

January 5, 2026
Planning Board Minutes
(approved 2/2/26)

Attendance: John Owens, Kathy Clemens, Dick Schutt, Gary Simpson, Sandy Pierce, Also: Rhonda Fairbanks, Shelly, 1 Public

Training Webinar:

- Local Governing Board cannot serve on Planning Board, planning board appoints members, 5-7 members, 5 or 7 year rotation (home rule can supersede rule), staggered term, insulate from political changes with rotating membership, oath of office must be done.
- Quorum: 5 member, must have 3; 7, 4 present; Alternates can be appointed, any number with terms by local town board; alternates can be used if conflict of interest in place, taking care of loved ones, illness, etc, must take oath
- Chairperson appointed by town board, planning board can appoint an acting chair, can also appoint a vice chair- agenda, oversee meeting, liaison to local board, signs site plans
- Conduct & Ethics: can be removed for cause (poor attendance, continued inappropriate behavior, failure to receive training) Must hold public hearing prior to dismissing
- Training requirements: 4hrs/annually or not reappointed, governing body can waive or modify requirements by resolution of governing board–included alternates
- Advisory roles: recommend regulations on land use, regulations, municipal plan, long term planning, capital budget, comprehensive plan
- Advisory- Direct appeal: variances for subdivision, site plan or special use permit
- Comprehensive Plan- community vision (goals and recommended actions, strategies short/long term goals, guide plan
 - Updating–age, periodic review, rapid growth/decline, community character at risk special places disappearing, community changes
- Planning Board can act as a special board to draft, recommendations on proposed plan, community engagement, adoption is governing boards responsibility
- Comp plan importance: zoning must be in accordance, defense against spot zone, capital improvements, (local government efficiency grant)
- NYS DOS grant opportunities
- Regulatory authority: Once delegated town board needs to allow planning board to do job
- Boundary or lot line adjustment: alteration of lot lines with no addt lots; lot merges can be included (deal w assessor)
- Subdivision: sale, transfer of ownership or developmentTown Law section 7-726 and 7-277
 - Major or minor- no of lots, new streets, extension of infrastructure, configuration of proposed lots transfer of land from adjacent parcels.
 - Lot configuration, street pattern, streets/roads, sidewalk/curb, utility install, service access, drainage, landscaping

- cluster/conservation subdivisions—does not work without zoning—preserving open space, density neutral Determines location of lot
- Subdivision review—public hearing required, county agency referral may be necessary, SEQRA required, parkland or money in lieu of parkland, 62 days to act on after public hearing or default approval, 120 day window to keep public hearing open. Density can be regulated to prevent continual subdivision
 - Provisions: minimum lot size, do not subdivide into unusable lots (perc test)
 - Original lot plus 3 lots fall under DOH, minor; over 5 lots is a major subdivision—determines SEQRA
- Site Plan Review Town Law section 274a— can be planning board or held on by governing body
 - Components review board, subject to review, specific submission reqs, local procedures, enforcement authority CEO for conditions of approval
 - Elements: use, location/dimension bldg, adjacent uses, proposed grade/contour, sewage/storm drainage, utilities, parking, lighting, signage, other
- Special Use Permit, must have zoning in place town law section 274b mitigate adverse impact
 - Types: permanent, temp, renewable
 - Permit run with land not the landowner
 - If project meets
- Public Meetings and Hearings: <https://opengovernment.ny.gov/> not required to allow the public to speak, no meeting behind closed doors
 - Provide access and notice to public and media, post notice in conspicuous place and municipal website; timeframe should be at least a week prior, at least 3 days prior (Public Officers Law section 103.2e materials must be available at least 24hrs in advance and online. All public bodies (Applications (Redactions can be made), Agendas, minutes, on line)
 - Executive sessions public safety, protect identity, criminal investigations, litigation, negotiations, history of person, exams, property value
 - No quorum, no meeting—reschedule
- Clear process imperative, submission deadlines, materials, checklist to track submissions, county review required (redact financial information)
- Duties of officers/committees, applications by non-owners, signature on official documents, agendas, calling meetings, hearings, minutes, referrals
- Public Hearings: public comment, special use permit, subdivision, prep of preliminary comp plan
- Hearings: public meeting requirements, legal notice in newspaper 5 days prior to hearing date, gml section 239-m section 239-n local regs- website, mail, sign on property; notice to adjacent town send notice to clerk mail/email 10 days prior
- SEQRA-application, Type II, Type I or unlisted; lead agency established, EIS, findings/agency decision
- Agricultural data statement: counties are administrators of ag districts. Protected within 500ft of a proposed project

- Referral to county planning agency GML section 239-m, county can forward to county cannot take final action until 30days after full statement is received by the county. 2 day exception requires consideration even after county. You can override county no with a super majority vote, no abstaining from voting (yes/no); findings - describe reason for decision, why imposed, law to facts, lead to conclusions, be able to support decision if challenged in court. Resolutions, forms and meeting minutes stamped with date received by town clerk. Planning board decisions may be appealed by state supreme court
- <https://dos.ny.gov/publications>

● **Meeting was opened at 8pm** by Gary, seconded Dick, all ayes.

Minutes- motion by Gary to dispense with reading of minutes and approve, Sandy seconded, all ayes

Public Comments: No letters/notices

Board members: No new perspective board members.

On going Items: Kathy met with Matt Gladstone and he recommended creating a gmail email and store documents and create the survey with the docs available in gmail. This will allow export and import of data/files and store vital planning department documents. Matt may be available in February to attend the planning board meeting, but recommended viewing the website for a comprehensive plan tutorial for training. John will look into the training opportunities available. Kathy noted the live webinars allow participants to ask questions in the chat box. Kathy will also be creating a draft survey (Matt and Shane from the planning department will both review) to disseminate to members.

2026 meetings listing was given to members and posted on the website. The notice should be posted, in the board outside. Virginia, town clerks office, has the key to the sign board and should be given an additional copy to post in the Evening Sun.

Gary Simpson and Dick Schutt will be doing their oaths.

Dick moved to close meeting, Sandy seconded, all ayes. 8:30pm