

**TOWN OF SMITHVILLE
PLANNING BOARD MINUTES
WEDNESDAY, AUGUST 2, 2023**

I. CALL TO ORDER: Board member Kehl called the meeting to order at 6:32 p.m.

II. ATTENDANCE:

Planning Board Members Present: Marie Kehl, Fred Heisler, Jr., Robert Brooks, Dakota Warren, Joshua Brigham, and Donna Marie Utter, Clerk.

Planning Board Members Absent:

Others in Attendance: Dennis & Margaret Smith, Alison Owens, Town Clerk

III. REVIEW/APPROVAL OF MINUTES:

- A motion to approve the minutes from the meeting held on July 7, 2023 was made by Board member Warren, seconded by Board member Heisler. All members voted aye, motion carried.

IV. NEW BUSINESS:

1. Margaret & Dennis Smith Site Plan Review: Tax Map #188.16-1-3 located at 156 Camp Spaulding Road which is a cottage on Cincinnatus Lake. They are looking to do an addition to the bathroom at the cottage to allow for a soaking tub. A concern was raised as the addition is 4 ½ feet from the boundary line. The Smiths indicated that they have a good relationship with their neighbors and they do not have a problem with the addition.

Motion made by Board member Heisler to approve the Site Plan review pending County approval and Code Enforcement approval. Motion was seconded by Board member Brooks. All members voted aye, motion carried. The \$50 fee was attached to the Building Permit and given to Alison Owens at the meeting.

2. Burials on Personal Property: Alison Owens, Town Clerk, addressed the Board regarding the Town Board's request that the Planning Board give input regarding burials on personal property and whether or not any restrictions/ordinances should be covered under a Site Plan Review. Board members raised concerns regarding what happens to the availability to access the site if the property is sold. Options could be an easement to the burial spot which would have to be included in a deed; or, assigning the spot a separate tax map number which would require access to a road. There are currently no state laws prohibiting burials on private property. Some Towns have put in restrictions as local laws.

Motion made by Board member Kehl that if the Town Board is interested in having restrictions, that it be done as a local law with an easement to access and maintain the area and disclosure at the time of sale, but that it would not be appropriate for a Site

Plan Review. Motion seconded by Board member Brigham. All Board members voted aye, motion carried.

V. OLD BUSINESS:

1. Community Survey Results: Results of the survey were sent to the Town Board for their review and any possible input. While the Board awaits their response, a review to update the Comprehensive Plan will be completed.

2. Comprehensive Plan: The Board reviewed the first 20 pages of the Comprehensive Plan for any additions and/or corrections. Corrections previously made last year will be included. New and previous changes/inclusions are as follows with changes in **bold** type:

Page 10 – 2.3.6 **Former** Methodist Church in Smithville Center – built in 1840, **is a non-denominational and independent church**, which is still

Page 20 – 2.6.1.4 Cincinnatus Lake – **delete last two sentences referring to the dam and its maintenance.**

A review of pages 21 – 46 will be reviewed prior to the next meeting. Some things to review and possibly add based on survey results are:

*access to the Town Clerk for individuals who work during the day – possibly closing one day a week and having those hours on a Saturday.

*Code Enforcement – need enforcement, but understanding that funds to help with enforcement is an issue.

*Road conditions were one of the biggest concerns raised in the survey, however available funds is an issue.

*The state tax cap of 2%, limits the monies available to make changes/improvements.

*Solar & Wind Farms – should some restrictions be in place – end of use plan – state law would probably supersede anything the town would put in place.

VI. ADJOURNMENT: Motion made by Board member Heisler, seconded by Board member Brooks, to adjourn the meeting at 7:30 p.m.

Next Planning Board Meeting is Wednesday, September 6, 2023 at 6:30 p.m.