

Town of Catharine
Town Board Meeting
June 21, 2016

Members present: John VanSoest, Supervisor; Councilmen: Ronald Hoffman, Wayne Chapman, C. Michael Learn, Glenn Bleiler; Highway Superintendent William Morgan; Code Enforcement Officer Harold Russell; Guests: Larry Reynolds, Jamee & Heath Mack, Mike Burns, Chris Connolly, David Burke, Roxanne Leyes, Barb Halpin, Greg Ray, Joe Allen, Jim Shaddock, Adriel Mourey, Albert Roy, Alan Hurley, George Roy, William Campbell II, Daniel Hubbell, Matthew Roy, Shane VanDyke, Kristin VanHorn, (one name unreadable)

Public be Heard: John welcomed everyone and told everyone that they would have 4 minutes to speak on the Proposed Zoning Law if they wished. This is a regular board meeting and nothing will be decided tonight on the zoning. We will set a public hearing date later on in the meeting. One point wished to make was that if you have substance about the zoning law, we would prefer it be in writing to enable all the committee members read the comments.

Barb Halpin: Won't speak to the zoning law, but wanted to let us know that the legislature passed a local law that reconstituted the EMC (Environmental Management Council). The "new" council will have term limits, more members who will be appointed members from each town. The County did not allow for separate members from the Villages, but a Village resident can certainly be the Town Representative. It is suggested that Towns with Villages get together to see if there is someone interested in serving who lives within the Village.

Greg Ray: Concerned with some of the things on the zoning law--300 sq ft. for a building--he is concerned that it can be snuck in on farm land. Septic system have to be away from the property lines also has to be 100 ft from neighbor's wells too. He has some concerns about the rural ag zone and ag zone. Maybe have different size lots--anything less than 2 acres isn't good. He has more to talk about but will write the comments down and submit them. John talked about the size of the house--tiny houses are the upcoming thing. If a farmer wanted to build 30 of the tiny houses, he couldn't as only one per lot is allowed. If he wanted to subdivide the land he can do that, but would have to go through the sub-division process. Septic systems by NYS law have to be 100ft from wells. Alpine will be a Rural Neighborhood zone. John said that there are other things that we can work on.

Harold Mayo: Owns 2 properties in the town--he has a problem that there are more and more stipulations on property that he pays taxes on. It infringes on his right of life, liberty and the pursuit of happiness. He doesn't like being told what he can do with his land when he pays his taxes. John asked if he was aware that we have zoning in our town already. He stated that his property is maybe not the cleanest, but it's safe. John explained that it's a democratic process. Harold commented that it's not a democratic process when the same people serve on 3 committees--that is not checks and balances. Glenn explained that we thank people for being here, but that we have had public hearings and that there will be more. Currently, there has been things that have taken years to get things done. We have no intent to remove the right to appeal. Everyone has a difference of opinion on interpretation. We are all different.

John explained that these 5 people did not sit down and come up with this zoning law. We heard from the community back in the very beginning. He believes that those working on this have done it with the best of intentions.

Albert Roy: He feels that we are doing an injustice to our community by only taking 8% of the public input to draw up this law. John explained that we did surveys and that we had public outreach sessions. The 8% is the number of people who responded to the written survey. It isn't the town boards policy to adopt things that are glaring discrepancies in them. Kristen explained the number differences is the town and then the town/village together. When this process started, Tim Hicks tried to get the village and town to work together, but the village chose to work on their own. In regards to the rural neighborhoods did anyone check to see how it's going to fit and how it would affect the people. He had a map that would show who could make changes and those who would have to go through a bureaucratic process. John reminded people that nothing is set in stone as yet. If the law was adopted, there is a process for appeals. The idea of setting up this process is to not prohibit things. Albert asked why we would want to add a secondary use for handicap ramps. Again John asked that suggestions be in writing. Glenn stated the he will check on the handicap ramp issues.

Adriel Mourey: Are you aware that you are planning to enforce these, but yet don't know the law that you are trying to enforce. John explained that no board can be expected to memorize every part of the law--it is unreasonable to expect anyone to know the law in it's entirety. We are a deliberative body--we look at things, and discuss them. It's not like a computer program. Glenn stated that there will be training periods for all our boards to get up to speed on the new law once it's adopted. --so you guys started this train and now you want our opinion and in writing so that you can incorporate it into the zoning-- Mike Burns stated that this is a DRAFT document and that it's been being worked on since 2011-- Jamee asked some hypothetical questions-- Adriel- commented on the camper section--he can't live in his camper? John said that on page 3 it tells why this ordinance is being presented. #1 says it all. John stated that the reason for the camping trailer part is that we prefer people to establish homes. Adriel would like to make the suggestion to make it a sliding scale for fines as some poor guy couldn't afford \$1000/day fine. John explained that the Justice would set the fines. Adriel proposed that there be a stay on all zoning and that then it goes to public vote, William Campbell seconded--and wants it to be acted on. John explained that as a member of the public he can't make a motion to be acted on. He will put his concern in writing.

