

**MINUTES OF THE PLANNING BOARD MEETING
TOWN OF RICHLAND
1 BRIDGE STREET, PULASKI, NY 13142**

DATE: Monday, April 15, 2024

PLACE: H Douglas Barclay Courthouse

PLANNING BOARD MEMBERS PRESENT: Tom King, Jon Goodsell, Brian Leary, Joe McGrath

OTHERS IN ATTENDANCE: John Howland, Jeff Edick, James Cornell, Ed and Donna Gilson, Bryan, Robin and Cassidy Philips, Ben Hoefler, Brittany Colson, Mike Barnell, Christian Burt, Mike Lasell, David Adydan, Robert Karle, Garrett Brancy

CALL TO ORDER: The meeting was called to order at 7:01p.m. with Joe McGrath leading in the Pledge of Allegiance.

PUBLIC HEARING:

SPECIAL PERMIT APPLICATION:

Application 24-09 & 24-10 submitted by James Cornell 7512 St Rt 3 for a motel. Special permit & site plan to convert existing downstairs area into 4 rental rooms. Chairman McGrath asked Mr. Cornell to explain his project as he was not in attendance at last month's meeting. ***A motion was made by Leary and seconded by King to open the public hearing at 7:04 p.m. All members were in favor with a vote of yes.*** Bob Karle - lives behind the project site, was wondering if it is for permanent residence or fishing and if there will be more trailers and campers all over the place. Mr. Cornell stated that it will be for fishing and that the trailers that are there belong to him personally, there will only be cars from the people that are staying there. Mr. Karle does not mind if Mr. Cornell does the motel, but is concerned about the already unsightly lawn and junk that is there and would like to see it cleaned up. Chairman McGrath explained that because it is a special permit, the board can make special requests of the applicant when issuing the permit. Garrett Brancy, from Douglaston Salmon Run, asked for some clarification of the notice he received stating that there would be an addition to the building. Mr. Cornell states that the wording of the notice was incorrect, that it is still within the current footprint. David Adydan, neighboring property, inquired if this would be for Section 8 residents like the Port Lodge Motel. Mr. Cornell said no. John Howland let the Chairman know that there is also going to be a small tackle shop there as well. Mr. Cornell informed the board that his inquiry to the DOT to change the driveway was turned down, the driveway entrance will remain the same. ***A motion was made by Leary and seconded by Goodsell to close the public hearing at 7:11 p.m. All members were in favor with a vote of yes.*** The board asked Mr. Karle what he would like to see the premises look like. He just asked him to clean it up some. ***A motion was made by Leary and seconded by King to pass a special use permit 24-09 for a 4 unit motel and retail sales (tackle shop) inside the existing building at 7512 State Route 3 with the following additional condition: clean up property before certificate of compliance is issued. In a roll call vote, members voted as follows:***

McGrath, yes; Goodsell, yes; King, yes; and Leary, yes. A motion was made by Leary and seconded by Goodsell to approve the site plan for application 24-10 with the same condition as the special permit. In a roll call vote, members voted as follows: McGrath, yes; Goodsell, yes; King, yes; and Leary, yes.

SPECIAL USE PERMIT APPLICATION:

Applications 24-11 & 24-12 submitted by Cassidy Philips from 119 Ivens Rd. for a special permit & site plan to operate a service business. Dog grooming. Cassidy explained her project to the board. **A motion was made by Leary and seconded by King to open the public hearing at 7:17 p.m. All members were in favor with a vote of yes.** There were no public comments. **A motion was made by Leary and seconded by King to close the public hearing at 7:18 p.m. All members were in favor with a vote of yes.** John Howland addressed the septic that was discussed last month, and the existing septic is sufficient for the business. **A motion was made by Leary and seconded by Goodsell to approve special use permit application 24-11 as submitted. In a roll call vote, members voted as follows: McGrath, yes; Goodsell, yes; King, yes; and Leary, yes. A motion was made by Leary and seconded by King to approve site plan application 24-12 as presented. In a roll call vote, members voted as follows: McGrath, yes; Goodsell, yes; King, yes; and Leary, yes.**

DISCUSSION:

