

The Town of Cambridge Planning Board held its regular monthly meeting on Thursday, April 1, 2010, 7:30 PM at the Town Hall located on County Route 59.

Members present: Charlotte Banzhaf, Earl Horton, Gerald Moppert, Dan Thomas, Mark Rogers, Stuart Ziehm

Absent: Eric Pearson

Others present: Secretary Sally Eddy, Rani Bass, Bruce Rolleston, Henry Peabody, Jim Buckley, Robert McIntosh

Vice-Chairman Earl Horton called the meeting to order and presided in the absence of Chairman Eric Pearson.

### Minutes

Mark Rogers motioned, seconded by Stuart Ziehm, to approve the minutes of the February 4, 2010 and March 4, 2010 meetings as mailed by the Secretary with no additions or corrections.

Vote: 6 – Ayes      0 – Noes

### Communications

Earl Horton, Dan Thomas, Stuart Ziehm, Eric Pearson, Gerald Moppert and Secretary Sally Eddy attended a seminar for Planning Boards and Zoning Board of Appeals on March 25 at the Fort Edward Fire House sponsored by the law firm of Fitzgerald, Morris, Baker & Firth.

A good portion of the time was spent discussing legal actions, known as Article 78 proceedings, filed against zoning and planning boards for the decisions they have rendered on matters. Earl Horton commented he learned that about 85% of the time these boards lose when they go to court.

Toward the end of the meeting, Eric Pearson had the opportunity to ask questions and receive answers pertaining to specific planning board matters.

Gerald Moppert thought the meeting showed forth just how complicated things can become. We need legal council if we move forward. The Town Board has charged us (Planning Board) to make a plan of what we think needs to be done to help us do our job and be of benefit to the town. Do we want to accomplish the goals through use regulations? We need to figure out what our concerns are. How much does anyone want to move forward?

A small segment of the seminar covered town highways and access. Earl Horton commented that if the town made a law that it would not take over any new roads would that curb a developer from coming in? Can the town refuse to take it over?

Charlotte Banzhaf remarked that how roads are to be constructed in a development is addressed in the subdivision rules and regulations.

### Unfinished Business

Discussion continued about the future direction of the town. Vice-Chairman Horton remarked that Supervisor Watkins asked the Planning Board to come up with some general rules. We need legal council to do it right. We want nothing like the comprehensive plan that was presented. It was thrown out because the public did not like it and was not interested in having it.

Stuart Ziehm said he found some information on the internet through a webinar that talked about supporting agriculture with zoning. Two speakers were moderating and a man with 500 cow dairy farm from the Town of Wright offered input. One of the speakers was Nan Stolzenburg, a rural and agricultural protection planner, who is currently working with the Town of White Creek as a facilitator, assisting them in the drafting and formulation of a comprehensive plan and ag/farmland protection plan. Mr. Ziehm said he was just putting the information out there as something to think about. Maybe Ms. Stolzenburg would pay us a visit and give us a few basic ideas. He said he is in no hurry to rush anything through. Mr. Ziehm also spoke about a grant available through NYS Department of Ag & Markets that would pay for the services of a consultant. He called the department and found that the grant will cover 75% of the total bill up to \$25,000. It's a yearly award.

Gerald Moppert stated he has heard Ms. Stolzenburg. He attended a meeting in White Creek and remarked that they are doing an outstanding job. They are involving the farmers, developing an overall vision for the community and reviewing their current regulations and laws. He added that before we do anything we need a directive from the Town Board; we both need to be on the same page.

Dan Thomas commented that Nan Stolzenburg was hired by the Town of Pittstown and the town ended up throwing her out. He said she will stay until the money is gone. She's in a business and gets paid whether or not her efforts are accepted or not.

Resident Bruce Rolleston urged the Planning Board to take their time. He went to a meeting in White Creek and observed Ms. Stolzenburg. He found her not to be pushy.

Gerald Moppert stated she is just a facilitator.

Resident Rani Bass stated that Ms. Stolzenburg is somewhat controversial. The Town of Pittstown was in the process of revising its zoning laws with the assistance of Ms. Stolzenburg and it ended up going out the window. A similar situation happened in the Town of Oswego. She has a history of taking money and then everything gets thrown out.

Gerald Moppert commented that Ms. Stolzenburg has experience in Comprehensive Plans, Master Plans and Town Plans. She only acts on the ideas that people give her. He reiterated again that the planning board needs more directive from the Town Board.

Henry Peabody said we don't need to spend anymore money. Leave everything alone; don't tell me what to do.

Stuart Ziehm said he didn't have enough experience to make any regulations.

Vice-Chairman Horton said the next approach is to ask Supervisor Watkins what the Town Board really wants from the planning board.

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Dan Thomas said we need to come up with 6 – 10 general areas covering what people want to see something done about.

After much discussion the following list was arrived at:

- 1) Junkyards
- 2) Landfills
- 3) Set backs
- 4) 50 ft. rights-of-way
- 5) Rendering plants
- 6) Ride top development (for the purpose of preserving rural character of the town)

Jim Buckley added that he would like to see land along the highway being sold off while keeping the majority of the land in agricultural use. The farmers would get the money and the tax base would be built up.

Gerald Moppert suggested that any new business coming in has to fit in with the rural atmosphere of the town.

Residents Jim Buckley and Robert McInosh both agreed the town needs new businesses. Mr. McIntosh asked what's the matter with having a rendering plant if it's done right?

Dan Thomas remarked, another thing, we're not going to take away the rights to give land to our children. We, as a board, have tried to accommodate people and we've been successful. Let's continue to all get along.

The business next to Dan Thomas's daughter on County Route 74 was discussed again. It's licensed by NY State as an auto repair shop but in reality is just a junkyard. Robert McIntosh suggested asking an attorney what could the town have done to prevent it.

Mark Rogers said there's a state law that regulates junk yards. The state should be the one enforcing it.

Gerald Moppert suggested the town develop a strategy to protect people from nasty stuff. Develop use regulations.

Dan Thomas said to keep the regulations simple. Something we can enforce.

Stuart Ziehm stated we have been doing fine, so far, but we need to look to the future. Without certain regulations in place, we're going to get sideswiped.

Robert McIntosh referred to the zoning ordinance in force in Alstead, NH, a small rural town similar to Cambridge. They have three zones, lake, village and rural. In the rural zone, nothing is excluded just controlled by various degrees of regulations. Since we have no lake and the village has its own ordinance, the town would have one zone – rural.

Rani Bass said it makes no sense to have one zone. She stated the town has the authority to regulate land use without zoning.

Gerald Moppert brought up the subjects of cell towers and wind turbines. He is not against them but he does think they should have to undergo public review.

Resident Bruce Rolleston suggested to open the discussion to the public for the purpose of finding out what are the concerns of the town's people and how they wish to see those concerns addressed. Planning Board members, from the start, have expressed their desire for public involvement.

In conclusion, Vice-Chairman Horton said he will speak to Supervisor Watkins to find out precisely what the Town Board wants from the Planning Board.

There being no further business before the board, the meeting was moved and carried to adjournment at 8:50 PM.

Respectfully submitted,

Sally B. Eddy, Secretary