William Campbell: reading between the lines--quite a few of the residents are saying this draft has a lot of problems. Why don't send out newsletters? John explained that its in the legal notices. Who reads that stuff-- He feels like it's being pushed on them--should work harder to make the public aware of what is going on. If the people were really aware, this place would be packed. What do the people do to have further voice in this process? John explained the process and that we would have a public hearing (advertised) and hear comments, and that we are asking for comments in writing. There will be some more discussion at the town board and the committee level then eventually the committee will say they are going to make a recommendation to the town board. Mr. Campbell said, So ultimately it's your decision? What if there are more people who don't want this zoning maybe we should stand by the people--the people are upset--there needs to be serious modification. Living in the camper thing came up--currently he lives in the camper because of his father's health--does that mean he can't live in the camper--John explained that there are ways around that, and the new law includes the ECHO unit which is exactly what he's talking about. He commented that if you are in hardship and all you can afford is a camper, that should be allowed--he thinks the people should have a bigger voice than what they have now--John explained that we aren't doing this for economic gain.

Mike Burns thinks that because one person just found out about what's going on it shouldn't mean that it can't go ahead--since 2011, over 200 people made their voice heard and there is not a great conspiracy and please exhale and jump in and join us.

George Roy: What is the process? will there be a public hearing? What is the 10 days thing? John explained that there will be a public hearing and that it will be published in the Hilites and Watkins Review and on the website and it must be advertised at least 10 days prior to the hearing. John explained that doing a newsletter would cost over \$800 to send them to the residents of the town. George said that a bulk mailing permit would be cheaper. If you look at the hamlet of Alpine, if something catastrophic were to happen, there are 42 lots where the residents would not be able to rebuild--john explained that there is an allowance in the law that it could be rebuilt. He feels that the way we are putting restrictions on that there is pressures being put on people that are unreasonable. He is concerned about someone in the future interpreting the law. John has confidence that our community will not let things happen. He has seen things happening in neighboring towns have to hire lawyers to get things backed down. if you write things too specific, then someone can interpret things differently. We want the town to move forward, but there are certain things that make it too difficult to do that. John explained that early on we talked about the size of the buildings--that would allow people to get a foot hold and be able to build a house. George asked if we had seen the little homes on Newfield hill--they are a roof over someone's head, they are neat. John explained that those are "rehab" homes for people of drug addiction to have a place to live on a temporary basis.

Shane VanDyke: he lives next to a condemned property which has a resident living in a camper. There is no running water or electric--why is he allowed to live there? This man has no power and uses his truck to power the generator. The reason that we are updating the law is that this allows us to enforce these rules. He doesn't see why we are trying to make more laws when we can't enforce the ones we have. Glenn explained that this is why we are updating. John explained that in Alpine with the one acre lots and tiny houses Alpine could look nice 10 years down the road.

Allen Hurley: Does our Comprehensive Plan tie into the county plan? Maybe if it does, it might save lots of the problems-- Kristen--explained that the county does have a comp plan and it was broken down into town and village sections--The Town of Catharine took the goals and ideals and reworked them to be our town--Glenn explained that he read over 15 different Comprehensive plans and built a spreadsheet of things that were good for us and some that were not good for us. He listed all the key points and tried to make it personal for our town. Allen said it seems to be redundant--the county asked the towns to sign in with that--but the Town of Catharine started with the county and then broke off and enhanced our own plan--and flushed out the things that were good for us. Kristen said that she inherited the county plan and that it gave the towns and villages something to start with to take and made it unique to their own town.

David Burke: would like to point out that it's important for the community to have their input--in the county, they would be a squeak. in the state just an utterance, here in the Town they have a voice.

Matt Roy: read the comprehensive plan and the proposed zoning--what is our plan for low income residents? John and Mike said the small houses and smaller parcels allowed would help out the lower income people. When we say preserve property values it doesn't mean "raising" values, but to preserve the current values and **not decrease** the values. Glenn explained that we tried to make sure we didn't impede the ability to allow aging in place. We also said that we would like to influence county and state to join in. Mike said that the small houses could help young people get a foothold. Matt asked why the 20% maximum lot coverage--it's because we don't have a water system so people have to have wells and that is the standard in most zoning.

Daniel Hubbell: everything he had on his list has been discussed so there is no need to say them again. Can the concerned residents be on a mailing list? John said he will check into it to make sure it's legal.

Albert Roy asked if we could look into a list-serve so we can email people to keep them up to date. John said that this is the longest public be heard session and that for the most part people don't pay attention to what is going on in town.

Public Be Heard Session closed at 9:15 p.m.

