

Town of Wilmington Planning and Zoning

Meeting Minutes for January 3, 2023

Minutes of the Town of Wilmington Planning and Zoning Regular Meeting held on the above date at 7:00pm in the Board Room of the Community Center, 7 Community Center Circle, Wilmington, NY 12997

Present:

Laura Hooker	Zoning Board Alternate
Cliff Holzer	Zoning Board Member
Bill Eaton	Zoning Board Member
Jerry Bottcher	Zoning Board Member
Doug Nemec	Code Enforcement Officer
Bob Peters	Zoning Board Member

Others:

Michelle Preston	Board Member
Tina Preston	Board Member
Kevin Frank	
Mark Buckley	
Hope Smith-Holzer	
Travis Holzer	
Kevin Hall	
Dan Hanson	
Jane Sibalski	
Rickard Sibalski	
Laura Reihls	
Steve Reihls	

2 others unable to read names - see attached attendance sheet

Cliff Holzer called the meeting to order at 7:00pm and opened the public hearing.

Motion was made to close the regular meeting for Public Hearing motion was made by Bob Peters 2nd by Bill Eaton.

First Public Hearing is for Holzer Subdivision: Travis & Hope Holzer, Travis wants to go from 1 to 3 lots. Laura Reihls, they are across the river on the other side and she is looking to see if any of the building would be on the river. Her great grandfather preserved that side of the river for fishing and would like to see no development to disturb wide life. Debbie Bois from Forestry has been to the property and all set backs have been met. Laura Hooker explained that there will be not building that close to the river according to the map. Jerry Bottcher asked about vegetation along the river line and Laura Hooker and Doug Nemeck explained that the closet house was 250 ft away from the water front. Laura Reihls stated at this time she can see the house from across the river since the logging was done. Travis stated that APA would not allow them to clear to the river. Jerry Bottcher stated that depending on who buys it that they could have 3 building on the lot in total.

Travis stated they hired Debbie Bois who told them what they could and could not remove for tree. Laura Reihls stated that her family choose not to be in the hamlet on the Bonnieview side and her grandfather donated family land to town to keep it wild.

Travis explained that the bank is very steep and they can not build there. Laura Reihls stated her only concern is the fishing along the river the more development there is it takes away from people fishing the river. Motion was made to close the public hearing by Laura Hooker and 2nd by Bill Eaton.

Public Hearing # 2

Ballen Subdivision - Motion was made to open hearing by Laura Hooker 2nd by Bill Eaton.

Kevin Hall & Mark Buckley (engineer) - This is major APA project and has been deemed completed, they are 90 days away from being complete. 230 Acres which 75 acres will be turned to 7 lots with 5 lots in Wilmington and 4 lots in Jay. They will have a public hearing in

Jay in January 18, 2023. Lots 1-5 are in Wilmington the one concern is lot 5 is part Wilmington/Jay and town of Jay had deem their part not buildable due to wet lands. There will be private road owned by Ballen with underground power which is there already. Each lot will need to drill their own well. Lot sizes will be from 4.2 to 29.7 acera. Town of Jay approved Lots 5&7 with an extensive conditions due to parts of each lot lies in Wilmington. Bob Peter stated that this is major subdivision and that Mr. Bolland could make a donation to our recreational project that is in progress, which is our new skating pavilion. This donation statement is in our code book that with a subdivision the owner should make a donation to our recreational programs. Motion to close public hearing Bob Peters 2nd by Bill Eaton

Open regular meeting approval of December 2022 minutes was made by Bob Peters and 2nd by Jerry Bottcher.

New Business:

KOA:

Letter from Larry Hegele was enter in and discussed re: KOA - Larry is property owner next to Riverside. Laura was unsure if she received copy of letter of Hegele letter and December 2022 minute. One question Mr. Hegele had was on the new fence that is going to be 8'. Jerry Bottcher asked for the description of the fence Kevin Frank o/b/o KOA explained that the fence would be 8' Brown Vinyl no space at the bottom. Dan Hanson stated that Kevin and some property owners spoke about material prior to meeting and Kevin stated that the fence would be hallow vinyl for durability.

