

## Village of Caledonia Planning Board

### Meeting Minutes for April 15, 2025

Members present: Rhett Clark, Charles Martelle, Marge Landowski, James Kemnitz, Jay Barefoot

Member absent: Christopher Frank

The meeting was called to order at 6:30 pm with the Pledge of Allegiance.

### **March Minutes**

Motion by Jay Barefoot, seconded by James Kemnitz, to approve the minutes as written.

Aye: Rhett Clark, Charles Martelle, Marge Landowski, James Kemnitz, Jay Barefoot

Nay: None

Abstention: None

### **Schultz Subdivision, 3133 Lehigh Street**

The Board received answers to questions from the Village Attorney, and reviewed the information provided:

1. ZBA will need to hold a public hearing. We assume the Planning Board will also need to hold a hearing. Can they be held on the same day, but different times? (ie: ZBA at 6:30; PB at 7:00 - then PB can utilize the information from the ZBA hearing in its decision) The goal is to minimize the number of times we need to hold hearings on the same property, and make sure both boards get the same information.

*Yes, Planning Board and ZBA meetings can be held jointly so long as there are separate motions to open the public hearing for the ZBA and for the Planning Board. The Planning Board can use information provided during the ZBA public hearing.*

2. Easement: clarification needed for access to septic

*An easement agreement should be provided in connection with the application, which should describe the easement area using metes and bounds or by attaching a map showing the exact location and size of the easement area. Providing a copy of the easement agreement can be a condition of approval for either or both the ZBA and*

*the Planning Board. The easement should also be recorded with the County Clerk's Office.*

3. Confirmation of which codes need Variances (215-19, 215-20?)

*For the frame garage to be situated within 1 foot of the proposed lot line, a variance of seven (7) feet is required from Village Zoning Code Sections 215-19(D)(3) and 215-15(E) will be required, which together set forth a side yard requirement of eight (8) feet from non-residential structures.*

*For the frame 2-story building to exist on 2,358 sq. ft. lot, an 8,642 sq. ft. variance from Village Zoning Code Section 215-19(A) will be required, which sets forth a minimum lot area per dwelling of at least 11,000 sq. ft. We also note that if a dwelling exists or will exist on the Lynsey M. Kissel lot (SBL No. 7.08-2-3), a similar variance may be required, though the square footage of that lot is not identified on the map provided.*

4. Can ZBA approve variances as applied for?

*Yes. Following the area variance criteria set forth under N.Y.S. Village Law §§ 7-712-b(3)(b) and (c), the ZBA may grant or deny the requested variances.*

5. Need to confirm lot lines for proposed lot

*Agreed. This is something the Village's engineer/planning consultant can handle in communication with the applicant.*

6. What are potential impacts for the person who purchases the newly subdivided lot?

*There are no potential impacts associated with purchasing a newly subdivided lot unless the lot that is created is substandard. For example, if the newly created lot is less than 11,000 sq. ft., and the purchaser wants to construct a home on that lot, then they would need to seek an area variance for such construction consistent with the analysis above.*

7. Can ZBA approve "Parcel 1" with its old lot lines? (This is the parcel where the applicant lives.)

*Yes.*

One further question came up in discussion, which Rhett will forward to the attorneys:

- Do setback issues pertain to easement lines the same way as property lines?

Other discussion:

- Easement(s) should be recorded for all property owners
- Board reviewed subdivision checklist
- Possibility of other necessary easements: framed garage, framed 2-story building

Planning Board is asking Zoning Board of Appeals for relief from code issues at 3133 Lehigh Street, as that property is pre-existing and non-conforming. The request includes but is not limited to lot size and setback. A subdivision will not impact this lot positively or negatively. Specifically, but not limited to: variance is sought for sections 215-19 and 215-20.

Motion by Rhett Clark, seconded by Marge Landowski, to hold a Public Hearing regarding subdivision of the parcel located at 3133 Lehigh Street on May 20, 2025 at 6:30 pm. This Hearing will potentially be held in conjunction with, but not at the same time as, a Hearing held by the Zoning Board of Appeals, which will address variances necessary for subdivision approval. This Hearing will take place at the same time as the regularly scheduled May Planning Board meeting and will be held concurrently with said meeting.

Aye: Rhett Clark, Charles Martelle, Marge Landowski, James Kemnitz, Jay Barefoot

Nay: None

Abstention: None

Motion by Marge Landowski, seconded by James Kemnitz, to adjourn the meeting at 7:00.

Aye: Rhett Clark, Charles Martelle, Marge Landowski, James Kemnitz, Jay Barefoot

Nay: None

Abstention: None

Elizabeth Dietrich

Secretary, Village of Caledonia Planning Board