

TOWN OF MADISON PLANNING BOARD AUGUST 13, 2024, 6:30PM

PRESENT: Board Chairman, Douglas Waterman, Board Members: Earl Coleman, Mark Lewis, Cary Earley, Mitch Hoffmeister, and David Young Planning Board Clerk, Kyla Lawrence.

GUESTS: 15

Chairman Waterman opened the meeting at 6:30 pm

A motion to approve July minutes was made by Cary Earley and seconded by David Young. All in favor were so moved.

PUBLIC HEARING

A motion to open the public hearing for the Jim Morris subdivision was made at 6:32 pm by Cary Earley and seconded by Earl Coleman. All in favor were so moved. This is a 1.71-acre subdivision of property out of a 22-acre parcel located at 2573 Johnny Cake Hill Road, Hamilton, tax map # 153.-2-30. Chairman Waterman addressed the audience and asked if anyone had any questions or concerns to be heard, with no responses a motion to approve the final subdivision was made by Cary Earley and seconded by David Young. All in favor were so moved.

At 6:34 pm a motion to move out of the public hearing and back into regular session was made by David Young and seconded by Cary Earley. All in favor were so moved.

2. Hard Way Realty Co., LLC proposed a lot-line adjustment of property located at 7239 State Route 20, Madison, tax map #114.-1-72. They sold 0.093 acres to Wayne Smith (A-n-W) to accommodate for where his shed is currently located. The Board found no issue or adverse environmental impact. A motion to approve was made by Earl Coleman and seconded by Mitch Hoffmeister. All in favor were so moved.

3. Rachel Smith of EDP Renewables came before the Board to announce her company is proposing a 347' (104m) meteorological evaluation tower (MET) that will be part of a wind farm in a location to be determined as "land-owner negotiations are still ongoing". She inquired what the process will be for EDP Renewables to have such a structure approved. Chairman Waterman explained that as the Town of Madison prohibits structures taller than 200', a special use permit as well as a variance will be necessary. He explained that they would have to appear before the Variance Board of Appeals and if approved by them, then they could return to the Planning Board. * Town Attorney,

Nadine Bell, also explained that depending on the final location of the MET tower, a Madison County review may also be required.

4. Nick Koen and his attorney, John Furst, of Terram Holding, LLC returned to speak about the change in structure of proposed “cabins” at the former White Eagle Conference Center. When Terram Holding LLC was originally approved for their project they had proposed stick-built, 600 square-foot modular cabins. Mr. Furst discussed their decision to change this plan to go with a park model RV from Lancaster Cabins. These are smaller units at 400 square feet, still with wooden siding and tin roofs, and “the wheels would be hidden with skirting”. Mr. Furst went on to explain that their intent would be the same as originally discussed last year; permanent structures made for short-term rentals. According to Mr. Furst, these RV models have a lifespan of 20-30 years.

Chairman Waterman explained that changing the cabin type would render the original approval null and void and an entirely new public hearing would need to be held to discuss if the Planning Board would consider approving the new “cabins”. Mr. Furst argued that this should not be the case as the intent is not changing and that decks will even be added to the RV’s, increasing the permanency of the structure.

Attorney Bell addressed Mr. Furst and explained that changing the structure does indeed change the intent. Stick-built structures allow for year-round rentals, whereas RVs only allow for seasonal rentals; homes can have lifespans of centuries whereas these RVs have only 20-30 years- what happens after their lifespan has expired? She went on to say that an amended site plan with a SEQR as well as a referral to Madison County and a public hearing would absolutely be necessary to even begin the consideration process.

Mr. Lawrence Cesario, Codes Officer for the Town of Madison, then addressed Mr. Furst and explained according to state law, people may only reside in RVs if they are licensed and registered through the Department of Motor Vehicles. To remove license plates and/or not have these RVs registered would declassify them as RVs, meaning they would need to be up to residential code, which they wouldn’t be, and he wouldn’t allow occupancy.

Mr. Koen said he’d rather not go through any more trouble or upset the Town and that if he needed to stick with the original plan to avoid another public hearing, that’s what he would do.

Chairman Waterman ended the conversation with amending a previously incorrect statement from the last time he had spoken with Mr. Koen stating that the driveway into

the area only needs to be 20 feet wide, not 30 feet. Chairman Waterman said he would send an official letter documenting this amendment.

5. James Dye returned before the Board for an amended approval of his previous lot-line adjustment of properties located at tax map # 114.-6-1-21 and 114.-6-1-22 because NYS took 650 square feet of land using eminent domain for their bridge project on Solsville Road, making one of Mr. Dye's parcel's less than an acre. The Board asked Mr. Dye to return next month on September 10th for this approval pending proper paperwork.

Chairman Waterman then addressed the audience and asked if anyone had any other issues to discuss. Mrs. Martha Young stated that they'd like to create a plaque in honor of Roger in the parking lot and that more information will be forthcoming.

There being no further business or discussion, a motion to adjourn was made at 7:23 PM by Cary Earley and seconded by Mitch Hoffmeister. All in favor were so moved.

Respectfully submitted by,
Kyla Lawrence
Planning Board Clerk

* Amendment- after further review of Town bylaws, Attorney Bell discovered that EDP Renewables does NOT need to appear before the Variance Board first because the verbiage in the Wind Law allows for the Planning Board to be the deciding entity even in the event of variances.