

**TOWN OF MADISON PLANNING BOARD                      NOVEMBER 16, 2022,                      6:30PM**

**PRESENT:** Chairman, Doug Waterman, Board Members, John Mancino, Mark Lewis, Earl Coleman, Mitch Hoffmeister & Ken Hepburn

**GUESTS:** 1

This was a special meeting held to discuss amongst the Board the policies and procedures for dealing with commercial and residential hybrid properties.

The Board agreed that a letter should be written to the Town Board asking them to clearly define air b-n-b's, lodges, cabins, campgrounds, motels, etc. As it stands now, if a property is considered commercial, it requires one acre of land, per structure. The same requirement applies to residential properties. But in the case where a person(s) primary residence is on the same property as commercial business (a commercial-residential hybrid) what are the regulations? Two acres? Only one?

The Planning Board determined that in cases of hybrid properties, stamped plans for septic systems and site plan review for setbacks and water systems (how big is the well, how many structures will it feed, how far away from septic is it) would be required for approval. Once approval has been made by the Planning Board, a public hearing would then be scheduled to allow neighbors to weigh in. If no reasonable hardships or issues are brought up or considered, then the person(s) would be given the go-ahead to continue with their project.

**Gwenn & Evan Werner-** In this case, the Werner's are asking to build two (2) cabins on their property for transient rental use. If those cabins are classified as residential, they would each require an acre of land, 100 feet of road frontage, and setbacks of 25 feet. The same would be required if they were considered commercial. The Planning Board made the decision to consider these cabins as Accessory Dwelling Units (ADU's). According to the Land Use Regulations, Article III, §3, C), accessory structure larger than 200 sq. ft shall have a minimum side and rear setback of 25 feet, and D), residential structures without a basement must have an outside storage structure or garage with a minimum area of 100 sq. ft. Chairman Waterman said he would contact the Werner's to let them know what the requirements are and ask them to provide that information at the next regularly scheduled meeting, December 13, 2022. If approved, their public hearing would be scheduled for January 9, 2022.

It was determined that Planning Board Clerk, Kyla Lawrence, will draft the letter to the Town Board to be reviewed by Chairman Waterman and the rest of the Planning Board before it's sent to the Town Board. Ms. Lawrence will also contact Jim Still from last week's meeting to relay the requirements needed to be fulfilled by him for the December meeting and if approved, his public hearing will also occur on January 9, 2022.

**ADDENDUM AS OF 11/17/22:** After careful consideration of the Werner's stamped plans, the Board decided to change their stance on this case. It was determined that the Werner's cabins will no longer be considered Accessory Dwelling Units and will now be considered as individual structures, each requiring one acre of land and 100 feet of road

frontage with separate septic systems. The Werner's will be notified of this decision and will have the option to continue with construction using these regulations, or they may wait until the Town Board has had a chance to define and provide guidance regarding residential and commercial hybrid properties.

Submitted by Kyla Lawrence,  
Planning Board Clerk