

Town of Smithville
Planning Board Meeting Minutes
October 3, 2018

Planning Board Chair, Shane Butler, called the Planning Board Meeting to order at 7:00 p.m.

Planning Board Members: Chair, Shane Butler, Robert Brooks, Adam Whitbeck, Pamela Holcomb, and Julie Hatfield

Planning Board Members Absent/Excused:

Others in Attendance: Lori Eaton, Planning Board Clerk, Allison Owens, Town Clerk, Lorraine Buckley, Tim Tuttle, and Matt Tuttle

Review and Approval of Minutes: A motion to accept was made by Adam Whitbeck and 2nd by Julie Hatfield.

New Business:

- Mr. Tim Tuttle addressed The Planning Board regarding the Road Use Agreement. Mr. Tuttle has been logging on Hammerle and Stone Quarry Roads and did not know about needing a permit until he received a letter in the mail. It was then that he learned of the \$25.00 fee per job. Mr. Tuttle later learned about the option of paying \$100.00 fee per year, which he believes makes more sense. However, Mr. Matt Tuttle questioned whether the year started at the job's inception or at the beginning of the year. Town Clerk Owens said the issue of pro-rating the fee was discussed with the Town Board, but the Town Board agreed that the fee should start at the beginning of the year.

- Mr. Tuttle pointed out that he buys logs from independent loggers who may use other lumber companies (such as Baillie's and Gutchess) and wondered whether those lumber companies would also be required to pay the fee. More importantly, Mr. Tuttle is concerned that if he pays the fee, that he would be responsible for possible damage done by others.

-Although Mr. Tuttle has no problem paying the fee, he questioned what that money was used for. Mr. Brooks informed Mr. Tuttle that Smithville worked with Mr. Bowman to create this law. Mr. Tuttle pointed out that his \$100 fee is not enough to fix the road in the event of any damage.

- Mr. Tim Tuttle believes the Road Use agreement should apply to farmers who spread manure, who use big rigs for harvesting crops, and who use sap trucks in the springtime. Chair Butler stated that NYS Ag & Markets is exempt. At this point, Mr. Matt Tuttle stated that "they" are tax exempt, as well, "but a lot of people don't know that.

-Mr. Matt Tuttle also stated that if businesses delivering logs being used as a heat source have to pay the fee, then shouldn't businesses delivering fuel pay as well? He added that perhaps if the Highway Superintendent notices a stack of logs, he should contact the landowners.

-Mr. Brooks believes that the Highway Superintendent should investigate any loggers operating without a permit and make them aware of the Road Use Agreement. Mr. Brooks, Mr. Whitbeck, Mr. Butler, and Mrs. Holcomb proposed sending a letter to all area residents making them aware of the Road Use Agreement requirement.

Lorraine Buckley addressed the Planning Board regarding three issues: 1. A previous phone call with Chair Butler pertaining to merging four acres with one acre upon county approval. 2. Bringing in a single wide (or possibly constructing a new building) on two lots that share an existing well and septic. 3. Dividing a piece of property jointly owned by Mrs. Buckley and her sister. Chair Butler informed her that these matters were subject to Smithville's Site Plan Review Law which can be found at <https://smithvilleny.com>. He also advised her to download the short form of the State Environmental Quality Review Act.

Old Business

- Chair Butler will be removing the Noise Ordinance issue from the next agenda.
- No further information regarding Town Board Meeting Updates.
- Adam Whitbeck proposed a need for further evaluation of The Road Use Agreement.
- Pam Holcomb discussed whether all homeowners should receive a letter regarding the Road Use Agreement, or sending the letter only to the bigger companies. Adam Whitbeck volunteered to get a list of company names. Chair Butler said that the Town Board has to authorize such a letter. Mrs. Holcomb proposed having Smithville Highway Superintendent, Tracy Oliver, attend the next Planning Board Meeting, and that this issue needs to be brought up at the next Board Meeting. Chair Butler agreed and made a note.

Adjournment: 7:34

Respectfully submitted,

Lori Eaton
Planning Board Clerk

Next Planning Board Meeting is November 7, 2018 at 7:00