

# **Town of Windsor Planning Board**

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**Meeting of November 17, 2014**

The November monthly meeting of the Town of Windsor Planning Board was called to order at 7:58pm on Monday, Nov. 11. Present from the Planning Board were Chair Shelly Johnson Bennett, Vice Chair Bridgette Elliot VanNorman, Carl Gordon and Secretary Bruce Cameron.

Minutes of the Planning Board's October 29 meeting were approved on the motion by Mr. Gordon, seconded by Mrs. Van Norman, with the spelling correction of Bell Road near the old Shaffer Quarry proposal.

Due to the absence of three members, the board decided not to conduct any new business but to review some questions and potential issues for the town. It again discussed the fact that engineered plans have not been submitted for site plan review when there were no external changes to a site proposed for reuse of a commercial property. Chair Bennett felt this was not necessary and created an unnecessary cost to the applicant. She also stated the comments made previously by Mr. Saunders were in fact accurate after the board reread the site plan review section of the Zoning Ordinance. She continued to explain the difference between a site plan review associated with an allowed use by right and a special permitted use that requires site plan review or a use that requires site plan review associated with new construction. The board discussed several projects that have been submitted through the town some of which had engineered plans and some that did not and the determination for compliance with the law fell to the Code Enforcement Officer. With a 45 day review period the planning board is often limited only to one meeting to make recommendations on a plan prior to it being submitted to the town board. This did not give sufficient time to make a thorough review and would not allow for the Planning Board to request additional information such as an engineered plan if the CEO did not require it.

Chair Bennett also explained her personal feeling that when the Zoning Board of Appeals issues a use variance for a commercial businesses they have not traditionally been required to come before the Planning Board or the Town Board for site plan review. Therefore, an unfair precedence was being allowed for uses that are only being allowed by variance while uses allowed by right in a district were held to a higher standard of review.—Mrs. Bennett also opined that this practice could make the town face legal challenges because the ZBA is not forwarding commercial requests to the Town and Planning Boards regarding site plan review.

Chair Bennett also said that if changes or additions should be made to the town's Comprehensive Plan regarding the impact of possible horizontal hydraulic fracking, this work should be done by the Planning Board since it authored the Plan and other items that may be outdated should also be considered for inclusion in an update.

*(Please turn over)*

Secretary Cameron reported that Code Enforcement Officer Dave Brown has been working on the Planning Board's proposed Manufactured/Mobile Home Park Law but has not yet, to his knowledge, forwarded it to the Town Board. Chair Bennett said any alterations should be brought to the Planning Board before presentation to the Town Board.

Mr. Gordon said the Town Board minutes are not being posted on the town's website. Chair Bennett said that state law requires their posting if the town has a website.

On the motion of Mr. Gordon, seconded by Mrs. VanNorman, the board adjourned at 9:19pm. Its next meeting will be Monday, December 15th at 7:30pm in the Town Hall.

Respectfully submitted,

Bruce Cameron, secretary