

**ANCRAM PLANNING BOARD
MEETING MINUTES
August 6th, 2015**

Board Members Present: John Ingram (Chair), Dennis Sigler, Erin Robertson, Joe Crocco, James Stickles, Ann Rader (alt), Colleen Lutz (clerk)

Board Member(s) Absent: Terry Boyles, Jamie Purinton, Bob Roche (alt)

Additional Present: Donna Peck, Bethany Ralph, Greg Pullen, Fred Berliner

On August 6th, 2015 the monthly meeting of the Town of Ancram Planning Board was called to order at 7:00 PM by Chair John Ingram.

The previous month's minutes were reviewed by the Board. The clerk suggested a grammatical correction on page 3. A motion was made by Erin Robertson to accept the minutes with the correction. The motion was seconded by Dennis Sigler and the board unanimously voted in favor to accept the minutes.

The clerk stated that she had put a copy of the planning news for everyone with their minutes.

Agenda Items:

OLD BUSINESS

John Timlin

Parcel ID 198.-1-33

1175 County Route 3 Ancramdale, NY 12503

Ms. Ralph ESQ. (attorney for the client) added changes to the draft resolution (please see attached). The Board members read the changes.

Mr. Sigler stated that he had a problem with the equipment shed being used by another farmer. He stated that the site plan review is for the applicant as the farmer and the shed is essential to the farmer operation. If he cannot farm the property, it should come back to the board to get approval for a different farmer.

The Chair questioned if it mattered if the applicant uses it or another farmer as long as it is being used for farm equipment only? Mr. Stickles agreed.

Ms. Ralph stated that she felt that using the word "essential" to the operation is not in the law.

Mr. Crocco asked what the setback was.

The Chairs stated that if the structure were to become an accessory structure, then it would need an area variance from the ZBA.

Mr. Sigler stated that he was concerned about the precedent that is being set by the Board.

Mr. Crocco asked if the resolution can be amended by having the applicant come in?

Ms. Ralph stated that she felt it would be difficult to enforce this.

The Chair stated that the Board wants to ensure that the parcel is still being used for agricultural purposes and that the equipment shed is being solely used for farm equipment.

The Chair also stated that if he put up a residence and continued to farm that would be okay, if he discontinues farming then the building would need to come down.

Ms. Ralph suggested that they add storage of agricultural equipment or products.

Mr. Crocco stated that he agreed with Mr. Sigler and felt that the applicant should be the one who farms the land. He also is concerned about the precedent the Board is setting.

Ms. Ralph stated that the applicant's intention is to farm the parcel and she stated that he would not go through the trouble of this if he didn't intend to do so.

Ms. Ralph stated that the resolution would be too restrictive to the applicant if only they can farm the land.

Mr. Sigler suggested if the Board were to allow a rental farmer to rent the land, perhaps they should produce an affidavit to the Board stating that they are using the equipment shed for storage of agricultural equipment and products only.

The Chair agreed and stated that the applicant should come back if they cease to farm and if a rental farmer is using the shed, they must produce an affidavit stating they are only using it for the storage of agricultural equipment and products.

Ms. Ralph stated that she was concerned that when Mr. Timlin came back to the Board, the stipulation may be changed.

Mr. Sigler stated that if the criteria changes, then the resolution is void and the applicant will have to come back. He suggested that if the applicant leases the land to a farmer, then the applicant and the lease must come back to the Board to prove that the land and the equipment shed are being farmed and used for farm equipment and product storage.

Ms. Ralph asked that the conditions be spelled out for the applicant.

The Chair stated the completed resolution with changes will be sent to her after it is finally approved by counsel. He stated that a time limit of 60 days to notify the planning board will be given to the applicant if he ceases to farm and is intending on leasing it to another farmer.

Ms. Ralph agreed.

Fred Berliner-Special Use Permit
546 Hall Hill Road Ancram, NY 12502
Parcel ID-219.-1-26

Mr. and Mrs. Berliner were represented by Greg Pullen from Lotus Energy. The applicant wished to install a stand-alone solar array on their property on Hall Hill Road.

The Chair opened the public hearing.

There were no public present to comment of the application, therefore Dennis Sigler made a motion to close the public hearing. The motion was seconded by James Stickle and the Board members present were unanimously in agreement.

James stickles made a motion to enter a Negative Declaration to the SEQRA requirement. Joe Crocco seconded the motion. The Board was unanimously in agreement.

James Stickle made a motion to approve the special use permit with no additional conditions. Erin Robertson seconded the motion and the Board was unanimously in favor.

Jamie Purinton and Terry Boyles were absent.

The Chair notified the Board of the potential lawsuit between Donna Peck and David Hull against John Timlin and the Town of Ancram.

A motion to adjourn was made at 8:00 PM by Erin Robertson and seconded by James Stickle. The board members unanimously agreed.

Respectfully Submitted
Colleen Lutz
Planning Clerk, Town of Ancram