Bob asked if fence was going 50' from water line then up toward the road. Mr. Frank explained the Fence will go full line of road right beyond the log cabin.

Larry asked about RV Road being moved and it was discussed that was not part of planning board decision.

Jerry Bottcher stated that Larry was disturbed that his letters were not heard at the public hearing. Jerry Bottcher asked Kevin Frank if he had seen or addressed the letters. Mr. Frank stated that he has addressed concerns that have come in from Mr. Hegele and others with a letters

to Mr. Holzer (Supervisor) and Mr. Nemecek (Code Officer). Jerry asked Mr. Frank if he was aware of the waterline that

is under Mr. Hegele driveway and goes to hotel property Mr. Frank stated that this will be cut and capped. Cliff and Doug both stated that Mr. Hegele has received copies of all plans that are taking place and any progress that is being done. Mr. Hegele requested the campground road that is by his home be restricted from all RV use. Mr. Frank stated that in his last letter to that town that all RV back in spaces will be directed in a different direction and they only vehicles passing in Mr. Hegele directions will be going to the cabins. Prior to renovations the 3 roads were one way now they rerouted the direction of the RV and changed a the whole lay out of all roads. Laura Hooker asked if Mr. Hegele was aware of all these changes and Doug stated that Mr. Hegele has been given all this information through the clerk. Mr. Bottcher wants to go on record that all Mr. Hegele letters of concerns have been addressed and have been satisfied by Mr. Franks all agreed. Jane Sibalski would like fence put up prior to campers coming and before Doug Nemecek issues CO. Jerry Bottcher was asking what a price for a fence would cost and Kevin is thinking in the 36,000.

Motion for Variance for Special Use Permit and Site Plan Review was made by Jerry Bottcher with a condition fence being completed prior to CO being issued 2nd by Bob Peters - Carried 5-0

Jerry Bottcher asked who will be involved during this whole process with all 3 properties Kevin stated Mark and himself would be. He stated that he was Director of Environmental Service, Mark is Associate Principle & Landscape .

Jerry asked when this particular project would open Mr. Frank is hoping for spring 2024 Jerry asked how many site there would be Mr. Frank stated 50 Rv sites 0 tents and 20 cabins. Jerry asked what used to be there it was determined that it is 30% less.

Cliff asked for a motion for vote on Public Hearing of Holzer Subdivision Cliff stated that he will abstain from voting.

Laura Hooker stated she appreciates where Laura Reihis is coming from and I hear you in regard to keeping the area Wild but I feel we have any code restrictions on that but I appreciate where your coming from. Motion to approve 3 lot subdivision was made by Bob Peters 2nd by Bill Eaton - Carried 4-0 Cliff Holzer abstained

Balled Subdivision - Motion to approve by Jerry Bottcher 2nd by Bob Peters - Carried. 5-0

## OLD BUSINESS

Pine Ridge Road - Bob Peters stated everyone should take a ride up the road check out development and stated all the woods that are right on the line of the development part of the KOA. Bob suggests board members should check out so they are familiar with the lay out prior to that public hearings on future KOA project.

Jerry Bottcher asked about current storage container development. Doug Nemec state that shortage on concrete supply and 1st unit will go up in the spring.

Owaissa Club - Bob Peters asked what was happening with that project and Doug Nemec explained that it has been changed from a modular build to stick built. Same size, design only change is modular did not come through. Jerry was not aware that this was going to be a modern design and not an Adirondack one. Jerry questions how we went from Adirondack to Modern and Bob Peters stated it was their call there were no stipulations, it is nowhere in the code book. According to Bob the road is not owned by the town it is owned by Owaissa Club. Bob Peters stated that Kevin Bettie stated he could not get anyone local to do the building so he went to modular and he stated that modern design is what is selling. However he is now back to stick built and will try to do local.

motion of Adjourn - Jerry Bottcher 2nd Laura Hooker

8:18pm