Mike Barnell from the Lighthouse Marina stated that Abe and Kathy Ellis have managed the lighthouse marina business for a decade now and they handled the day to day operations. Mr. Barnell has done the redeveloping work and helped with the rehabilitation work. The Ellis's are retiring now and Christian Burt will be taking over for them. New signage paperwork was given to board members to address some of the issues from last year. Chairman McGrath said that the way things were left last year, that he does not come back to the board regarding the signage, that John Howland can sign off on that. Mr. Barnell would like the board to consider and approve for them to be able to put an abeyance and amend their development plan. They had an approval for a plan to put up structures that are not there yet and then they constructed something that was not approved and out of code by putting the sides on the pavilion. He would like to come back with an amended plan that would address all of the changes taken into account for the next year and feels that they will come back with a plan that will be more accepted by everyone. It is his understanding that it is not a violation until you want to use and occupy the property. He would like to come back with an amended plan, not use that building, treat it like they just put up those walls temporarily to protect it while they were building it, and come back with an amended plan that the board could totally reject or approve. He hopes that the neighbors will appreciate it and that the board would approve it. He would like to provide some sort of food service there for people. Chairman McGrath asked if he plans to rebuild a hotel/restaurant. Mr. Barnell said the property will not handle 2 restaurants or even one large one. He would like to build a smaller level of food service to fit the site right and would like to build some smaller buildings there to complement the lighthouse itself. Mr. McGrath states that the board would welcome and entertain any project that he brings back to them. The problem that he has now, he needs to address with the Town board and Mr. Howland the property is in violation. This means that the board can not act on anything that he brings before them until he

removes the walls on the pavilion and corrects the violation. Once the violation is issued, this board can not remove the violation or act on anything. It is up to the Town Board and Town Attorney now. Your plans called for an open pavilion and you closed it in. You can not use any of the buildings down other than the existing bait shop because that building is in violation. Mr. Barnell states that he loves the property and he loves this community, he is trying to do something right here. The building is in the exact location that was approved and is exactly the same size that was approved, the only thing different is that he enclosed it with the intention of having a food service there. Mr. McGrath informed him that he did not have permission to do that and that food service there was not on his application. Mr. Barnells intention was to get things put together with Mike Lasell after the flooding to apply for the READY grant to redo the septic system and redo the grading. As part of that, he had to note what building the septic system was going to support, so they devised a plan and ideas for that moment. As the septic went in, they started to develop more plans. Joe reiterated that the violation needs to be cleaned up before anything else can come before them. John Howland spoke to the Town Attorney this morning, no permit can be issued until the walls are down. Mr. Barnell will take the walls down if he has to, but he feels that it is wasteful to take it down and ruin the wood, to then get the approval and put it back up. Joe said that he is making an assumption that this board will approve it, that is an assumption that he can not make. Mike would like to get more neighborhood approval. He is trying to do something to make everyone feel good about and for the public to enjoy more. Joe stated that he has a sensitive piece of property down there, he is sorry that it has gotten to this point, but the board's hands are tied until the violation is corrected. Mr. Barnell apologized and said that it was not his intention to back door the board when he put the walls up.

Campground Discussion

John did a quick recap of last month's discussion, minimum of 10 acres, minimum of 10 campsites, if they have that the County Health Department and the DEC both get involved. However, there is the Canning Factory Campground that faced opposition. Could leave the law the way it is now 2 or more campers and must have at least 5 acres. Under County Health Department 5 or more constitutes a campground. If someone has a 4 unit campground, they don't have to go to the County Health Department except to obtain approval for the septic system. The board is confused as to what the end goal is of the Town Board and what they want. If someone from out of state purchases property here and they don't want to build a second home, they just want to bring up their camper to their property and stay there. A camper is not able to be assessed. Should we require them to have a septic? What if they want to live there year round? The Town does not want people living in their campers year round. There was discussion of whether we should allow them to put a roof over it. Other Towns have laws that they must obtain a permit for a certain number of days and then remove it. The problem with that is the enforcement. Another issue is the accessory buildings that people are now living/staying in. The Town could make it a variance and then we wouldn't have any more campgrounds. If we want to encourage people to come here and build beautiful homes, they need to know that their homes are going to be protected. What do we want our Town to look like? Solar farms, Amish, campgrounds and campsites? Or do we want better control so we are encouraging another layer of people to come and help us develop it and look nice. We need

available space for them to build. All of the campgrounds in the Town of Richland right now are only permanent sites. The only transient campground here is Selkirk. Any structure that they wish to reside in must be over 600 square feet is another idea or to just do away with campgrounds completely.

A motion was made by King and seconded by Leary to approve the Planning Board minutes from March 18 as submitted. All members were in favor with a vote of yes.

The Chairman has asked all board members to review the first 40-45 pages of the zoning law to discuss it at the next meeting.

The meeting was adjourned at 8:52 p.m.

Respectfully submitted by
Julie Peterson