

TOWN OF GAINES PLANNING BOARD MEETING

MAY 3, 2022

TOWN HALL

Meeting Called to Order by Chairman Watt at 7:00 P. M.

Pledge to the Flag led by Chairman Watt

PRESENT: Christopher Watt, Chairman; Gerald Monagan; Justin Kirby; Doug Bower; Doug Heath (Attorney), Dan Strong (Codes Enforcement Officer); Sherman Gittens from MRB Group

Excused: Brenda Radzinski

GUESTS IN ATTENDANCE: Kris Schultz; Laura Olinger; Jared Parrem; Brett Kast

APPROVAL OF MINUTES

Chairman Watt asked for a motion to approve the minutes of April 5, 2022; Motion moved by Doug Bower and 2<sup>nd</sup> by Gerald Monagan

Ayes 3; Nays 0

Excused – 1; Brenda Radzinski

Motion Carried.

PUBLIC HEARING:

Kast Land Division (Brett Kast)

Chairman Watt asked for a motion to open the Public Hearing at 7:03 P.M.; Motion moved by Gerald Monagan; 2<sup>nd</sup> by Doug Bower.

Ayes – 3 Nays – 0

Excused – 1; Brenda Radzinski

The Hearing started with discussion regarding the dividing of the house from the farm, Bret Kast was present to answer any questions, no public comments.

Chairman Watt asked for a motion to close the Public Hearing at 7:08 P.M.; Motion moved by Doug Bower; 2<sup>nd</sup> by Gerald Monagan.

Ayes – 3, Nays – 0

Excused – 1; Brenda Radzinski

Chairman Watt then asked for a motion to approve the application subject to approval of Zoning Board of Appeals; Motion moved by Doug Bower; 2<sup>nd</sup> by Gerald Monagan.

Ayes – 3; Nays – 0

Excused – 1; Brenda Radzinski

Motion Carried.

Tillman's Village Inn Land Division

Chairman Watt started the discussion by letting everyone know there are some difficulties to deal with on this project, the main concerns included parking considerations and room for emergency vehicles. Kris Schulz of Schultz Associates presented maps to the board showing the changes to the easements.

The discussion then moved to the vagueness of the code for labeling the Inn as a hotel, it is set up more like a bed and breakfast. Chairman Watt stated the property would is not considered a bed and breakfast because breakfast is not served. It is considered more like a motel, which requires 2 acres by code. Chairman Watt then shared with Kris Schultz that a Special Use Permit issued to the Tillman's is now "done" or no longer valid when sold to another party. Kris Schultz requested a copy of the Special Use Permit that was given to Tillman's when they started the lodging. It was then stated that, for parking one space per room – 8 rooms, 8 spaces, plus handicapped parking.

Kris Schultz then proceeded to discuss the ingress and egress. Chairman Watt stated it would still need a fire lane. Doug Heath the Town's Attorney spoke up and questioned about a fisherman with a boat/trailer. Where would they park? Laura Olinger suggested they could park at her marina in another town. It was then mentioned, the grant of easement has to site all the particulars in order to protect Laura Olinger. Doug Heath the Town's Attorney stated he would talk to Laura Olinger's attorney and would need to look at Variances and Special Permit, etc.

Doug Heath, Town Attorney, then stated how he was upset that Tillman's dropped this on Laura Olinger to handle. He said her attorney should have been present to represent her on this transaction.

The discussion then moved to the restaurant and the requirements. There are certain amount of parking spots and Chairman Watt would like to see how many parking spots the restaurant would have. Hoping to see something showing this.

Kris Schultz then mentioned he would like to move this along to the County Planning Board. Doug Heath the Town Attorney wants to see easement, variances, application, etc. before this happens. Kris Schultz stated he would be happy to send him copies. Doug Bower then questioned whether we have to have both parcels ready before going to County. Doug Heath the Town's Attorney spoke up and stated that this cannot go to County Planning Board until all aspects are ready.

Dan Strong, Codes Enforcement Officer then wanted to make the board aware of the original plan for the 2<sup>nd</sup> house, It is limited to 9 people. Laura Olinger acknowledged and plans to limit to 8. Kris Schultz will make the accommodations to meet the boards needs.

In the end Chairman Watt, recommended Mark Tillman and his attorney attend, the next meeting to answer all questions and more discussion with continue at next month's meeting.

#### OLD BUSINESS:

##### UDERITZ Solar Project

Chairman Watt then moved the discussion to the Uderitz Solar Project, letting the board know a decommission bond, etc. was being taken care of. Sherman Gittens from MRB Group let the board know he had Janet Ward change the terms to 30 years not 31 ½ years, so this will make reasonable valuation of the bond. Sherman then presented the board with a new 1<sup>st</sup> page of the Decommissioning plan, everything else is good. No further action at this time. The Decommissioning Plan and Bond will be in front of the Town Board next week.

##### PESCARA 1 Solar Project

The discussion then moved onto the PESCARA 1 Solar Project. They are dealing with Lighting District Issues. Doug Heath the Town's Attorney is trying to wrap up the Town of Carlton piece of this project. He is working on getting it done, but our hands are tied. The Town of Carlton is working on a Public Hearing in July. They planned to move, but all members of their board ended up with COVID, therefore, they were delayed.

Sherman Gittens from MRB Group then asked how long after they would be able to merge the parcels. Doug Heath Town Attorney stated he would look into it, but he thought at least 30 days, permissive referendum period as required by the local law.

#### OTHER BUSINESS:

Dan Strong, Code Enforcement Officer, mentioned to the board members that they should watch for training, Hoag Library may be offering some at their location. Members of the Planning Board need to get their 4 hours of training.

#### ADJOURNMENT

Motion to adjourn at 8:32 P. M. by, Doug Bower 2<sup>nd</sup> by Justin Kirby

Ayes 4; Nays 0

Excused – 1; Brenda Radzinski

Motion Carried.

Respectfully submitted,  
Susan Heard  
Acting Secretary