

Planning Board Minutes
Town of Smithville
June 12, 2019

Call to Order at 7pm by Chair Shane Butler.

Present: Chair Shane Butler, Planning Board members Bob Brooks, Pamela Holcomb, and Julie Hatfield; Alison Owens, acting Clerk

Absent: Planning Board member Adam Whitbeck

Others in attendance: Justice Jordon Lilley, Town Board member John Cammarata, Highway Supt. Vince Witkowski; also Debbie Lilley, Karen Cammarata, Debbie and Darin Mills, Ed Stone.

A motion to approve the minutes of the May meeting was made by Pam Holcomb, 2nd by Bob Brooks; all four Planning Board members present were in favor, motion carried.

Chair Butler suggested a change to the July meeting from the 3rd to the 10th to allow for the July 4th holiday. A motion to change the July meeting from July 3rd to July 10th was made by Pamela Holcomb, 2nd by Julie Hatfield; all four Planning Board members present were in favor, motion carried.

NEW BUSINESS

Resident Debbie Mills: said she had heard a rumor that Dollar General was coming to Smithville. She, as well as other people in attendance, have concerns because of the small businesses here now which would not survive.

Chair Butler said no Site Plan application has been submitted yet to the Planning Board. The company would also have to obtain permissions from Chenango County Planning Board and the State of New York (NYSDOT). Since there is no zoning in the Town of Smithville the process cannot be stopped if a business wants to come in, but some restrictions can be put in place. Due diligence will be taken into account. The Planning Board will be advised if an application is submitted.

Debbie Lilley asked if zoning could be implemented in the Town of Smithville?

Chair Butler: Yes, and current land use would be grandfathered in. The Comprehensive Plan addresses that issue.

Justice Lilley: would prefer no zoning, and no Dollar General. With having a store like that in the Community there would be security and safety issues, bad lighting, hang out for kids, it would cut business to the current store; in short it would be a detriment for the Community.

OLD BUSINESS:

Right to Farm Local Law Public Hearing Monday June 17, 2019. Chair Butler asked Planning Board members to be there.

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ROAD PRESERVATION LOCAL LAW

This had been sent back to the Planning Board by the Town Board to deal with the issue over who is responsible for damage to the road and whether to require a bond from the Contractor. Chair Butler said the purpose of the Local Law is not to drive businesses out of the Town. It is mostly attributed to logging and not for restriction of Ag & Market products.

Chair Butler asked Hwy Supt Witkowski how things were going with the Local Law as it now stands. Hwy Sup't Witkowski replied they are going well. Contractors are meeting with him and working within the guidelines of the current law. If the weather has made a road too wet to drive on they will let him know they will wait until it clears up before driving on it.

Chair Butler asked if the proposed law should be changed? Planning Board members suggested keeping a bond in place to be purchased by the Contractor but not to remove the landowner responsibility if there is road damage.

Planning Board member Bob Brooks said insurance is not going to cover the road damages and the Town will end up being liable.

Chair Butler asked if the Planning Board wanted to resubmit to the Town Board the original proposed Local Law for Road Preservation and keep the statement for damage responsibility to the property owner IF the Bond purchased by the contractor does not fully cover damage to Town roads? This was verbally agreed upon.

A motion was then made by Planning Board member Brooks, 2nd by Planning Board member Holcomb to resubmit the Local Law, changing the title to Road Preservation Local Law, and including the statement the property owner would be responsible for damages to the road if the contractor (with Bond) does not pay for said damages. All four Planning Board members present were in favor, motion carried.

There was no other business to come before the Planning Board. Chair Shane Butler declared the meeting adjourned at 7:20pm.

Submitted by:

Alison Owens, Acting Clerk