

Present at Meeting: Chairperson William McGhie
Vice-Chairperson Teri Schuerlein
Dan Freebern
Mike Raymond
Bill Siegle
Georgia McMeekin, Alternate # 1
Joe Turcotte, Alternate # 2

Also Present: Town Attorney Leah Everhart, Sam Maltbie, Tina Maltbie, Gloria and Victor Mangano, Emma Jones, John Gary Kearns, Andrew Cappabianca, Town Board Member Bob Olson.

ADENDA ITEMS: File 2017-02 SPR - Tax Map # 105.-1-6
File 2017-04 CU - Tax Map # 88.10-1-53.1
File 2017-03 CU - Tax Map # 88.10-1-19

Pledge

Chairperson William McGhie called the meeting to order at 7:00 pm

Approval of minutes: Vice-Chairperson Teri Schuerlein made a motion to approve the May 17, 2017 minutes with corrections as noted on page two. Second by Dan Freebern. **ALL AYES.**

NEW BUSINESS: File 2017-02 SPR
Tax Map # 105.-1-6
Victor and Gloria Mangano
67 Horicon Avenue
Horicon, NY 12815

Seeking a Site Plan Review to place a Mobile Home on the property.

Gloria Mangano spoke to the Planning Board regarding her proposed placement of a mobile home on her property. She stated that she went before the ZBA for a variance for shoreline setback. She stated that she bought the property about a year ago in March 2016 and thought they could place the 5th wheel on the property. There was a house on that property that burned down and she has no intention of building a house on the property at all. They come on weekends and stay in the 5th wheel. She stated that they keep the property in good shape.

Chairperson Bill McGhie asked if the 5th wheel is being placed in the same location as the house.

Gloria Mangano stated no it is further back than previous house was located.

Chairperson Bill McGhie asked if it has Septic system.

Gloria Mangano stated it has septic, well and electric at the property and was there at the time of purchase.

Vice-Chairperson Teri Schuerlein asked if she is planning on leaving it there year round.

Gloria Mangano responded yes that is the plan.

Bill Siegle asked if there are currently two trailers there at the property.

Gloria Mangano stated there are two trailers now, one is her son's and they will be storing that or bringing it back to their home.

Bill Siegle remarked that they have done a beautiful job with the property.

Mike Raymond stated that yes the property looks very nice but did you check out anything before placing the 5th wheel on the property with the Town before purchasing this property as to what can be placed on the property?

Vice-Chairperson Teri Schuerlein asked if there is an ordinance about travel trailers and did not Roger and Jane have this problem.

Terri Katsch, Secretary to the Board stated that because this travel trailer is hooked up to the septic Zoning Administrator Jim Steen made the determination that it is a mobile home based on the APA regulations.

Vice-Chairperson Teri Schuerlein stated that she went on to the internet to find out what are the legal definitions on travel trailers and mobile homes.

Town Attorney, Leah Everhart asked what is the source?

Vice-Chairperson Teri Schuerlein stated US Legal.

Town Attorney, Leah Everhart stated that it only matters how the Town of Horicon defines the two. The Zoning Administrator has determined that the Town of Horicon Travel Trailer regulations state that if the Travel Trailers is not hooked up to facilities at site it would be allowed there as a matter of right with no necessary variances needed. The result of this being hooked up to a septic changes the category and in need of Site Plan Review.

Vice-Chairperson Teri Schuerlein is confused by the Daby's situation when they were living there and told they were not allowed to use that travel trailer to live in year round.

Town Attorney Leah Everhart stated that the Board is not in a position to reverse Zoning Administrator Jim Steen's determination.

Vice-Chairperson Teri Schuerlein stated that she has a lot of questions to ask Jim Steen and she is concerned about setting a precedent for this approval.

Mike Raymond finds this problematic as well because of the travel trailers on the lake. There are very strongly written regulations in the Town of Horicon Zoning Law regarding travel trailers.

Vice-Chairperson Teri Schuerlein made a motion to deem the application complete. Second by Dan Freebern. **ALL AYES.**

Mike Raymond made a motion to table this application until Jim Steen is available on July 19, 2017. Second by Bill Siegle. **ALL AYES.**

Chairperson Bill McGhie asked if anyone has any more questions for applicant.

Vice-Chairperson Teri Schuerlein asked if the trailer is sitting on foundation of previous house.

