

Minutes of a regular meeting of the Town Board of the Town of Durham held August 7, 2007, at the Town Building in Oak Hill, NY.

Present: Gary Hulbert - Supervisor
William Carr – Councilman
Jodi Wood – Councilwoman

Absent: Robert Elpel – Councilman
Linda Sutton – Councilwoman

Secretary: Chris Kohrs – Deputy Town Clerk

Others Present: Tal Rappleyea – Town Attorney
Wes Moore – Highway Superintendent

Supervisor Hulbert called the meeting to order at 7:30. There were 18 people present.

The workshop closed at 7:31 p.m.

Proof of notice having been furnished the public hearing for the Sager subdivision on Allen Teator Road (20.00-1-32.1) was called to order at 7:31 p.m. by Supervisor Hulbert.

All persons desiring to be heard, having been heard, the Hearing closed at 7:37 p.m. and reconvened the work session.

Mr. Carr motioned to approve the Sager subdivision on Allen Teator Road (20.00-1-32.1), seconded by Ms. Wood. All were in favor motion carried. (Absent: Elpel, Sutton) Mr. Carr also recommended that all future surveys include topographic details.

Mr. Zeh addressed the board on behalf of the Maggio, State Route 23 multi unit project. They have contacted the school district and fire department to review the potential impact the project would have for each area. Test wells are scheduled to be dug August 16, 2007. They asked the board for an “unofficial” comment/approval. Each member expressed their agreement with the project as it adheres to all permits, laws and procedures.

The workshop closed at 7:55 pm.

Proof of notice having been furnished the public hearing for Erin’s Melody site plan review on State Route 145, (50.01-2-28) was called to order at 7:55 p.m.

All persons desiring to be heard, having been heard, the Hearing closed at 8:04 p.m. and reconvened the work session.

The board completed part II of the Environmental Assessment Form. **Mr. Carr motioned for a Negative Declaration on part II of the Environmental Assessment for Erin’s Melody, (50.01-2-28) seconded by Ms. Wood. All were in favor motion carried.** (Absent: Elpel, Sutton)

Ms. Wood motioned to approve the Site Plan Review for Erin's Melody (50.01-2-28) State Route 145, seconded by Mr. Carr. All were in favor, motion carried. (Absent: Elpel, Sutton)

Mr. Zeh, Maggio - Rt. 23 project, readdressed the board regarding the comments received from the town's engineer consultant (Lamont Engineering). They had reviewed Lamont's comments and did not feel that they would have a problem answering them. The town would need to make a contingent SEQR determination prior to permits being issued, and once final findings are completed, a public hearing would be required to adopt the final SEQR.

The board reviewed the Watcher's Site Plan Review application. The board requested a copy of the contract between Watcher and the port-a-pot service and signage for ingress and egress. Ms. Watcher has the signs and would drop the contract off at the town hall.

Tom Healy of the Durham Community Planners addressed the board regarding the Gazebo Project. The DCP received a grant and fund raised to pay for the gazebo and it is the intent of the DCP to donate the gazebo to the town. They are ready to take delivery and are asking the town to aide in site preparation, by leveling the area and providing stone. Highway Superintendent Moore explained it would be a week or two before the crew would be able to prep the site. **Mr. Carr motioned to accept from the Durham Community Planners the gazebo to be placed at the Irish Cultural Center, seconded by Ms. Wood. All were in favor motion carried.** (Absent: Elpel, Sutton) It was suggested that the DCP obtain a lease from the Irish Cultural Center stating that the gazebo is the property of the town and they (ICC) are leasing the land it sits on to the town for a stated number of years at a nominal fee.

The board received a proposed building permit application for review and discussion at the August 21 meeting.

A boundary line change for Sacco & Hamm (33.00-3-19) was reviewed. It was discovered when they went to sell the property that the garage was on the neighbors land. **Ms. Wood motioned to approve the boundary line change seconded by Mr. Carr. All were in favor, motion carried.** (Absent: Elpel, Sutton)

Ms. Wood motioned to enter into executive session to address a personnel issue at 8:43 p.m. seconded by Mr. Carr. The work session reconvened at 9:05 with Supervisor Hulbert explaining that the personnel issue has been corrected.

The board reviewed the application from Mr. Eugene Tulchin of Cunningham Road, (32.00-3-16) and scheduled a public hearing for August 21 at 7:30 p.m.

There was a meeting with Bob Winans, of NYS DOT regarding the proposed sign law for the Town of Durham. Federal Law dictates to the state the law for signage along scenic byways. If we do not adhere to the Federal Law, we jeopardize grant funding. All signs must be out of the right of way and not obstructive to the view. The exception to this is for municipal sponsored signs. Business signs must be within 700 feet of a commercial establishment.

Mr. Carr requested the contact information for Marc Anderson, of the NYS Building Department Association. The board would like them to review our building department and make recommendations.

Ms. Wood motioned to adjourn at 9:29 p.m. seconded by Mr. Carr.

Minutes approved:

Chris Kohrs, Deputy Town Clerk