

**Regular Meeting of the Great Valley Planning Board
Zoning Board of Appeals
December 13, 2017**

Present: Chris Shena (chairperson)
Amy DeTine
Al Puszcz
Don Roll

Others: Rich Rinko
Aaron Tiller
Becky Kruszynski
David & Lisa James
Carmen Vecchiarella
Mike Widger

The Zoning Board of Appeals meeting was opened by Chris at 7:00 PM with the Pledge of Allegiance.

David & Lisa James of 4025 Highland Ave. (tax map no. 73.004-1-3) are seeking a setback of 13.5' on their 2.7A lot so they can build a 28' x 28' garage with "man cave space" on top. The property is zoned rural residential and the setback is 20'. At the meeting of October 11, 2017 the James' were looking for a setback variance of 10'. This was tabled so Chris could contact the neighbors and the board could do a drive by. Chris heard nothing back from the neighbors. Both the James' and their neighbor have fences that are about 1' off their property lines (about 2' between the fences). David James stated that after more measuring the garage would be 12.5' from the fence and 13.5' from the property line and since the neighbors didn't respond to Chris they must not care. He also stated that in the past the board had allowed him a 4' variance for a "bump out" addition on his home. They have stamped concrete that would be 1' bigger than the garage and don't want to dig it up. The board doesn't want to go less than 15'. Aaron said the board could vote on 13.5' or approve 15' but if the board voted the James' wouldn't be happy with the results. David said he doesn't want less than 28' for his garage. Carmen Vecchiarella spoke on behalf of the James'. He stated that each property is different and the board had heard nothing back from the neighbors. David would build a 1st class building, maintain it, and pay the taxes. David said he would take the 15' but he was not happy and might not build. His neighbors have a fence and don't care what happens on his property. A motion to accept the SEQR of a negative declaration and grant a 15' variance was made by Don with a 2nd by Amy. All in favor. A resolution to allow a 15' setback was made by Amy with a 2nd by Al. All in favor.
Chris will do Notice of Decision.

Chris moved to close the Zoning Board of Appeals meeting at 7:25 PM with a 2nd by Don. All in favor.

Chris opened the Planning Board meeting.

A motion to accept the minutes of the October 11, 2017 meeting as submitted was made by Amy with a 2nd by Don. All in favor.

Mike Widger was at the meeting to represent Chris Sebastian who owns 2 parcels at the end of Partridge Hill Rd. Tax map no. 64.002-1-5.7 has 8 bedrooms and 6 ½ bathrooms which he wants to turn into an executive retreat or weekend rental. Tax map no. 64.002-1-5.6 has a 3 car garage and he would like to put a caretaker apartment above it. The 2 lots together are about 14 acres. It was noted that there is no cell service on the property. Aaron stated this would be classified as a home based business and would require a special use permit which will need a public hearing. The public hearing will be scheduled for January 10, 2018. Chris will contact the closest neighbor. Al asked if the gate to the property is always closed and Mike told the board they could walk it anytime or Mike could give a tour.

The Dean J. Eberle Management Trust wants to subdivide 4.15A from tax map no. 65.003-2-16.1. This would include the house and buildings on this side of the creek. There is a 50' easement between the Eberle and Chase properties to access the buildings on the other side of the creek. A resolution to determine this a minor subdivision was made by Don with a 2nd by Al. All in favor. A motion to accept the SEQR of a negative declaration was made by Don with a 2nd by Al. All in favor. A motion to approve the minor subdivision resolution was made by Amy with a 2nd by Don. All in favor. Chris will do Notice of Decision.

Susan Perreault wants to subdivide tax map no. 64.002-1-27.1 into 121A and 20A. There would be a private driveway access agreement. A resolution to determine this a minor subdivision was made by Amy with a 2nd by Al. All in favor. A motion to accept the SEQR of a negative declaration was made by Amy with a 2nd by Don. All in favor. A motion to approve the minor subdivision resolution with the condition that the private driveway access agreement be a part of the deed was made by Don with a 2nd by Chris. All in favor. Chris will do Notice of Decision.

Rich gave an update on the cell tower. He said that each time he talks to Horvath he gets a different person. The cell tower is up and powered but there is no certificate of completion. He asked if it is OK for the tower to run without the certificate. Aaron told him he can't stop it but to send a letter. Rich also stated that the site work is not done. There is a new site contractor, Matt Schumacher, who has moved dirt to create the berm for the trees. He contacted Rich and said he has the trees in cold storage but he has to warranty the trees for 1 year so can he wait until spring to plant them. Also, there is a gate in the plans from the access road to Tim Halloran's property. National Grid and Tim decided on no gate. Rich doesn't know if Rick and Kate Howard want the gate. The tower is secured with a fence. Chris asked if there is no gate is a variance needed. Aaron advised to ask the attorney. Aaron told Rich that it is not his job to enforce the road condition that it is between the 3 landowners. Rich will check on the light on the top of the tower. Aaron told Rich to get a list of anything different from the plan and put it in a letter to Horvath. Amy said that Kate Howard had contacted her about the 2A buffer of where trees can and can't be cut. Rick Howard would like to see stakes in the ground. It was stated that most of the cutting was done before approval and staking wasn't required. Rich will request staking in the letter.

Don moved to adjourn at 8:13 PM with a 2nd by Amy. All in favor.

The next scheduled meeting is January 10, 2018.