

**Town of Phelps
Planning Board Meeting
Minutes**

April 28, 2011

MEMBERS PRESENT

Collette Barnard, acting as Chairman, Dan Hurdle, Kenny Sontheim, Ron Allen, Ed Clark, Code Enforcement Officer

Members absent: Steve McCarrick

Others present: Scott Fremouw, Chairman of the Zoning Board; Judy Manntai, Secretary

CALL TO ORDER

Acting Chairman Collette Barnard called the Planning Board Meeting to order at 7:00 p.m., at the Town of Phelps Courthouse.

The Pledge of Allegiance was said by all.

Introductions of the Board Members were made.

MINUTES

The Minutes of the March 24, 2011, meeting were considered. No corrections were noted.

A motion was made by Dan Hurdle to approve the Minutes as submitted. The motion was seconded by Kenny Sontheim. The motion carried unanimously.

**BUILDING PERMIT
#WES 311
CHRISTINE T. DZULA
WIND TURBINE**

Requested Action: Approval of site plan for installation of wind energy system (140' wind turbine) to be located at 2294 Toll Road, Phelps, NY.

It was noted that the wind turbine is approved by the California Energy Commission, is compliant with the Uniform Building Code, and will be attached to the NYSEG grid.

Dan Hurdle reviewed the requirements for wind turbines, including setbacks and noise levels. All requirements have been met.

Opportunity was given for questions. No neighbors were present and there were no questions.

A motion was made by Mr. Sontheim to approve Building Permit Application #WES311, dated March 30, 2011, for Christine Dzula at 2294 Toll Road, Phelps, as an unlisted action under SEQR, noting that the application has met all requirements in the code book for small wind energy systems.

The motion was seconded by Mr. Hurdle.

The motion carried unanimously.

Ms. Barnard, Acting Chairman, signed and dated the map. Per request, the map was dated March 3, 2011, the date of the application. The official map was given to Ed Clark, Code Enforcement Officer.

REVIEW OF LIGHTING ORDINANCE

A thorough review of the proposed Lighting Ordinance was postponed until more board members were present.

Brief discussion took place regarding lighted signs. It was noted that there is a special use permit provision for lighted signs in the code book. Additional concerns would be addressed in the special use permit process, incorporating "dark skies" ordinances at the Zoning Board level.

REQUEST - REZONING PHELPS JUNCTION ROAD

Discussion took place regarding a request which has been received from Ontario County Planning to consider changing the zoning for Phelps Junction Road area to C-2 (Commercial Neighborhood) because the County feels there is more than enough C-1 zoning.

A motion was made by Mr. Allen to recommend to the Town Board that C-2 would not be a good fit in the neighborhood and it should remain C-1 for now.

The motion was seconded by Mr. Hurdle.

The motion carried unanimously.

LIGHTING ORDINANCE

A motion was made by Ms. Barnard that the draft of the Lighting Ordinance be sent to the Town Board for review and comments.

The motion was seconded by Mr. Allen.

The motion carried unanimously.

Mr. Sontheim will send the document to Linda Nieskes for the Town Board, and will ask that comments and recommendations from the Town Board be sent to Mr. Sontheim.

HWY 14 OVERLAY

Discussion took place regarding how to approach the next section as it pertains to access, whether to use the NYS Department of Transportation criteria or develop Phelps' own criteria, noting that any plan will have to be approved by the State.

Mr. Hurdle will contact the County to see if there is someone available to attend the next meeting to review the Hwy 14 study and give guidelines for deriving at the standards to be used.

RECOGNITION DINNER

Members of the Planning Board have been invited to a recognition dinner for retiring secretary Dori Crawford. The dinner will be held on Thursday, May 5, at the Blue Ribbon Diner.

MAY 12 MEETING - ROUTE 14 OVERLAY

A meeting was scheduled for Thursday, May 12, 2011, to discuss the Route 14 corridor overlay and further review of the lighting ordinance.

LEON ADAMS

Mr. Adams asked for clarification regarding the denial of his request for rezoning from RAG to M-1. He was informed that the action of the Planning Board was a recommendation to the Town Board that the request be denied because of the current moratorium.

Since the Town Board makes the final decision, Mr. Adams was encouraged to plead his case with the Town Board regarding his request for rezoning. It was noted that his request, though legitimate, is hampered at this time by the moratorium on mining.

ADJOURN

A motion to adjourn was made by Mr. Allen and seconded by Mr. Sontheim. The motion carried. The meeting adjourned at 8:20 p.m.

Respectfully submitted,

Judy Manntai
Secretary