

**BOVINA PLANNING BOARD
APRIL 18, 2016
REGULAR MEETING MINUTES**

RESOLUTIONS: 2016-3 - 5

BOARD MEMBERS: Don Farley, Chris Ingvordsen, Kevin Rossley: Secretary, Ed Weber and Carrie Hewitt Choquette:
Planning Board Clerk

ABSENT BOARD MEMBERS: John Cianci: Chair

GUESTS: Kent Manuel: Del. Co. Planning Dept. Rep., Marni Greenberg: Town Board Representative, Larry Karam,
Lynne Resch and Jeff Prince

Regular Meeting was called to order by Acting Chairperson Ed Weber at 7:02 pm.

MINUTES:

2016-3 - Motion to accept the March 2016 minutes as written was moved by Farley and seconded by Ingvordsen. All in favor, 4 ayes, 0 nays.

The Board reviewed the letter to Cary Paik a resident of McNaught Hill. The Clerk will e-mail the letter to the Chairman to send. Don Farley will place a call to Paik. Ed Weber said the Planning Board can't enforce the Zoning Law that is up to the Town Board and the Code Enforcement Officer.

2016-2 – CIOLLI SUBDIVISION:

Jeff Prince was in attendance representing Frank Ciolli. Ciolli would like to subdivide his approx. 200-acres to divide out the house/barn and approx. 12-acres. His intent is to sell to NYCDEP unless another buyer is interested. He has an appraisal from DEP. The Board explained the process and that Ciolli will need to have a survey & soils tests done.

2016-3 – RESCH/LaFEVER BOUNDARY LINE ADJUSTMENT:

Lynne Resch presented the Board with her proposed Boundary Line Adjustment between herself and Susan LaFever. Resch is conveying approx. 1.76-acres to LaFever to create better property boundaries. Resch gave the Board an Application, a Representation Letter from LaFever, maps and paid the \$50 fee with check #622.

2016-4 - Motion to accept the proposed Boundary Line Adjustment as presented was moved by Ingvordsen and seconded by Rossley. All in favor, 4 ayes, 0 nays.

There was discussion on how the Zoning changes will be implemented. The Planning Board will send the changes to the Town. The Town can then ask Planning any questions, get a legal opinion, and can opt to do all or just some of the changes suggested. The Town then completes SEQOR, holds a public hearing and adopts the changes as Law. If a proposed change is in conflict with the Comp. Plan, it can be challenged. Some items in the Comp. Plan are slightly vague because things and views change over time. The Board discussed historic issues and districts. The definition for Home Occupations does not limit square footage. The Zoning Board of Appeals would deal with any definitions that are not clear. Larry Karam thought Prohibited Uses should be removed from the Schedule of Uses because if a Use is not listed it is prohibited. He stated that the Board could do so if they can find reasons to do so in the Comp. Plan or Zoning.

2016-5 - Motion to send the proposed changes to the Schedule of Uses to the Town Board for their review while the Planning Board continues to review other areas of Zoning was moved by Ingvordsen and seconded by Rossley. All in favor, 4 ayes, 0 nays.

There was also discussion on a Right to Farm Law which would be separate from the Zoning Law. The State & County both have one. A few Towns have passed their own. A Right to Farm Law is more of a mission statement and has come from areas that have more developmental pressure. It protects farmers from nuisance complaints; ie: noises, smells, common practices of farmers, etc. Karam thinks a Right to Farm Law is a very good thing for Bovina to have. Kent Manuel will get some examples of other Town Right to Farm Laws for discussion.

With no further business, the meeting adjourned at 8:36 pm

Respectfully Submitted,
Carrie Hewitt Choquette, Planning Board Clerk