

Minutes of the Sandy Creek Regional Planning Board
Wednesday, September 1, 2021
Sandy Creek Town Hall

Members present: Larry Rice, Frank Dixon, Richard Machemer, Pat Machemer, Bill Joyce, Sybil Cummins and Shirley Rice

Others present: Ross Rabetoy II, Tina Miller, Janice Miller, Gretchen Digby, Odett Ferguson, Vera M. Gregory, Casey Bright, Kaitlyn Bright, Joanne C. Blair

Chair Larry Rice called the meeting to order at 7:00 pm and opened the Public Hearing for Ross Rabetoy and Finishing Touch 2.

The Board members introduced themselves and Mr. Rabetoy was asked to come forward to explain his proposed project and to answer questions from the assembly.

Tina Miller, a neighbor behind the proposed project, enumerated her concerns at length. She wanted to understand about the rental units that are proposed and would there be campsites on the property. Mr. Rabetoy assured her that this was never a part of the plan. Ms. Miller was very concerned for the privacy of her home, the amount of traffic that the project would create, the already large amount of truck traffic on County Route 15, and that there had been in the past a great deal of trash about the property and lawns unmown and that the house remained in a state of disrepair. Mr. Rabetoy tried to assure everyone that his business would be kept neat and tidy, that the majority of the trailers he would be working on would be inside the building, that the traffic generated by his business would be minimal and invited all attending the hearing to go to view his home in Mannsville to appreciate his ability to maintain his home and yard. Ms. Miller asked the Board if it would delay the decision process to contact the County Highway Department to see if they are aware of the amount of traffic on County Route 15. Bill Joyce explained that as the County had an obligation to review all of the Site Plan materials any concerns from the Highway department would have been conveyed to the Board prior to the Public Hearing. No such concerns were made to the Board. Further, as the traffic lighting that was installed recently at the intersection of Route 3 and Route 15 must have included detailed research concerning the amount and type of traffic on Route 15, certainly the County would be extremely aware of the situation. As to privacy, a discussion about constructing a privacy fence followed. The cost of requiring such a fence would be exorbitant, and not a condition which the Board felt was warranted.

Mr. and Mrs. Bright, neighbors on the opposite side of Route 15, expressed their concerns about lighting for the property. Currently, the property owner, Mr. Carl Graf, has a light for security purposes on the side of the building facing Route 15. Mr. Rabetoy assured them that the bulbs for this light were in the process of being changed to accommodate their concern.

There followed a general discussion which repeated the concerns about the amount of traffic currently and to be generated, if there were an appeal process concerning the decisions made by the Planning Board and general privacy. Bill Joyce stated that it may be possible to appeal any decision to the Town Board, or perhaps to the County. As the property concerned has two curb cuts for ingress and egress there is less likelihood that any traffic generated will be onerous. Also, that the sight lines for ingress and egress are generous in either direction. It was made clear that the Board had no input concerning the potential to change the speed limit in the immediate area. The Board invited those assembled to work through their County Legislator, the County Highway Department, The County Planning Department and any other agency that may be able to look into the situation further.

With no further questions or input from the public, a motion to close the hearing was made by Pat Machemer and seconded by Shirley Rice. By unanimous vote the motion carried and the Public Hearing was closed at 8:20.

Larry Rice then opened the regular meeting. It was agreed to begin deliberations for the Rabetoy project immediately.

The three areas of discussion were the lighting for the sign to be built in the front of the property, the issue of privacy and the traffic concerns. Mr. Rabetoy agreed to light the sign internally in order to minimize the amount

of light created. The Board made it clear that they would not impose the expense of a privacy fence on the project and reminded everyone present that if any portion of the Site Plan submitted, if approved, were violated, that a report may be made to CEO John Howland by whomsoever for investigation. The lack of input by the County with concern to the traffic situation leaves the Board satisfied that this project will not create any unreasonable increase in hazard given the minimal amount of new traffic to be generated.

The County had provided a letter from their 239 Review that made two additional points for the Board to consider. The first concerns placing any parking spaces within the right of way of County Route 15. A condition was agreed upon that no parking may occur within this R.O.W. The second recommendation was to put on the plan the access for the "Excess Storage Parking" and to define the surface type of this area. After the lengthy discussions concerning privacy during the Public Hearing, Mr. Rabetoy agreed to remove in its entirety the area designated as the "Excess Storage Parking" from the plan. A note was placed on the original map of the plan to this effect.

With no further concerns from the Board, a motion to approve the Site Plan was made by Richard Machermer and seconded by Frank Dixon. By unanimous vote, the motion was passed. Paperwork for the Document for Decision was completed and shall become a part of the permanent file.

Larry Rice made a motion to accept the minutes of 8-4-21 as presented, seconded by Shirley Rice. All voted in the affirmative and the motion was passed.

Secretary/Treasurer Bill Joyce provided a Treasurer's Report showing salary checks in the amount of \$92.35 for Richard and Pat Machermer, Larry Rice, Shirley Rice, Sybil Cummins and Frank Dixon. A salary check for Bill Joyce was shown to be \$438.66. Lastly, there was a check for payment of EFTPS in the amount of \$164.48. The Account balance is currently \$8707.48. Sybil Cummins made the motion to accept the Treasurer's report, seconded by Larry Rice and the motion was passed by unanimous vote.

Correspondence: Items included were: The summer issue of Rural Futures from the NYS Legislative Commission on Rural Resources; the 2020 Annual Report from the New York Municipal Insurance Reciprocal; the minutes of the meeting of the Town Board dated July 14, 2021.

A discussion of upcoming business before the board followed. The Nexus Renewables solar project proposed for the Village of Sandy Creek has been postponed until further notice. At this time, it is unknown when they will be returning to discuss this project further. Bill Joyce asked if a Board member might be able to attend both the Village Board meeting and the Town Board meeting on September 8, 2021 in order to present the Planning Board By-Laws update for their approval and signature. No Board member was available for this task. Bill Joyce stated that he would request the Village Board to sign three copies of the By-Laws and that he would collect them and submit them to the Town Board at a future date.

The Treasurer provided members with a copy of the proposed budget for the Planning Board for fiscal year 2022 which will be submitted to the Town Board on September 8, 2021 and to the Village Board at their meeting in March, 2022. There was no further discussion concerning the proposed budget.

The planned NYS Sexual Harassment Training was postponed to the October meeting of the Board.

With no further business before the Board, a motion was made by Larry Rice, seconded by Frank Dixon to adjourn. The motion was passed by unanimous vote and the Board adjourned at 9:25 pm.

Respectfully submitted by Recording Secretary - Sybil Cummins