

**Town of Waterford  
Planning Board  
65 Broad Street  
Waterford, NY 12188**

**Minutes of February 8, 2010**

The meeting began at 7:35pm with attendance being taken. Present were members Peter Fletcher, Harriett Fusco, Richard Hurst and Chairman David Woodin. Also present was Rene Lipatas, CHA. Absent were David Wendth and Bob LeFebvre.

The Chairman made a motion to waive the reading of the December 2009 meeting and accept as written, seconded by Fusco. The motion passed 4-0 with voting as follows:

Hurst	yes
Fletcher	yes
Fusco	yes
Chairman Woodin	yes

Due to several absences, Alternate Member Hurst was an active member for this meeting.

Mr. Hurst discussed the current Town fee schedule and the proposed revisions. He and Ray Carmel have researched the fees other towns charge, and received input from Ms. Lipatas on engineering fees. The purpose of the review is to make the fees more balanced. The process of appearing before the planning board was reviewed as well as the corresponding fees for each step and how they are assessed.

Mr. Hurst went on to say that a tighter process will ensure that the applicant has the proper submittals in place and the engineer has had ample time to review and comment on the paperwork. If the applicant has not handed their material in on time, or the engineer did not have enough time to review the submittal, then the applicant will not come to the next meeting. The applicant will wait until all items have been reviewed. The preliminary review is \$200.00, to be paid prior to the engineer's review. The process of other towns was discussed.

The Chairman referred to the preliminary review process and the thought that the Town may be accused by an applicant of dragging out the process to get more money from them.

Mr. Hurst added that the applicant will not appear before the Board until the engineer has given the ok to proceed. This process will protect everyone involved. When the applicant does come back before the Board, then they need to pay another review fee. The Town has to pay for the engineer's work and for the members who sit on the Board each month. The applicant should be paying for the Town's services. When the sketch plan is ready, the engineer will review and

inform the applicant of what needs to be done. The applicant will not come before the Board until the items are completed. This gives the applicant the time they need to address the issues. The Board will then review the plan. There will always be an exception, but this process will eliminate the abuse of the Board's time.

Mr. Fletcher asked if the Board wanted to waive the fee for a certain circumstance, who has the authority to do this? Is it the Chairman or the Board?

The Chairman replied that the vote would be taken as a Board.

Mr. Hurst added that the applicant first fills out the Zoning Verification form, then the building inspector will inform them of the Planning Board meeting.

Mr. Hurst also asked for the Boards' input on a lot line issue involving property by Girard and Schoonmaker on Third Street. He will be contacting the town attorney to see if this matter will fall under a grandfather clause.

The Chairman asked about a hypothetical scenario in which the lot line adjustment did not involve a garage or driveway that fell on the property line. The assumption would be that all the setbacks would be fine except the lot would now be too small because one party gave away property to make the lot under 15,000 sq feet.

Mr. Hurst stated that the applicant would have to go before the ZBA. He referred to the Town Code, sections 161.21 and 166.18 for clarification.

The Chairman asked what if the lot was originally 10,000 sq feet? It is already not compliant. Moving the line only lessens the square footage.

Ms. Lipatas stated that if the lot was already non-compliant prior to the zoning, it meets the grandfather clause.

The Chairman added that lot line issues can cause the owner problems when they go to sell their home in the future. It's better to resolve them now.

There is no need for a public hearing involving this; it's not affecting anyone else. The applicants are only moving the property line.

The Chairman made a motion to close the meeting at 8:16pm, seconded by Mr. Hurst.