

Regular Meeting
Sheldon Planning Board
January 11, 2023

The meeting of the Town of Sheldon Planning Board was held at the Sheldon Town Hall, 1380 Centerline Road, Strykersville, NY 14145. Meeting was called to order by Mary Kehl at 7:00 pm.

Chairman: Mary Kehl

Board: Don Pawlak, Debbie Kirsch and Kathy Roberts

Absent: Wayne Abbott and Jeff Nixon

Recording Secretary: Kate Meyer

Also present: Nicole Grover, Town Supervisor Brian Becker, Town Councilman Jim Fontaine, Deann Siemer, Lisa Aures, Don Roberts, Andrew Schmieder and David DiMatteo

Approval of Minutes

A motion was made by Debbie Kirsch and seconded by Don Pawlak that the minutes from the December 14, 2022 Planning Board meeting be approved and accepted.

Ayes: (4) Kehl, Kirsch, Pawlak and Roberts Nays: (0) Absent: (2) Nixon and Abbott
Motion Carried.

Minutes from the June meeting will be reviewed at the February meeting.

Special Use Permit for Farm Tenant Housing at Breezy Hill Dairy

The County had no quorum in January to review the special use permit sent over after our December meeting. They will send their recommendations for when we meet in February.

The Hickory Road Land Separation- Old Business

The board had concerns when the initial application was presented to us in December. We tabled the topic until we had guidance from the town lawyer or the county. It is property on Popular Point. DiMatteo has informed the board we do have the jurisdiction. The board needs to have the applicants here in person with proper maps and filled out application to make any decisions. Don from the county informed us they will be resubmitting application in the coming months.

Special Use Permit for Crossroad Land Mgmt

Andrew Schmieder the engineer from the project is here to present a preliminary plan on behalf of Brian Eddy. They want to present to the board in hopes to catch any issues that could arise in the future process of approvals. Andrew explained with the help of a site map the property and hopes for it. They will be building self storage units. They will only have electric running into them no other utilities. He confirmed the structure will be 40 feet from property line and a tree line will help with the potential light pollution. It does meet all setbacks and frontage requirements. Andrew clarified the confusion about the 20 feet difference on the application versus the map. The map is correct with 120 feet.

A motion to refer to County Planning Board was made by Debbie Kirsch and seconded by Kathy Roberts.

Ayes: (4) Kehl, Kirsch, Pawlak and Roberts Nays: (0) Absent: (2) Nixon and Abbott
Motion Carried.

No other regular meeting items were on the agenda.

After the meeting the zoning laws will be discussed and reviewed with county officials.

Adjournment

A motion was made by Debbie Kirsch and seconded by Kathy Roberts to adjourn the January 11, 2023 meeting of the Sheldon Planning Board at 7:30 pm.

Ayes: (4) Kehl, Kirsch, Pawlak and Roberts Nays: (0) Absent: (2) Nixon and Abbott
Motion Carried.

Town of Sheldon Model Law Discussion – January 11, 2023

A BIG THANK YOU to Deanne for providing the Town of Sheldon with bound copies of the draft law!

This model law document reflects the updates from the last work session including: removal of the residential district, the ag district replaced by the low density district, removal of the lake district as well as other changes.

Our GIS Coordinator, Joanna Craigmile is working on the zoning maps and is standardizing the district colors for all the municipalities. There are some white areas within the gray area on the Town of Sheldon map that will be filled in.

- Laminated zoning maps will be provided to the town once they are finalized.

Farmworker Housing:

9 beds and under = Wyoming County Health Department septic permits

10 beds = DEC septic permit

10 + beds = commercial septic permit

In the model zoning law, a good portion of the law is within the charts themselves. The rest of the law is comprised of supplementary articles, special use permit information, administration, and enforcement.

The district charts are all read in the same manner. The columns or rows may contain footnotes that have comments at the end of the district chart or refer to another section in the law such as Article 5 or Article 7.

When reviewing the charts, the Planning Board can adjust the charts to allow or disallow uses in certain districts and modify the need for a special use permit.

The Town of Sheldon Planning Board stated that they agree with the law allowing an accessory structure to be placed in front of the principal dwelling as long as the setbacks for the principal dwelling are met.

Mobile vs manufactured homes:

A mobile home was constructed in a factory prior to June 15, 1976, with or without a label certifying compliance with NFPA, ANSI or a specific state standard.

A manufactured home was built on or after June 15, 1976, and bears a seal signifying conformance to the design and construction requirements of the Department of Housing and Urban Development (HUD).

Bed and breakfasts vs air B-n-B's were discussed. A bed and breakfast is defined as having no more than 5 rentable rooms, no more than 10 transient occupants at one time and one meal per day can be served. Bed and breakfast establishments require a building permit and are regulated under NYS code.

Air B-n-Bs have no change in use and no restrictions. There is no law governing these currently. Inspections would be required, but it would be difficult to regulate them. However, the county could obtain a bed tax. It is up to the homeowner to keep the renters safe with smoke detectors and CO detectors.

Accessory dwelling units are a new concept where a detached accessory unit such as a garage could be used as a dwelling for an in-law apartment or rented out. There would need to be separate utilities. These are typically small dwellings. The lot coverage is defined in the zoning law on how much of the lot can be utilized for structures.

The 1983 firm maps for floodplains will be digitized by the DEC sometime in the future.

Cannabis – the Town of Sheldon has opted-in and retail dispensaries are permitted. The one on Route 77 has a permit as per Don Roberts.

PBD = Planned Business District – this is also a new concept in the law. It is not really a district, but it is treated like a re-zone and it can be placed where the town would like to create the district. This district could be for a shopping plaza or multiple business buildings.

EPOD – the light colors will be pulled off the district map and Joanna will create a separate floodplain/wetlands map.

MM – is the floating mining district that can be placed where the town would like to create the district.

Article 9 of the zoning law is for Property Maintenance. It is a small section that deals with the zoning enforcement of high weeds, tall grass, junk cars, roof and porch collapses, etc. These property maintenance issues can be addressed under the zoning law and backed up with Building Codes enforcement.

- The existing local laws for solar and wind will need a footnote in the law and will be included in the back of the model law.
- Joanna can put an overlay of the windmills and large solar arrays on the zoning map.

Seasonal residential district (purple on the zoning map) – Poplar Point, Buffalo Hill Village, Pioneer Trail. These areas are like their own entities, they are not zoned residential, and they do not receive services such as plowing, garbage pickup, etc. The Planning Board would like to limit the expansion of these areas. Don Roberts said that it will take some time to fix, but lot size could be regulated in the zoning law to find a happy medium.

Deanne would like to find out more information about the seasonal residential district and would like to know how other municipalities handle them.

- The town has requested that Joanna provide enlarged aerial maps of these areas showing the buildings and the square footage of the lots.

The areas of Wilder and Quakertown Roads have a bunch of campers where there are 10' right-of-ways between properties and the property lines are not well-defined. Manley Road also has a lot of campers.

Cluster Residential District – allows for recreational uses. For example, Buffalo Hill Village is great for snowmobiling.

Next steps:

Planning Board Members and Deanne will review the draft zoning law and will focus on coming up with goals and restrictions. We can modify the law for setback changes, minimum lot sizes, uses, SUPs, etc. Revisions in the model law can assist with current zoning concerns. The Planning Board will have Don Roberts and Lisa Aures come back soon for further discussion.

Mr. DiMatteo stated that when the town has finalized the model law, a public hearing will be held for comments and then it will need to be approved by the Town Board.