RESOLUTION 2016-36

RESOLVE that the minutes of the previous meeting be accepted as presented to the board

RESOLUTION by Ronald Hoffman, seconded by Glenn Bleiler

VOTE 5 ayes, no noes

RESOLUTION 2016-37

RESOLVE that the Clerk's report be accepted as presented to the Supervisor

RESOLUTION by Glenn Bleiler, seconded by Wayne Chapman

VOTE 5 ayes, noes

Zoning Report: Harold Russell gave the report as follows: There is a New Modular on CR 14 that was set this past weekend. There is a cottage on Cool Lea Camp Rd that keeps adding on--he is trying to see the owner, but hasn't connected yet--no permits have been issued for this.

Harold believes that the building permit fees should be brought more in line with the town's around us. Just in June we have done a couple hundred thousand in buildings and we have gotten \$10/permit. In Tyrone the fee is \$35 for construction under \$2000, + \$2/ thousand over the \$2000. In Cayuta the fee is \$3/thousand. A \$200,000 house would pay his salary for over a month.

The Campground (that is supposedly not a campground) has been an issue lately. He has asked Darrel Sturges will send the history that he has on this site as far as water and septic. There is no allowance in the law for "Family campgrounds"--there are at least 12 sites at this particular one.

Harold removed 2 DO NOT OCCUPY signs from homes in Alpine because the Dept. of Health said the mold and issues have been mitigated, but they are still not up to code for residents. There is a lot of work that still needs to be done to bring them up to code.

RESOLUTION 2016-38

RESOLVE that the Justice report be accepted as submitted to the State Comptroller and Supervisor

RESOLUTION by Wayne Chapman, seconded by Ronald Hoffman

VOTE 5 ayes, no noes

Supervisor's Report: went through funds and most are right on track for the first half of the year. There are a couple negatives to deal with, but Suzanne will take care of those.

RESOLUTION 2016-39

RESOLVE that the Supervisor's report be accepted as submitted to the board by the Supervisor and his Bookkeeper

RESOLUTION by Ronald Hoffman, seconded by C. Michael Learn

VOTE 5 ayes, no noes

Highway --damage to excavator used on Pertl Rd. was \$2200. It was covered by Soil and Water. The old pipe was in 3 separate sections that weren't welded together (or had broken apart). Our contribution to the project was \$1800 for gravel. The guys have been mowing and did get some roads ditched. Bill has the big mower reserved for the month of August. They are currently helping Soil and Water with some of their projects. He went to Highway school. At the classes, they suggested using FB to update the constituents. He also went to emergency management school. Town of Reading has permits to spray roadsides, so they came and sprayed roadsides for us. Between the 11-18th of July will be doing oil and stone on Oak Hill 1.2 miles then another .8 miles; Terry Hill 1.1 miles and Halpin Rd to town line about 2 miles. Bill will get a hold of the farmers and tell them what we are planning so they can stay off the roads until they are well set. We borrowed the road sweeper from the County and did the sweeping today in preparation of putting down the oil and stone. Bill is going to a meeting this week to get a summer youth worker and he will share with the clerk so that there can be some work done in the park. John asked the status of the pickup. Bill said that we really need to be looking at the purchase of a new one. We can write up a bid spec by hand and advertise and decide what we want. Carmella will look for last bid we had for a pickup and see if it's still the same specs as we'd want now.

Landfill--next meeting in two weeks.

RESOLUTON 2016-40

RESOLVE that the following vouchers be paid G100-117 in the total of \$4832.41 and H51-60 in the total of \$16304.83 within funds according to the totals

RESOLUTION by Wayne Chapman, seconded by Glenn Bleiler

VOTE 5 ayes, no noes

Unfinished Business: a lot of discussion on the zoning laws--good conversation--Larry suggested that we contact Charlie Haeffner to see why we can't get things on the Odessa File. We will look into FB to see if it can be configured for only our input--We talked about list -serves and stuff like that. It was also suggested that everything that is posted on the Website be in PDF format as some people can't open word documents. Carmella will check with other clerks to see how they handle "keeping the public informed" and see if any of them use Facebook.

Need to set a public hearing date for the zoning law. Glenn wonders if we need another public educational session? We set the public hearing for July 18th at 7:00 p.m. The next board meeting will be July 19th 7:30 p.m. John will ask Rob to be in attendance at the public hearing in case we have legal questions. There will also be another zoning committee meeting on July 14th at 7:00 p.m. to read over the written comments and decide what to do with them.

Resolution for Emergency management revised plan. We have been asked to make a resolution accepting the newest Emergency Management Plan. Because none of us have had time to read the new revised plan, we will hold our decision for 30 days to allow time to review it.

Larry is against raising the building permit fees--he thinks the timing is counterproductive. He would like to see it in writing that the state is looking to see what the towns are charging for building permits. His position has not changed for zoning.

No other business the meeting was adjourned at 10:25 p.m. with a motion by Ronald Hoffman, seconded by C. Michael Learn. Respectfully submitted: Carmella Hoffman, Town Clerk/Collector