Gloria Mangano stated that it is not on the exact footprint.

Vice-Chairperson Teri Schuerlein asked what your intention was when you purchased the property.

Gloria Mangano stated that once the property was purchased her son planned on bringing up 5th wheel to use on property. She did not check with Town prior to doing this.

Town Attorney Leah Everhart asked if the Warren County Planning Review was received.

Secretary to the Board Terri Katsch responded yes that was received.

Bill McGhie told the applicant this will be on the agenda next month and it would be good if someone was here to answer questions from the Planning Board should any arise.

Town Attorney Leah Everhart asked about the SEQRA application and stated that it is incomplete and asked the applicant questions that were left blank. Town Attorney Leah Everhart and the applicant completed the SEQRA EAF form. The form was returned to the Board Secretary Terri Katsch for the file.

Mike Raymond asked if there was any leveling done on the property.

Gloria Mangano responded that there was no leveling of the property was needed.

Town Attorney Leah Everhart stated that this property is in the 100 year flood plain according to the Warren County Planning review.

Georgia McMeekin asked if there will be a Public Hearing on this application and Chairperson Bill McGhie stated there will be no Public Hearing on this application. Chairperson Bill McGhie stated that the Public Hearing on this application will be waived because a Public Hearing on this file was completed for The Zoning Board so the Planning Board felt there was no need for a second public hearing.

NEW BUSINESS:

File 2017-04 CU
Tax Map # 88.10-1-53.1
Emmaline Jones
6514 State Route 8
Brant Lake, NY 12815

Seeking Conditional Use approval for Boat Storage, Commercial for seasonal boat storage in the CR-20,000 Zone under **Section 5.20** of the Zoning Law.

Emma Jones and John Gary Kearns own this property jointly and Emma stated they purchased the house a month ago from Bernie Hill. They spoke with Zoning Administrator Jim Steen regarding commercial boat storage and learned they needed a Conditional Use for Boat Storage Commercial. They want to store boats seasonally in the back yard of the home.

Vice-Chairperson Teri Schuerlein asked what they mean by seasonal storage of boats.

John Kearns stated that most likely during the fall and spring seasons.

Mike Raymond asked what happens if people don't want the boat in the water at all for the year.

John Kearns stated that he works at Dockside Marina for Scott Olson and would bring that to the Dockside storage yard.

Bill Siegle asked how many boats can be stored.

John Kearns responded that they will be stored in the backyard and allowing for the setbacks he estimates between 35 and 42 depending on the size of the boat. He would like to put two in the garage as well.

Dan Freebern stated he is assuming that they will have boats stored at the property for people don't have dock space so he is concerned with the people pulling in and out with their boats.

John Kearns stated that it will be through Dockside Landing in Hague where he works, so he will be trailering the boats himself back and

forth from there to his home. No one will be coming to the property.

Vice-Chairperson Teri Schuerlein asked if he has anything to do with Bernie Hill.

John Kearns stated that they purchased the property from Bernie Hill and he (Bernie) does not know that John works for Dockside.

Town Attorney Leah Everhart asked if part of the property is in the residential zone and part in commercial zone because the applicants circled both on the application.

John Kearns stated it is his fault that he circled both. It is in the CR 20,000 zone.

Vice-Chairperson Teri Schuerlein asked if people will be able to see the boats from the front of the house.

John Kearns stated they will be in the back of the house and some may be visible from the front.

Vice-Chairperson Teri Schuerlein asked if any type of vegetation will be used to mask the boats.

John Kearns stated yes they would like to have willows or some vegetative screening on the sides of the property especially on the side of the Battlefield apartments are located.

Dan Freebern asked how far back from the road will the storage of boats start.

John Kearns stated they will be in the back of the house, so about 50 feet from the front of the house. There will be no boats in the front of the house.

Vice-Chairperson Teri Schuerlein asked what property is located next to them on the map.

John Kearns showed Vice-Chairperson Teri Schuerlein on the map where Town land, Bernie and Cynthia Hill's property and the Battlefield apartments are located.

Mike Raymond sees on the application that the area is 10' x 20'.

John Kearns stated that is the setback from the rear of the home not the area for the boats to be stored.

Chairperson Bill McGhie thinks having a barrier or a screen around the area would be nice especially on the sides of the property.

