

**TOWN OF SMITHVILLE
PLANNING BOARD MEETING MINUTES
WEDNESDAY, MAY 5, 2021**

Call to Order: Chair Shane Butler called the meeting to order at 7:00 p.m.

Planning Board Members Present: Chair Shane Butler, Dakota Warren, Fred Heisler, Jr., Donna Marie Utter, Clerk.

Planning Board Members Absent: Bob Brooks and Marie Kehl

Others in Attendance: John Cammarata, Supervisor

1. REVIEW/APPROVAL OF MINUTES:

- Approval of the March 3, 2021 minutes was tabled until the next meeting as copies of the minutes were not available for members' review at the meeting.

NEW BUSINESS:

- **Site Plan Review:** Chair Butler has been contacted by a couple who own 32 acres on County Road 3, who currently live in Florida, but are interested in subdividing the property into 3 parcels. The property will be surveyed this week and then the information regarding parcels sizes will be emailed to Chair Butler and it is anticipated that the site plan will be submitted in time for the June meeting.

- Board member Heisler asked what the guidelines are for subdividing.

- Chair Butler stated that there are no major parameters regarding acreage other than the driveway needs to be at least 30 feet wide to accommodate emergency vehicles.

- **Comprehensive Plan:** Chair Butler stated that the Comprehensive Plan dated October 2017 needs to be amended regarding the Cincinnatus Lake dam as it states that "the Town of Smithville is responsible for dam maintenance..." which is not the case.

- Supervisor Cammarata stated that in researching the town's responsibility regarding the dam, he found that when the Cincinnatus Lake Watershed District was formed, the Town Supervisor at the time volunteered the Town to weed-eat and mow the dam spillway. Supervisor Cammarata talked to attorneys involved in the transfer of the property and checked abstracts of title at the County Clerk's office and there is no mention of the Town of Smithville regarding the dam and therefore, the Town has no responsibility related to the dam.

- Motion made by Board member Heisler, seconded by Board member Warren, to amend the Comprehensive Plan of the Town of Smithville dated October 2017, Section 2.6.1.4 Cincinnatus Lake – Second to last sentence – remove "The Town of Smithville is responsible for dam maintenance" due to the lack of any mention of said responsibility

in any abstracts of title on record for said property. All members voted “aye”, motion carried. This action may require adopting an addendum to the current Comprehensive Plan which would also require a Public Hearing.

- Chair Butler suggested that the 5-year mandatory review of the Comprehensive Plan should take place after the 2020 census information is available.

Need to form an association and then charge a yearly due – and then funds will be available to repair the dam.

- Board member Heisler stated that it will be important going forward that the Comprehensive Plan is reviewed closely to catch any other areas that may need additional research before including in the plan.

- Chair Butler commented that such a review could be done by the Planning Board or the Town could hire someone to review the entire plan.

- **Sales Tax:** Supervisor Cammarata stated that he received the first quarter sales tax check from the County and that it was \$144,000 less, which was deducted and sent to help hospitals in NYC.

- **Refuse Disposal Law (Junk Yard):** Supervisor Cammarata shared a copy of the Refuse Disposal Law for review and any potential revision recommendations by the Planning Board. He stated that he is receiving 3-4 calls a week regarding violations of the law. According to the law, only 2 unlicensed vehicles are allowed on any property. Bruce Kinney is the Enforcement Officer. There are approximately 25 properties that need to be cleaned up.

- Chairman Butler stated that the law looks good, other than the fines may need to be increased and should probably be listed on the fee schedule and not in the law.

- Board member Heisler stated that if there is no enforcement, the law doesn't do much good.

- Motion made by Board member Warren, seconded by Board member Heisler, recommending that the Refuse Disposal Law be enforced to determine if any adjustments in wording need to be made. He further suggested that the Town Board review increasing the fines imposed for violations of the law. All members voted “aye”, motion carried.

3. OLD BUSINESS:

- **Broadband Grant:** Chair Butler announced that we did not get the Broadband Grant. However, we are applying for a grant through stimulus funds for low to moderate income municipalities. One of the requirements is that the municipality has to have 51% of its residents below the standard poverty level and Smithville only has 42%. The application has been adjusted to include the Norwich to increase the percentage of residents to meet the 51% number. The grant is for 2 million dollars.

4. ADJOURNMENT:

- There being no other business to come before the Planning Board, Chair Butler adjourn the meeting at 7:59 p.m.

Next Planning Board Meeting is Wednesday, June 2, 2021 at 7:00 p.m.

Submitted by: Donna Marie Utter, Planning Board Clerk