

MINUTES OF THE MEETING OF THE TOWN OF RICHLAND PLANNING BOARD

Date: Monday June 19, 2023

Place: H. Douglas Barclay Courthouse

Board members present: Chairman Joseph McGrath, Brian Leary, David Scott & Robert Jefferies.

Others in attendance: John Howland CEO/ZEO, Mike Lasell MBL Engineering and 24 others from the public

Call to order: The meeting was called to order at 7:00 pm with Chairman leading the pledge of allegiance.

Public Hearing:

Application #23-18 & 19. Special permit & amended site plan for Selkirk Lighthouse & Marina LLC at 812-28 Co Rt 5. Mike Lasell, engineer for the project addressed the board in relation to the proposed change of use from approved pavilion to a restaurant/tavern. Lasell explained that the owner would like to use the existing building as a pizza bar type business. This would be used because the approved 48x84 restaurant will not be built for a few years. The existing pavilion that was approved was 2016 Sq. Ft. The actual building constructed was inside the same footprint but only 1745 sq ft. The septic system for the entire project has been installed and the new building is connected to it. There are no doors on the N & E side of the building. The rest of the building has overhead garage doors that open. No change in parking and the occupancy load will be less.

Motion Scott. 2nd Leary to open public hearing. All in favor. Margot Hull stated that she was concerned about the road easement through Selkirk property to get to her property. 22 Selkirk owners have an easement and have never paid to use it for over 100 years. Patricia Podrazel 7 Lake Rd. Ext. She is concerned about the view impact. Stated that no permit was issued for closing in the exterior walls. Also concerned about lighting, signage, grease trap, odor, sound and ventilation. She is also concerned about not being able to see the lighthouse and that the MOU of 1994 was to rebuild the restaurant. Sara Barclay is concerned about cars, trucks and boats with signs directing traffic and concerned about buses and snow removal. Steve Sutter from Rt. 5 is concerned about parking. Gary Estes from Rt. 5 is concerned about not being paved and creating lots of dust and a new sign

installed blocking his view of the lighthouse. He would also like to thank the owners for the nice job that they have done so far. Alan Goodsell stated that he is concerned about the dust, lighting and hours of operation. Thinks the restaurant is a good project but may need some tweaking. Bob Wart from Lake Rd. Ext. is concerned that the building is too close to the R.O.W. feels the restaurant is in the wrong location and questioned any outside seating. Laurie Marcell questioned if a permit was required to move the sign to the current location. Motion Leary 2nd Scott to close public hearing. All in favor.

The board discussed some of the options that were in front of them. It was the general consensus to table the meeting until the July 17th meeting to have some of the questions brought up tonight be able to be addressed. Motion Scott 2nd Leary. All in favor.

Next item was Application #22-64 & 65. Submitted by Lloyd Oliver & Luanajo Arnold from 785 Towne Rd. for a 6-unit campground. Engineer Mike Lasell explained to the board that there will be 4-RV's and the existing sheds on the property will be converted into cabins. There are wetlands on the property and the DEC has been there to do the delineation of the wetland boundaries. They will be required to obtain a permit to work inside the 100' buffer zone from the DEC. The existing house and shed is in the buffer zone. New septic to be installed to meet the requirements. Owner will be on site at all times the campground is occupied. Lasell also went over the park rules. Motion Scott 2nd Jefferies to open the public hearing. Neighbor Tim Crouch would like to see a fence installed along his property line. A 200' long fence was agreed upon with the applicant. Motion Jefferies 2nd Scott to close public hearing. The board discussed the matters brought forward. Motion Leary. 2nd Jefferies to approve the special permit with the following conditions:

1. Construction is limited to plans submitted and approved.
2. Applicants must comply with all state, federal and local laws and regulations.
3. Special permit issued to the property.
4. Special permit will not expire.
5. Approval for only 1 existing cabin & 1 RV. DEC approval required for 1- cabin and 3- RV's before the rest of the property can be used.
6. If property becomes non-compliant by violation the owner allows Town to remedy violation at owner's expense 10 days after notice to owner.
7. Must follow park rules.
8. Install 200' fence along North property line.

Roll call vote. McGrath states meets all requirements of section 313 1-5. All in favor. Motion Scott. 2nd Leary to approve the site plan with same conditions as special permit. Roll call vote. McGrath states meets section 503 1-10. All in favor.

Next item was area variance application #23-28 submitted by William & Katheryn Oliver/Town of Orwell. The applicant would like to sub-divide the property into 2 parcels under section 571 of the zoning law. David Powers from B&L explained that they would like to split the property to install a pump station to supply water from Richland to Orwell. Motion Scott. 2nd Jefferies to recommend approval of the sub-division to the ZBA.

Next item on the agenda was an amended tree planting proposal submitted by AUI Partners LLC, for OYA for the commercial solar farm on the Gray property 7681 St. Rt. 3. There are some trees that were planted have now died and AUI Partners proposes to replace the dead trees. The re-planting will take place sometime in September 2023. Motion Leary 2nd Jefferies to approve the amended tree planting. All in favor.

Motion Scott. 2nd Leary to approve the May 15, 2023, minutes. All in favor.

Discussion on moratorium for campgrounds. The Board stated they were not aware of the proposal and were upset that the planning board or ZBA were not involved. The planning board would like to be involved with the new law.

Meeting adjourned at 9:10 PM

Submitted by JH Howland