Town of Yates
Regular Planning Board Meeting
September 5, 2024

Chairman Richard Kurz called the Regular Planning Board Meeting to order at 7:00 pm at the Town of Yates, 8 S. Main Street, Lyndonville, NY 14098.

Those Present:	Richard Kurz, Chairman of Planning Board
	Mark Hughes, Planning Board Member
	Ralph Smith, Planning Board Member
	Gary Daum, Alt. Planning Board Member
	Dawn Metty, Deputy Clerk
	Larry Wolfe
Those Absent:	Ed Urbanik, Planning Board Member
	Joanne Suhr, Planning Board Member

MINUTES:

Chairman Richard Kurz entertained a motion to formally close 10 Special Use Permits that are no longer in use effective October 1, 2024. The first one is for Merle Yoder #03-03 at 10700 Millers Rd. (Dog Kennel & Manufacture & Sell Fiberglass (wicker style) Furniture). The second one is for Vernon Yoder #04-03 at 10847 Waterbury Rd. (Bakery & Sell Vinyl Replacement Windows). The third one is for Clifford Kepner #01-05 at 1884 Murdock Rd. (Horticultural Services Business). The fourth one is for Norman & Sarah Hershberger #02-05 at 10672 Millers Rd. (Dog Kennel). The fifth one is for Tim Zaborowski #02-07 at 12400 Lakeshore Rd. (Archery & Gift Shop). The sixth one is for Michael Yoder #02-13 at 2176 Angling Rd. (Dog Kennel). The seventh one is for Aaron Albone #03-13 at 1273 Marshall Rd. (Steel Sales Home Business Class B). The eighth one is for Stacey Freas #03-16 at 1769 Greenman Rd. (Federal Firearms License (Dealer)). The ninth one is for James Luckman #05-16 at 2008 Marshall Rd. (Dog Kennel). The tenth one is for Steven Boring Jr. #02-20 at 12177 Platten Rd. (Home Business Class A (Firearm Sales)).

RESOLUTION # 11-9/24

RESOLUTION TO FORMALLY CLOSE 10 SPECIAL USE PERMITS THAT ARE NO LONGER IN USE EFFECTIVE OCTOBER 1, 2024 (SEE ABOVE) AS PRESENTED TO EACH BOARD MEMBER

RESOLVED, to formally close 10 Special Use Permits that are no longer in use effective October 1, 2024 (see above) as presented to each board member.

Offered by: Ralph Smith
Seconded by: Mark Hughes

Votes: 4 Ayes (Smith, Hughes, Daum, Kurz); 0 Nays

Chairman Richard Kurz opened review and discussion of the recently updated and adopted Town of Yates Farm Worker Housing Law.

Chairman Richard Kurz – A special use permit (SUP) has been submitted by Plummer Orchards, LLC owned by Courtney & Lisa Plummer. They purchased the property at 2038 Yates-Carlton Townline Rd. This property contains two buildings, building A formerly known as the "Parsonage" and building B formerly known as the Ashwood Wesleyan Church. The SUP pertains to Building A, proposing to use it for farm worker housing. It's a 4 bedroom house to be used for 6 to 8 people from September to early November. Per Dave Reese, building A is the proposed building to be used as Farm Labor Housing at this time. Building B is projected to be renovated to accommodate farm workers in the future. Building A may be returned to residential use unrelated to farm worker housing.

Discussion was opened to review the SUP based on the revisions recently made to the Town of Yates Farm Worker Housing Law. As per Section IV, part B: site is greater than two acres, part C: building A does not meet 200 feet setbacks on all sides. Discussion ensued and it was determined that this would not present any hazard to public health or safety or to the farm worker.

Ralph Smith – previous high traffic site due to church activities and potential use of adjacent parking lot.

Chairman Richard Kurz – past history of owners' other farm Labor Housing sites being well kept and residing locally.

Chairman Richard Kurz entertained a motion to accept the Site Plan application and completed SEQR form from Plummer Orchards, LLC for submission to the County Planning Board and subsequent Public Hearing.

RESOLUTION# 12-9/24

RESOLUTION TO ACCEPT THE SITE PLAN APPLICATION AND COMPLETED SEQR FORM FROM PLUMMER ORCHARDS, LLC PENDING THE COUNTY PLANNING BOARD AND PUBLIC HEARING AS PRESENTED TO EACH BOARD MEMBER.

RESOLVED, to accept the Site Plan application and completed SEQR form from Plummer Orchards, LLC pending the County Planning Board and Public Hearing as presented to each board member.

Offered by: Mark Hughes
Seconded by: Ralph Smith

Votes: 4 Ayes (Hughes, Smith, Daum, Kurz); 0 Nays

Chairman Richard Kurz entertained a motion to submit the Site Plan Review – Special Use Permit to the County Planning Board and schedule the public hearing.

RESOLUTION# 13-9/24

RESOLUTION TO SUBMIT THE SITE PLAN REVIEW – SPECIAL USE PERMIT TO THE COUNTY PLANNING BOARD AND SCHEDULE THE PUBLIC HEARING AS PRESENTED TO EACH BOARD MEMBER.

RESOLVED, to submit the Site Plan Review – Special Use Permit to the County Planning Board and schedule the public hearing as presented to each board member.

Offered by: Mark Hughes
Seconded by: Ralph Smith

Votes: 4 Ayes (Hughes, Smith, Daum, Kurz); 0 Nays

Chairman Richard Kurz – A public hearing will be set for the 1st Thursday in October.

Gary Daum let the board know that there will be training on October 1st from 5:00 pm to 9:30 pm in Sanborn.

NO FURTHER BUSINESS WAS DISCUSSED

Chairman Richard Kurz entertained a motion to adjourn the regular meeting.

Offered by: Ralph Smith
Seconded by: Mark Hughes

Votes: 4 Ayes (Smith, Hughes, Daum Kurz); 0 Nays