



## THE TOWN OF PEMBROKE PLANNING BOARD

1145 Main Rd., Pembroke, NY 14036

Minutes for the regular meeting held on October 30, 2013

### ATTENDANCE:

- Chairman-Thomas Schneider
  - Vice Chairman-Michael Herec
  - Michael Bakos
  - Richard Kutter - Absent
  - Linda Rindell - Absent
  - John Cima
  - David Knupfer
- Diane Denton-Acting Recording Secretary

### **PUBLIC PRESENT: Yes**

MEETING called to order at 7:34 pm.

Chairman Schneider led the "Pledge of Allegiance".

### **Discussion on Violations & Special Use Permit**

#### **Lou Visone & American Paving and Excavating**

797 Main Rd., Town of Pembroke

(Tax Map# 14.-2-28.2; Zoning District Industrial)

- The owner of the property in question, Lou Visone, and his tenant, Guy Berberich of American Paving and Excavating, were present.
- Board wanted to wait to review with Mr. Visone; his tenant doesn't have the authority to clean up all areas of the parcel.
- The Planning Board rescinded the Special Use Permit on the parcel for Mr. Pilato last spring.
- The question: is Mr. Visone still doing a contractor's yard on his portion of the parcel? Aerial view shows that there are some trailers on the property that don't belong to American Paving.
- American Paving began clean-up of its portion, cutting grass and picking up loose debris. Trucks and the grader will be moved within 2-3 weeks. The company is very busy at present, finishing up work before the snow flies; but will slow down soon so employees can finish the clean up.
- The Town Board asked why a contractor's yard needs a Special Use Permit to operate in an industrial area. They thought it should be a permitted use, although the occupant still needed to present a site plan and follow the proper maintenance codes.
- Currently, according to Zoning law, a Special Use Permit is required for a contractor's yard in an Industrial District.
- Containers are allowed in district for storage.
- Mr. Visone said some of the trailers just "showed up" and admitted that they are not lined up very well. He said he would have them moved.
- Tony Kutter said he had no objection to Mr. Visone or American Paving operating there, but would like the property to be cleaned up, better organized and landscaped.

- Chairman Schneider would like the two trailers and debris from the previous tenant removed, and a Site Plan drawn up by American Paving.
- American Paving requested a couple of months to finish clean up.
- Chairman Schneider said that legally it could be tabled for another month and possibly extended after that.

On **MOTION** made by Mr. Knupfer, and seconded by Mr. Cima to **TABLE** until next month, requesting that American Paving presents a copy of Survey and Site Plan for review on which Mr. Visone will note what equipment and other materials are his.

**ROLL CALL VOTE** Chairman Schneider-Aye; Mr. Herec-Aye; Mr. Bakos-Aye; Mr. Cima-Aye; Mr. Knupfer-Aye.

**ALL AYES-MOTION CARRIED**

**PLANNING BOARD DECISION: Table until November 27<sup>th</sup> meeting.**

## **Discussion on Special Use Permit**

### **RC Pulsars**

13923 Knapp Rd., Town of Pembroke

TM# 14.-1-4.11

Zoning District: AG/Res

- The Board is revisiting the question of whether or not to re-open the RC Pulsars' Special Use Permit in regards to neighbor complaints.
- Board members have been going out to site. For the most part, they did not hear any excessive noise or witness any other infringements on neighboring properties.
- The Planning Board is within its rights to regulate.
- The "red plane", which has caused some concern, is not being flown by a member of the club but by someone living on Remsen Rd.
- The Club provided their Log Book, with sign in and out recorded from July. RC Pulsars has seen the hobby evolving more and more to electric planes, which are quieter than gas-powered ones. Neighbor complaints have been discussed at their meetings, along with the following concessions:
  - Move Sunday start time to Noon and stop flying at dusk (all year round).
  - Make sound testing more stringent and expand so all members can do the test, witnessed by an officer.
  - Black out hours for noisier planes.
- The Club does allow guests (who have to be members of the AMA) to come in once a month (the helicopter with lights was operated by a guest). They do discipline members and guests who don't follow the rules.
- The Town Board feels this issue has gone on for too long and wants the Planning Board to make a decision.
- Chairman Schneider feels that noise is the only concern the board can address.
- Planning Board is trying to see how or if concessions can be made, offering possibilities as follows:
  - Limit start time Monday – Saturday to 10/11am and flying end time to dusk (no flying after dusk, although members might still be at the field).
  - Sunday flying hours from Noon – 5/6pm.
  - Limit flying hours for gas powered aircraft, which are noisier, from Noon – 5pm.

- Flying should be kept within hedgerows/200 feet from property lines.
- Exceptions for certain special events (which are normally held on Saturday/Sunday).
- Chairman Schneider is not in favor of revoking Special Use Permit but for making some changes to it. He suggested that another option would be to let the club talk to their members and come back with a list of the concessions they are willing to make.
- RC Pulsars' next member meeting is November 12<sup>th</sup>. A concerted effort will be made to notify all their members and get a good attendance.
- The board decided to give the RC Pulsars until January 22, 2014 to submit something in writing to the Planning Board listing the concessions the membership agreed to make. The board will discuss at the January 29, 2014 meeting. Members of the club are not required to attend that meeting.

**A MOTION TO APPROVE the Minutes** from the September 25, 2013 Planning Board Meeting was made by Mr. Knupfer; second to motion was made by Mr. Herec.  
**ALL AYES—MOTION CARRIED.**

**OLD BUSINESS:** County denied the Zoning Text changes. At a meeting on October 29<sup>th</sup>, some things were altered based on the County's recommendation. They will be resubmitted to County and the Planning Board will review them at the November meeting.

**NEW BUSINESS:** None

**A MOTION** to adjourn the meeting was made by Mr. Knupfer, and seconded by Mr. Bakos.

**ALL AYES—MOTION CARRIED**

Meeting Closed at 8:46pm.

Respectfully Submitted,  
Diane M. Denton  
Acting Recording Secretary  
Thomas Schneider Chairman

*These minutes were approved by the Town of Pembroke Planning Board 11/27/13.*