

TOWN OF GAINES PLANNING/ZONING BOARD MEETING  
JULY 1, 2013 7:30PM

Present: Chairman Michael Grabowski, Vice-Chairman Raymond Burke  
Members: David Thom, Marilynn Miller, George Fleshman(alternate),

Guests: Gary Davy, David Snell, Russ Benzin, Tom Rivere, Barry Glansburg,  
Tibbs Alhberg, Chris Watt, Jerry Culhane

Absent:: Member: Curtis Strickland

Chairman Grabowski called the meeting to order at 7:31PM with the Pledge of Allegiance to the Flag.

**Approval of June 2013 Minutes**

On a motion of Vice-Chairman Burke, seconded by Member Fleshman, the following was

Carried Ayes 5 Burke, Grabowski, Thom, Fleshman, Miller  
Nays 0

The June 2013 minutes are approved as is.

**Ciesielski/Ducharme Subdivision**

The Orleans County Planning Board returned to us the subdivision application as they do not need to review subdivisions. Chairman Grabowski informed David Snell that there needs to be a 200 foot frontage for the lot that is land locked. David reviewed with the board his recommendation as to where he would like to suggest the frontage to be and the board agreed. David will discuss with Ciesielski/Ducharme.

**Oded Kalir Site Plan**

On a motion of Vice-Chairman Burke, seconded by Member Miller, the following was

Carried Ayes 5 Burke, Grabowski, Thom, Miller, Fleshman  
Nays 0

Approve the Oded Kalir Site plan as is.

The Orleans County Planning Board suggested we approve it as is.

On a motion of Member Thom, seconded by Member Miller, the following was

Carried Ayes 5 Burke, Grabowski, Thom, Miller, Fleshman  
Nays 0

A Public Hearing for a special use permit to allow for migrant housing in this non ag district will be held on 7/16/13 at 7:00PM.

### **Kast Farms, Inc. Site Plan**

On a motion of Vice-Chairman Burke, seconded by Member Thom the following was

Carried           Ayes 5 Burke, Grabowski, Thom, Miller, Fleshman  
                      Nays 0

Approve the Kast Farms site plan as is, as long as the driveway has a turn around added so that you are not backing out onto the road.

The Orleans County Planning Board suggested we approve it as is.

On a motion of Member Thom, seconded by Member Miller, the following was

Carried           Ayes 5 Burke, Grabowski, Thom, Fleshman, Miller  
                      Nays 0

To hold a public hearing on 7/17/13 at 7:00pm to discuss both use variances of using a pillar system instead of a full foundation and eight persons per unit instead of six.

### **Burke Site Plan Review**

On a motion of Member Thom, seconded by Member Miller, the following was

Carried           Ayes 4 Grabowski, Thom, Miller, Fleshman  
                      Nays 0

The Town of Gaines will be the lead agency for the SEQR of the Burke Site Plan application.

On a motion of Member Miller, seconded by Member Thom, the following was

Carried           Ayes 4 Grabowski, Thom, Miller, Fleshman  
                      Nays 0

Town of Gaines is Lead Agency for the Type 2 action under SEQR Raymond Burke Site Plan application.

Raymond Burke gave an overview of the home that was purchased on the corner of route 98 and 104 in which they would like to use to sell higher end crafts and display art. They

will be putting in a new 20 foot wide driveway off of Route 98, and will allow for parking of 14 vehicles. He has applied for the driveway permit. There will be no additional landscaping as he would like to keep it as original as possible. There will be one exterior light on the side of the garage. There will be a sign on 104 with the possibility of a small one at the driveway entrance on 98.

On a motion of Member Thom, seconded by Member Fleshman, the following was  
Carried           Ayes 4 Grabowski, Thom, Fleshman, Miller  
                      Nays 0

Town of Gaines will record to county for preliminary review for the Raymond Burke Site Plan.

On a motion of Member Miller, seconded by Member Thom, the following was

Carried           Ayes 4 Grabowski, Thom, Fleshman, Miller  
                      Nays 0

To hold a public hearing to discuss the special use permit of using the single family home for commercial use on 7/16/13 after the Oded Kalir hearing.

### **Public Hearing Christopher Watt Turbine**

On a motion of Vice-Chairman Burke, seconded by Member Miller, the following was

Carried           Ayes 5 Burke, Grabowski, Thom, Fleshman, Miller  
                      Nays 0

To approve the resolution calling for a public hearing for Christopher Watt's wind turbine.

Chairman Grabowski read the following resolution calling for a public hearing for Chris Watt:

TOWN OF GAINES ZONING BOARD OF APPEALS  
Resolution Calling for Public Hearing on Application of  
Christopher Watt for placement of a Wind Turbine at 3162 Oak Orchard Road,  
in the Town of Gaines, Orleans County, New York

**WHEREAS**, Christopher Watt previously applied for and was granted permission by the Planning Board for placement of a Wind Turbine at 3162 Oak Orchard Road, in the Town of Gaines, Orleans County, New York; and

**WHEREAS**, the New York State Supreme Court has remanded the application back to the Town for further consideration; and

**WHEREAS**, the Zoning Board of Appeals has assumed the duties of the Planning Board in regard to such applications.

**NOW THEREFORE BE IT RESOLVED BY THE ZONING BOARD OF APPEALS OF THE TOWN OF GAINES** as follows:

1. A public hearing on the Watt Application shall be held on August 5, 2013 at 7 p.m. at the Gaines Town Hall. Notice shall be posted and published.

2. This Resolution is effective immediately.

APPROVED BY THE ZONING BOARD OF APPEALS OF THE TOWN OF GAINES on the 1<sup>st</sup> day of July, 2013

With no further business on a motion from Member Thom, seconded by Member Miller the meeting was adjourned at 8:12pm.

Respectfully Submitted,  
Carol Claus