

TOWN OF MEREDITH PLANNING BOARD

REGULAR MEETING

December 17, 2007

Present:

Town of Meredith Planning Board:

Keitha Capouya, Penny King, Will Outsen, Landa Palmer.

Floyd Vogt arrived at 7:45 p.m.

Absent:

Lewis Coulter, Jeanne Sands.

Delaware County Planning Department:

Absent:

Justin Shaw, Shelly Johnson.

Townspeople: 8

1. The meeting was called to order at 6:43 p.m. by Keitha Capouya, Chairperson.

Keitha introduced Elyse Segelken, the new Planning Board secretary.

2. Approval of minutes

Minutes from the September 7, 2007 meeting regarding scheduling the Public Hearing for Clough Harbour & Associates LLP (CHA) were tabled until Shelly Johnson could be present because there had been discussion about the October 1, 2007 Public Hearing date at the September meeting.

Since the CHA application was not complete, Keitha Capouya had felt that we were not ready to hold a Public Hearing and thought that the September 7, 2007 minutes should reflect that the Planning Board had considered postponing the Public Hearing.

A motion to table the September 7, 2007 minutes until Shelly Johnson was present was made by Penny King and seconded by Landa Palmer. The vote was 4-0 and the motion was passed.

Minutes from the October 1, 2007 Public Hearing and October 1, 2007 Regular Meeting were reviewed. A motion to table the minutes from the October 1, 2007 Public Hearing and October 1, 2007 Regular Meeting due to lack of a quorum was made by Penny King and seconded by Will Outsen. The vote was 4-0 and the motion was passed.

The minutes from November 12, 2007 were read. A motion to accept the minutes as corrected was made by Penny King and seconded by Will Outsen. The vote was 4-0 and the motion was passed.

3. Review of Applications

3.1 Alan Noble – BLA Tax Map # 81-1-20

Alan Noble and John Lilholt presented a survey map to the Planning Board for proposed Boundary Line Adjustment of 0.89 +/- acres from Tax Map # 81-2-3 to Tax Map # 81-1-20.

John Lilholt presented the proposed deed of the BLA. The application for BLA lacks a required notarized signature of the seller, who is currently out of the country. Keitha Capouya suggested that Bruce McKeegan, attorney for both the buyer and the seller, fax or e-mail the documents to the seller to be signed, notarized and returned.

A motion to conditionally accept this Boundary Line Adjustment as the seller has not completed all required paperwork was made by Penny King and seconded by Landa Palmer. The vote was 4-0 and the motion was passed. The maps have not been signed. A copy of the December 17, 2007 minutes will be provided to Mr. Noble as indication to the seller that the Boundary Line Adjustment is approved pending a notarized Boundary Line Acceptance Form and required notarized signatures for maps.

4. Correspondence

4.1 Keitha Capouya read a letter received from Richard and Shirley Niebanck regarding the water tests and borings done early this past summer by Land and Lakes on the Meridale Farms property. After the borings were done their water was rendered undrinkable for more than a week.

Keitha Capouya advised the Board that Jim Ellis has called her regarding the problems he has had with his well since the borings were done. He has called Land and Lakes several times and he has called Titan Drilling. He has kept a log of the calls he has made, and has requested to be advised when Land and Lakes Development Company is next scheduled to come to a Planning Board meeting. His water remains unusable and he is taking laundry to the laundramat and drinking bottled water.

Keitha has also spoken to Joanne Shultis, who is having problems with her water since the borings.

4.2 Keitha Capouya spoke of the letter received at the last meeting from Wilfred Jurjens, President Meredith Square Cemetery Association, and her response to CHA requesting that 2 issues are to be addressed 1) response to Wilfred Jurjens with correct measurements from proposed cell tower to the boundary line of the Meredith Square Cemetery along with a response to their other concerns and 2) the missing element of the provision that the top of the tower be reserved for EMS Communication Services use, as called for in the contract.

Keitha Capouya received a letter from Tony Stellato, CHA, responding to the October 1, 2007 Planning Board meeting. The Board had requested that the cell tower be designed to withstand either the maximum wind speed recorded in the area in the last five (5) years or conform to the strongest construction standards, whichever is greater. Using the NOAA website CHA found that estimated winds for the storm of 07/21/03 were 80 to 90 mph, and declared that they would apply for a permit based on that wind speed.

Keitha Capouya wrote to Tony Stellato, CHA, in response to the above letter advising that the Planning Board would do research on wind speeds, since his estimate seemed low for the damage the 2003 storm caused. She advised him that it would be a mistake to consider that the Planning Boards condition of approval has been met, and that an application for a building permit would be premature at this time.

On November 30, 2007, Mr. Stellato called Keitha at home and apologized for not having sent copies of his sources. He also said that someone he had spoken to at the offices of NOAA estimated wind gusts of 126 mph, and said the tower could be built to that standard, and that he would write her with his detailed information. That letter had

not been received by the date of this meeting, although Keitha had left a message reminding Mr. Stellato that it was due.

Another letter from Tony Stellato dated November 30, in response to her concerns about the Meredith Square Cemetery stated aerial photography indicated that although the tower was 82 ft from the cemetery property, it was 250 ft from the graves, which were only at the front of the cemetery. In fact, as Keitha said, the grave sites go all the way back to the line bordering the Town property.

Mr. Stellato also wrote that EMS antennas were not on the tower plans because no specific needs were identified by the Town. However, a revised drawing was sent, showing two future municipal whip antennas on the top of the tower.

Will Outsen asked if the additional antennas would increase the height of the tower. It was determined that they would increase the height.

5. New Business

Vito DiSpigna sent a survey map of a private cemetery plot for family, and asked that the Planning Board let him know what was needed beyond the maps.

The Town of Meredith does not have a local cemetery law, and there seems to be no State Law for private cemeteries. Keitha spoke to Kent Manual at the county Planning Department, who found a Department of Sanitation setback of 100 ft from any water source. Keitha Capouya has been unable to find any regulations from the Department of Health. Keitha has gone to Mike Sabenski in Tax and Mapping, who said the parcel would be sectioned off and given a new Tax Map number and that there would be a tax exemption for up to 3 acres.

6. Old Business

Several members of the Planning Board have not done the required 4 hours of training this year. Keitha recommended that a SEQR workshop should be held for Planning Board members, as the Planning Board will be dealing with more Minor Subdivisions requiring SEQR, and handed out a SEQR pocket guide to all Planning Board members. She will be enlarging the guide and suggests that it be used as a checklist with every application submitted. This to be used along with the Minor Subdivision Checklist.

Nina Juviler was recognized for 26 years of service to the Town of Meredith Planning Board.

Keitha announced that Penny King has consented to accept the post of Chair of the Planning Board. This will go before the Town Board at the next meeting for approval.

At the request of Penny King the next Planning Board meeting will be on Monday January 14, 2008 at 7:00 p.m., so that Keitha Capouya can be present to assist with the transition.

7. Adjournment

A motion to adjourn was made by Penny King and seconded by Will Outsen. The vote was 5-0 and the motion was passed.

The meeting was adjourned at 8:10 p.m.

Respectfully submitted,

Donna Dwyer
Recording Secretary

Revised: Elyse Segelken, Recording Secretary as of January 1, 2008