

**Conklin Planning Board – Monthly Meeting – October 16, 2017**

**MEMBERS PRESENT:** James Hauss, Chairman, Sharon Platt, Lyle Fassett, Chris Ostrowsky

**ABSENT:** Dan Smith

**ALSO PRESENT:** William Graves, Attorney – Coughlin & Gerhart  
Nick Vascello, Code Officer  
Mary Plonski, Code Office  
Renee Hauss, Secretary  
Bill Farley, Town Board Liaison

**VISITORS:** None

**7:00 PM** Chairman Hauss called the meeting to order.

**Agenda Item #1 Planning Board review and recommendation to Town Board of proposed change in Local Zoning Law 140-11 and 140-95**

William Graves explained the Town Board would like the Planning Board to review the proposed amendment to local law 140-11 in regards to mining operations in the Town of Conklin. He explained that the proposed change would add Article 4, which states R-12 district would allow mining activities if a permit is issued by the DEC. The proposed change would also delete Section 140-95. This change removes the Town's requirement to issue a Special Use permit for mining operations and places the responsibility of issuing permits on to the DEC. This is being considered because DEC takes precedent in these matters. It was never in the Town's control to approve or deny these applications. Chairman Hauss stated that basically we are changing our local law to match the state. William Graves stated that we are changing our law so that it does not conflict with any authority that the state has which the Town cannot challenge. The primary purpose for tonight is for Planning Board to make a recommendation to agree or disagree with this motion to change the local law. DEC does give towns or municipalities notification of these applications and does ask the municipalities for comments and concerns.

Chairman Hauss asked if a new mining operation would require a site plan review by a Town board resulting in a recommendation to DEC or would the entire approval process be coordinated by the DEC? William Graves stated that the DEC has their own conservation law Article 27 which states the entire process for application and requirements for application by coordinated by the DEC. There will be no site plan review done by the town.

Chairman Hauss read into record Broome County comments dated October 11, 2017 and Broome County Health Department comments dated October 6, 2017.

After lengthy discussion by Planning Board members the following recommendation was made:

**Chris Ostrowsky motioned** the Planning Board recommends approval of changing Zoning Code 140-11 and 140-95 to Town Board **Sharon Platt second**. All present board members approved.

Planning Board also recommended that a clear process be documented for the roles and responsibilities between the town and DEC for the approval of new mining operations. This documentation also needs to include the responsibilities of inspections and enforcement of the permit.

**Sharon Platt motioned** to approve August 21, 2017 meeting minutes and **Chris Ostrowsky second**. All present board members approved.

**Sharon Platt motioned** to adjourn meeting **Chris Ostrowsky second**. All present board members approved. Meeting Closed 7:35 p.m.

**Next Planning Board Meeting is scheduled for Monday, November 20, 2017 at 7:00 PM.**

Respectfully Submitted, Renee Hauss