

**Town of Phelps
Zoning Board Meeting
Minutes**

May 19, 2011

MEMBERS PRESENT Scott Fremouw, Chairman, Joyce Mitchell, Glenn Wilkes, Jeff Caves, Ed Clark, Code Enforcement Officer

Members absent: Brooks McKinney

Others present: Judy Manntai, Secretary

CALL TO ORDER Chairman Scott Fremouw called the Zoning 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 April 21, 2011, meeting were considered. No corrections were noted.

A motion was made by Mr. Wilkes to approve the Minutes as submitted. The motion was seconded by Ms. Mitchell. The motion carried. (Jeff Caves, who was absent from the meeting, abstained.)

PUBLIC HEARINGS There were no public hearings.

**APPLICATION
PERMIT #2011-43
BUILDING PERMIT
KEVIN TURNER** Requested Action: Building Permit for storage shed and area variance for placement in front of dwelling.

Mr. Turner was present for the meeting. Due to the slope of the land, the storage shed would be placed in front of the dwelling (to the side of the garage, adjacent to the turnaround). The shed would be 65' from the middle of the road and the required clearance from shed to garage is met. Mr. Clark, Code Enforcement Officer, stated there are no issues.

Mr. Turner was encouraged to get the approval of his neighbor prior to meeting with the Planning Board for their consideration of his application. He was informed that upon approval of the Planning Board, his application will be considered at the next meeting of the Zoning Board for public hearing and final action.

A motion was made by Mr. Caves to declare Application #2011-43 a Type 2 action per SEQR 617.5 (10) and (15), which read as follows:

- (10) construction, expansion or placement of minor accessory/appurtenant residential structures, including garages, carports, patios, decks, swimming pools, tennis courts, satellite dishes, fences, barns, storage sheds or other buildings not changing land use or density; and
- (15) minor temporary uses of land having a negligible or no permanent impact on the environment.

The motion was seconded by Ms. Mitchell.

The motion carried unanimously.

A notice of public hearing will be put in the paper for the June meeting.

OLD BUSINESS

ALTERNATE
ZONING BOARD
MEMBER

Mr. Fremouw will contact former board member Steve Westfall to see if he would be willing to serve as an alternate member of the Zoning Board.

NEW BUSINESS

There was no new business.

ZONING OFFICER
BRIEFS

There was no report.

BOARD CONCERNS

PROPERTY ON HWY
488/WADELL ROAD

Concern was expressed regarding the condition and disrepair of the property at the corner of Hwy 488 and the northeast corner of Wadell Road. Both people who lived in the property are deceased and the house is already listed as uninhabitable. Mr. Clark will find out what other actions can be taken.

MINING
COMMITTEE

Ms. Mitchell reported that the Mining Committee expects to have a report to Norm Teed, Town Supervisor, within the next couple of weeks. She noted that volumes of documents have been reviewed, cross-verified, and placed in proper digital folders.

Brief discussion took place regarding an "overlay district" as possibly the best way to regulate mining so that it is beneficial to all. An overlay identifies an area where product is located and then classifies that area as an M-1 zone. It may "overlay" into an RAG district. The Town can control the size of the overlay. An overlay would eliminate spot zoning/mining.

PUBLIC COMMENT

There were no public comments.

ADJOURN

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

Respectfully submitted,

Judy Manntai
Secretary