Vice-Chairperson Teri Schuerlein recommends the applicants do some kind of presentation for landscaping for the next meeting. Just a simple drawing of where the trees or vegetative screening will be placed.

Mike Raymond stated that if the applicants come in with the screening plan the Board will expect that plan to be put into effect if approved.

John Kearns asked if they did not have a plan could the application be rejected.

Bill McGhie stated that it possibly could be rejected.

Vice-Chairperson Teri Schuerlein would like to see how the forty-two boats will be laid out.

Town Attorney Leah Everhart suggested that the Board keep in mind what is being sought is for boat storage commercial in general and not storage of forty-two boats so as long as the boundaries are not exceeded there should be no problems.

John Kearns estimated a 12' x 15' foot area and developed the amount of boats can be stored within the setbacks.

Vice-Chairperson Teri Schuerlein stated she just wants a visual as it will be helpful for making a decision at the next meeting.

Vice-Chairperson Teri Schuerlein made a motion to deem the application complete and set a Public Hearing on July 19, 2017. Second by Dan Freebern. **ALL AYES.**

PUBLIC HEARING: **File 2017-03 CU**
 Tax Map # 88.10-1-19
 Andrew Cappabianca
 19 Market Street
 Brant Lake, NY 12815

Seeking Conditional Use approval for use of the property/structure as an Inn under **Section 5.20** of the Zoning Law.

Chairperson Bill McGhie opened the Public Hearing and asked if there was anyone present that would like to speak.

Tina Maltbie was present to lend her support to Andrew Cappabianca for the Inn he is seeking to open. She was married from that home and her family sold the house to Andrew and she and her family are thrilled to see this home used for this purpose.

Bob Olson stated that Andrew has been a positive force for the community and brings people to the community. He is glad to see that people will have a place to stay at a reasonable rate. He thinks this is a positive for the Town of Horicon.

Vice-Chairperson Teri Schuerlein and Board member Mike Raymond both agree that this is a great opportunity for the Town of Horicon.

Vice-Chairperson Teri Schuerlein made a motion to close the Public Hearing. Second by Mike Raymond. **ALL AYES.**

UNFINISHED BUSINESS: **File 2017-03 CU**
 Tax Map # 88.10-1-19
 Andrew Cappabianca
 19 Market Street
 Brant Lake, NY 12815

Seeking Conditional Use approval for use of the property/structure as an Inn under **Section 5.20** of the Zoning Law.

Chairperson Bill McGhie and Vice-Chairperson Teri Schuerlein agree that the community needs something like this in the Town of Horicon.

Chairperson Bill McGhie asked if the septic is all set and Andrew Cappabianca responded that yes and the state verified that.

Chairperson Bill McGhie asked if the water supply is good and Andrew Cappabianca responded that yes the water supply is good.

Vice-Chairperson Teri Schuerlein stated that it fits in with the Town of Horicon Master Plan, fits nicely into the community and it is a complement to his business as well.

Town Attorney Leah Everhart went over the Conditional Use criteria with the Board members and gave an overview in order to guide the Board in there discussion.

The Board members discussed the proposal and decided there will be no impact upon surrounding properties, there is no problems with the vehicular access. There are adequate provisions for drainage and erosion control. There will be adequate lighting, water supply and wastewater treatment as well.

Vice-Chairperson Teri Schuerlein stated that Andrew Cappabianca owns most of the property around this property, it is going to stay a house, which will make the neighbors on the other side happy and parking is not an issue because there is plenty of parking spaces at Andrew's other business next door at the Hub.

Town Attorney Leah Everhart read Part II of the EAF form to the Board and the Board determined that there will be no to small impacts on this proposed action.

Mike Raymond made a motion to declare a negative SEQRA declaration finding there will be no significant environmental impacts. Second by Vice-Chairperson Teri Schuerlein. **ALL AYES.**

Vice-Chairperson Teri Schuerlein made a motion to approve the Conditional Use application for the use of the property as an Inn under **Section 5.20** of the Zoning Law. Second by Bill Siegle. **ALL AYES.**

Being no further questions or comments, Mike Raymond made a motion to adjourn the meeting. Second by Bill Siegle. **ALL AYES.**

Meeting adjourned: 8:55 pm

Next Meeting: July 19, 2017

Respectfully Submitted,
Terri Katsch, Secretary