

PUBLIC HEARING
SPECIAL MEETING
MARCH 1, 2010

PRESENT:

Supervisor Crowley
Councilwoman Gabaccia
Councilman Tompkins
Councilman Kiernan
Attorney Rappleyea

ABSENT:

Councilman Sacks

Supervisor Crowley opened the hearing at 6:00 p.m. with 10 people present.

The purpose of the hearing is to review Local Law # 2 regarding the enactment of a Local Law amending the town code establishing town boards, planning board and zoning board of appeals applications abandonment procedure.

Supervisor Crowley, we have two versions of the Local Law.

Lindsay LeBrecht, why is this law necessary, and what prompt it.

Supervisor Crowley, the board has applicants that start a process and nothing happens for months, it's to move things along.

Lindsay LeBrecht, the town is suppose to be here for the land owners and work with them, doesn't this add another layer of hardship.

Attorney Rappleyea, other towns have this law, it's a matter of timing, the environmental review has a time limit and if applicant is not able to follow through it sets us up for violation.

Version two gives applicant six months, two months after notification for a total of eight months.

Lindsay LeBrecht, if there no activity at all will they go back to zero?

Attorney Rappleyea, they will work with the applicant if their waiting for DEC etc. as long as they let the boards know its moving along.

Lindsay LeBrecht, I have a problem, you're making legislation where people are already grandfathered. I think it's an added hardship and I request that you don't enact this, if so add new applications received.

Chris Quinby, is it written to be retroactive.

Attorney Rappleyea, its not written to be retroactive its written from date of law if someone is working on project now they would have to comply with law, the

only way to get out of that is a. the Town Board says so in the Local Law b. They have gotten their approval and substantial progress.

Marcia Becker, its not burdensome to have name on agenda, in regard to SEQ process most big project have consultants that work with them its' very unusual to see slippage in missing dead lines.

Supervisor Crowley, if someone put money in escrow they will get it back.

Marcia Becker, if an application is deemed abandoned and the zoning has changed.

Attorney Rappleyea, they would be subject to zoning.

Councilman Tompkins, the board would probably be changing zoning with the comprehensive plan.

Diana Wilson, 60 day notification, why not 30 days, reapplication fee, how do you decide who pays it.

Attorney Rappleyea, that's the discretion of the boards. They wanted to be as user friendly as possibly and not make it burdensome. Regarding the sixty day notification law, because it's a new law the board wanted to have time to get notices out to applicants.

Supervisor Crowley, the six months would start with the filing of the law.

Marcia Becker, are you aware there is only one applicant who's in this category?

Supervisor Crowley closed the hearing at 5:25 p.m.

Supervisor Crowley opened the special meeting at 5:26 p.m. with 11 people present.

Attorney Rappleyea went over short environmental form for Local Law #2 with the board for approval.

A motion was made by Councilwoman Gabaccia seconded by Councilman Tompkins there will be no environmental impact as result of Local Law # 2 for the Town of Copake. Motion carried.

A motion was made by Councilwoman Gabaccia seconded by Councilman Tompkins to accept Local Law # 2, version 2, for the Town of Copake. Motion carried.

Marcia Becker, will notices to applicants about the change with Local Law # 2 be sent out by Town Board?

Supervisor Crowley should be sent out by Planning Board.

Marcia Becker, this is a Town Board initiative I object you should send letter.

Councilman Tompkins, if you're directed as Chairperson to do so.

A motion was made by Councilman Kiernan seconded by Councilman Tompkins directing chairman of the Planning Board and Zoning Board to notify applicants pending before there board of new Local Law. Motion carried.

Leslie Wood, requested funds for Economic Advisory Board to support Revitalization of Downtown Copake. There are four people interested in attending a Training for Street Wise seminar at \$40.00 per person.

Committee members have spent personnel money on maps etc. they are volunteers and would like to reimburse them if possible.

A motion was made by Councilman Tompkins second by Councilwoman Gabaccia authorizing the budget officer to transfer \$120.00 to Economic Advisory Board for training. Motion carried.

A motion was made by Supervisor Crowley seconded by Councilman Tompkins to allow the Economic Advisory Board to spend up to \$100.00 per item without board approval, not to exceed total expenditure of \$300.00. Motion carried.

A motion was made by Councilman Kiernan seconded by Councilman Tompkins the meeting be adjourned. Motion carried.

Respectfully submitted,

