**PLANNING BOARD**

**Town of Colton, NY**

**Regular Monthly Meeting**

**September 20, 2016**

**Call to Order:**  7:02pm with quorum present. The Pledge of Allegiance was recited.

**Members Present:** Chair Ed Fuhr, Martin Avery, Connie Hatch, Laurie Thornton, Anne Townsend

**Members Absent:**  Harold Granger, Kirke Perry

**Public Present:**  Code Enforcement Officer Darren Richards, Sue Collins Ricket, Karen Peck, David Bardoun, Paul Caster

**Agenda:** M. Avery motioned and C. Hatch seconded to adopt the agenda. All were in favor.

**PUBLIC HEARING:**

Chair Fuhr opened the public hearing at 7:05pm for the Board to consider the following application: **SD-34-2015:** Taking from two parcels to add to Ralph and Sarah Colllins 8376 State Route 3

Childwold NY 12922. The Adirondack Park Agency sent back application for local action. SLC

returned for Town of Colton action. M. Avery had conversation with Code Enforcement Officer

D. Richards, the 3 primary parcels involved are all nonconforming. Premise would be to add to

least conforming lot to make the one lot more conforming. Also to adhere to the Town of Colton Land Use Code to form a conforming useful lot. The Adirondack Park Agency did an extensive review of the

Land Use Code. M. Avery reiterated the APA Project Permit 2016-0071 page 6 of 9, section 13.) The

Town of Colton administers a local land use program approved by the Agency pursuant to

Section 807 of the APA Act. The subdivision authorized herein is allowable under and complies with the area requirements of the Town’s land use laws. M. Avery also reiterated the Conclusions of Law in permit 2016-0071: The Agency has considered all statutory and regulatory criteria for project approval set forth in the Adirondack Park Agency Act, the Freshwater Wetlands Act and 9NYCRR Part 578, the Wild, Scenic and Recreational rivers System Act and 9NYCRR Part 577 and 9 NYCRR Part 574. The

Agency hereby finds that the subdivision authorized as conditioned herein:

1. will meet all of the pertinent requirements and conditions of the approved local

land use program of the Town of Colton

 g. will not cause an undue adverse impact upon the natural, scenic, aesthetic,

 ecological, botanical, fish and wildlife, historic, cultural, archeological, scientific,

 recreational or open space resources of the river area, taking into account the

 commercial, industrial, residential, recreational or other benefits that might be

 derived therefrom.

Code Enforcement Officer D. Richards has signed letter from all outside parties involved stating all are in favor.

Notice of Action given to Susan Collins Ricket granting permission for SD-34-2015 with the condition that all parties involved must comply with APA permit 2016-0071. Conditions for APA permit 2016-0071 are as follows :

1. The project shall not be undertaken until this permit has been recorded in the St. Lawrence County Clerk’s Office. Permit 2016-0071 shall expire unless recorded in the St. Lawrence County Clerk’s Office on or before October 24, 2016, in the names of all persons listed above and in the names of all owners of record of any portion of the project site on the recordation date.
2. This permit is binding on the permittees, all present and future owners or lessees of the project site, and all persons undertaking all or a portion of the project. Copies of this permit and the Site Plan shall be furnished by the permittees to all subsequent owners or lessees of the pr0oject site prior to sale or lease, and by the permittees and/or any subsequent owner or lessee to all persons undertaking any development activities authorized herein.
3. In addition to complying with all term and conditions of this permit, all future activities on the project site shall be undertaken in compliance with the requirements of New York State’s Adirondack Park Agency Act, Freshwater Wetlands Act, Wild, Scenic and Recreational Rivers System Act, and the Adirondack Park Agency’s implementing regulations [9 NYCRR 570-588].

Close of public hearing at 7:14pm motioned by L. Thornton seconded by A. Townsend. All were in favor.

**Minutes:** C. Hatch motioned and L. Thornton seconded to approve the minutes of the August 23, 2016 meeting. All were in favor.

**Regular Meeting**

CEO Report: 73 permits on file, 2 home builds. Verbal complaint from the neighbors of Paul Castor due to his outside wood boiler use. Mr. Castor went to the Town of Colton Board for approval. Discussion of possible review of the laws set by the Town of Colton Board. Mr. Castor is asking why he can’t be “grandfathered in” since he installed his wood boiler in 2005, before the ban was put in place local law #5 2010. The law states that the outside wood boilers can only be used from October 1st to May 31st. Mr. Castor has been using his wood boiler before the scheduled time of use due to his wife being sick. E. Fuhr stated that the Planning Board will bring recommendations of change on ban dates up at the next town board meeting. M. Avery recommended to Mr. Castor that he attend the next Town of Colton Board meeting, October 12th, with his concerns.

**Next meeting will be held October 25, 2016 at 7pm.**

Adjournment: With no further issues for discussion, M. Avery made the motion to adjourn seconded by L. Thornton. All were in favor. Meeting adjourned at 8:19pm.

Respectfully submitted,

Jennifer Cole

Secretary