

**Regular Meeting of the Great Valley Planning Board  
April 12, 2017**

Present: Chris Schena (chairperson)  
Amy DeTine  
Rick Howard  
Al Puszcz  
Jeff Ramsten  
Steve Ward

Others: Rich Rinko  
Ann Rockwell  
Aaron Tiller  
Clair Conklin

The meeting was opened by Chris at 6:55 PM with the Pledge of Allegiance.

A motion to accept the minutes of the March 8, 2017 meeting as submitted was made by Rick with a 2<sup>nd</sup> by Amy. All in favor.

Clair Conklin approached the board about zoning his 7.4 acres of vacant land (tax map no. 73.002-2-8.2) for commercial use. He wants to build a convenience store and coin shop. He has submitted the application for rezoning and said it has to be done before he can get a loan. The planning board only recommends the zoning change to the town board. Aaron said a survey will be needed. Clair stated that he will be splitting off 2.4 acres and was planning to do it at that time. Aaron said he should do it sooner because it will be needed for the site plan and when the application goes to the county. A motion for the planning board to recommend to the town board to change the zoning from AR to commercial was made by Steve with a 2<sup>nd</sup> by Rick. All in favor. Chris will give the application along with a letter of recommendation to Dan Brown.

Chris asked if there was any new business.

Steve talked about an article on cell towers he had seen in the paper. The Town of Tonawanda has put a 180 day moratorium on cell towers because in the future they will possibly be put on existing poles.

He also wanted discussion on how the board should function. It was decided that all issues should go to Chris and the board should not give their personal opinion.

He then stated that he is in the process of having the Ward farm appraised and wondering why it is zoned RR. Amy thought because when the plan was originally devised they didn't want the whole Rt. 219 to be a commercial strip.

He also asked about junk cars. Rich stated that is something he must fix. People are allowed to have 1 unregistered vehicle on their property but it can't be in a state of disrepair. Anybody in violation must be taken to court.

There was some discussion on solar panels. The planning board can only recommend changes to the town board. The town board can change the law.

It was asked why the state has been doing so much surveying and it is because they are setting white flags for a fly over for a Rt. 219 plan.

Rich talked about a problem with the Dan Schrantz property on Eagle Dr. He built 2 houses on his approximate 8 acre lot which he intended to split into lots when one of the houses sold. The house sold and when the parcel was split it ended up with 1 acre instead of the 2 acre minimum. The surveyor did not follow the zoning law and it was not caught by either the attorney or the county. Aaron stated that all attorneys are aware of the 2 acre minimum rule. Mr. Schrantz has a hole in the ground and is ready to start building another house with the split to be done again when the house sells – there can be up to 4 subdivisions within a 3 year period. Rich has not yet issued the building permit for the next house. The board wasn't sure if they could have Rich hold up the permit until the 1 acre lot was made right and they want an opinion from the town attorney. Aaron told Rich to get the site plan to be sure of setbacks. Aaron said the 1 acre lot has to be fixed or a variance has to be granted. The planning board wants Mr. Schrantz to come to the meeting next month so the 1 acre lot can be fixed.

Rick stated that work has begun on the cell tower and it has turned ugly. There are no stakes where trees can and can't be cut and has been clear cut back to the tower. The DEC had to be called in because of brush burning while a burning ban is in effect. He has been told he can't go after Halloran or Horvath so his only recourse would be to sue the town so he may be resigning from the board. Steve asked if the agreed upon paperwork had been filed with the county and Rick said his lawyer was not aware of it being done. No cutting should have started until a map was filed with the county and the area was staked. Rick asked that a copy of the Notice of Decision for the cell tower be sent to his lawyer at Attea & Attea. Chris asked Rick why he would sue the town and Rick said that there was a breach of contract by cutting the trees.

Rick moved to adjourn at 8 PM with a 2<sup>nd</sup> by Al . All in favor.