearing from October 7, 2008 meeting. The Board held a discussion with the applicant. The file contains a letter from Terry Debuck, Watershed Inspector stating that a permit was issued for the applicant on December 1, 2008 from Kwic Watershed Manager, Paul Bauter.

Public Questions/Concerns: None present

Board Questions/Concerns: None

Public Hearing: Closed 7:12PM

Regular Meeting: Opened 7:12PM

A. Minutes:

- a. Minutes were reviewed from the regular meeting on December 2, 2008. Mr. Mitchell made a motion to approve the minutes of December 2, 2008 as submitted. Seconded by Mr. Adams.

B. Annual Re-Organization of Board:

- a. Board reinstated Randy Robinson as Chairman and Norm Hann as Co-Chairman.
- b. Mr. Adams will not longer be an alternate member of the Planning Board. Mr. Adams has accepted a new position on the ZBA Board.

C. Old Business:

- a. Snug Harbor – Mr. Tompkins and Mr. Wilson were not present at the meeting. Mrs. Stull addressed the Board with her concerns for the location. She provided the Board with:
 - i. Pictures of Snug Harbor from the past & present
 - ii. Advertisements for the Snug Harbor in the Shopper
 - iii. Pictures of garbage spilling out of out the dumpster
 - iv. Police reports
 - v. Notice of decision form the ZBA from November 1, 1993; for the Snug Harbor
 - vi. Pictures of the septic system.

Mrs. Stull indicated that the alarm system goes off in the middle of night; when guest open certain doors. The alarm typically goes off for 45 minutes to an hour before they arrive to turn it off. Mrs. Stull also indicated that they have seen employees pouring hot water into the septic. Chairman, Robinson looked into some of the issues that were raised from Mrs. Stull's letter.

- i. Occupancy – Chairman contacted Mr. Debuck and requested in writing for Mr. Debuck to determine the maximum occupancy in writing before 1998 and the current rate. Chairman, Robinson also requested Mr. Debuck to make a determination and to certify if the current facility is in complaint with NYS Fire Code. The Board currently has not heard back from Mr. Debuck

- ii. Department of Health – Any issues regarding the Department of Health will have to be brought to their attention and they would have to observe it.
- iii. Septic System – Any concerns would have to be directed to the Department of Health. Chairman, Robinson spoke with a Mr. Clauses at the Department of Health, who indicated that any compliant would start an investigation. During a normal work week some one would be sent out with in 24 hours of the complaint to investigate. The Board provided Mrs. Stull with a contact name at the Department of Health.

Mr. Regan, a concerned neighbor was also present. Mr. Regan provided the Board with a copy of his house appraisal when he purchased his residence in 1993 And a letter from Realtor Mark Malcom; regarding the impact Snug Harbor has on his property value. File contains both letters.

- b. Luke Kelly – Applicant is waiting for septic approval.
 - i. SEQR Short Form Part II Completed
 - a. Mr. Mitchell made a motion based on the information and analysis and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts and provide attachments as necessary, the reasons supporting this determination. Unlisted classification. Seconded by Mr. Adams. Roll Call Vote: Mitchell-aye, Mazzella – aye, Adams-aye, Fitzpatrick-aye, Robinson-aye.
 - ii. Findings: Mrs. Fitzpatrick made a motion to approve the following findings. Seconded by Mr. Mazzella. Roll Call Vote: Mitchell-aye, Mazzella-aye, Adams-aye, Fitzpatrick-aye, Robinson-aye.
 - a. No negative environmental impacts found-SEQR, unlisted classification.
 - b. Application complete.
 - c. Applicant has agreed to provide a copy of 2008 paid tax receipts for the file.
 - d. KWIC and Local approval of wastewater disposal system providing the structure does not exceed a total of **two** bedrooms.
 - e. CEO-DeBuck classified the project as a “remodel.”
 - f. No variances required.
 - g. M239 referral received from the County Planner with no negative comments.
 - h. File contains signed, stamped engineered plans of the proposed construction.
 - i. No negative comments at the Public Hearing
 - iii. Mr. Mitchell made a motion to grant approval for Site Plan # 2008-057 with the following condition:
 - a. Upon completion of the project, Dave Iocco, P.E. shall certify in writing the project was completed in accordance with plans submitted and approved on January 6, 2009. The Planning Board shall be notified of the project completion. **No Certificate of Occupancy shall be issued until said document is received and placed in the applicant’s permanent file.**

Seconded by Mrs. Fitzpatrick. Roll Call Vote: Mitchell-aye, Mazzella-aye, Adams-aye, Fitzpatrick-aye, Robinson-aye.

D. Motion to Adjourn:

- a. Mrs. Fitzpatrick made a made a motion to adjourn the meeting. Seconded by Mr. Mazzella.
- b. Meeting adjourned at 8:55PM

Respectfully Submitted,

Carly McConnell
Recording Secretary