

**TOWN OF GROTON PLANNING BOARD**  
**Minutes of Regular Meeting - Thursday, 19 September 2013 - 7:30 PM**  
**Town Hall Court Room – 101 Conger Boulevard – Groton, NY**

**Members, Groton Planning Board**

(\*Absent)

Edward Neuhauser, Chairperson  
Monica Carey, Vice Chair  
Barbara Clark  
\*Mark Baxendell  
\*John Morey  
Bret Wyllie  
\*Lisa Maloney Hahn

**Others Present**

Gary Coats, Town CEO  
Joan Fitch, Recording Secretary  
Victoria Monty, Town Attorney

**Applicants & Public in Attendance**

Dennis Totman for George Totman, Applicant; Steve Foote, Applicant; Mark Snyder, Applicant; Attorney Mike Shafer for Lawrence & Sylvia Woernley, Applicants; Scott & Dawn Metcalf, Applicants; Tom Brown, Applicant; Kevin & Karol Riese, Kristie & Jamie Robinson.

<b>REGULAR MEETING</b>
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**The Regular Meeting of the Town of Groton Planning Board was called to order by  
Chairman Edward Neuhauser at 7:30 p.m.**

**APPROVAL OF MINUTES – 15 AUGUST 2013**

**A motion was made by Member Bret Wyllie to approve the Minutes of the 15 August 2013 Planning Board meeting, as submitted. The motion was seconded by Member Monica Carey, with the vote recorded as follows:**

**Ayes: Chairman Neuhauser  
Member Carey  
Member Baxendell  
Member Wyllie**

**Nays: None**

**Absent: Member Baxendell  
Member Morey  
Member Maloney Hahn**

**Motion carried.**

**This becomes Action #82 of 2013.**

**OLD BUSINESS - NONE**

**NEW BUSINESS**

**George L. Totman, Applicant/George L. Totman RIV Trust, Reputed Owner – 17 Cemetery Lane – TM #38.-3-2 – Proposed Minor Subdivision**

Chairman Neuhauser recognized Dennis Totman, representing his father, George, who was seeking approval of a Minor Subdivision, dividing his 1.64±-acre parcel as shown on the map accompanying the application. The larger parcel will be sold to James Robinson, with the smaller parcel (50-ft. by 203-ft.± strip) to be given to the adjacent McLean Community Church to be consolidated with their existing parcel, TM #38.-3-3.1.

With no further discussion, a **motion was made by Member Barbara Clark that the Town of Groton Planning Board declares itself as Lead Agency under SEQRA for the proposed Minor Subdivision. The motion was seconded by Member Carey, with the vote recorded as follows:**

<b>Ayes:</b>	<b>Chairman Neuhauser</b>	<b>Nays:</b>	<b>None</b>
	<b>Member Carey</b>		
	<b>Member Baxendell</b>	<b>Absent:</b>	<b>Member Baxendell</b>
	<b>Member Wyllie</b>		<b>Member Morey</b>
			<b>Member Maloney Hahn</b>

**Motion carried.**

**This becomes Action #83 of 2013.**

Chairman Neuhauser then read aloud Part II of the Short Environmental Assessment Form. Negative responses were obtained to all questions in Part II.

**A motion was then made by Member Clark that, based on the information and analysis of the SEQR concerning this application, the Town of Groton Planning Board has determined that the proposed action will not result in any significant adverse environmental impact, resulting in a Negative Declaration. The motion was seconded by Member Wyllie, with the vote recorded as follows:**

<b>Ayes:</b>	<b>Chairman Neuhauser</b>	<b>Nays:</b>	<b>None</b>
	<b>Member Carey</b>		
	<b>Member Baxendell</b>	<b>Absent:</b>	<b>Member Baxendell</b>
	<b>Member Wyllie</b>		<b>Member Morey</b>
			<b>Member Maloney Hahn</b>

**Motion carried.**

**This becomes Action #84 of 2013.**

With no further discussion, a **motion was made by Member Carey to waive the Public Hearing and approve the proposed Minor Subdivision, as requested. The motion was seconded by Member Clark, with the vote recorded as follows:**

<b>Ayes:</b>	<b>Chairman Neuhauser</b>	<b>Nays:</b>	<b>None</b>
	<b>Member Carey</b>		
	<b>Member Baxendell</b>	<b>Absent:</b>	<b>Member Baxendell</b>
	<b>Member Wyllie</b>		<b>Member Morey</b>
			<b>Member Maloney Hahn</b>

**Motion carried.**

**This becomes Action #85 of 2013.**

**Steven M. Foote, Applicant/McLean Community Church, Reputed Owner – Cemetery Lane – TM #38.-3-3.1 – Proposed Boundary Line Change**

Chairman Neuhauser recognized the applicant, representing the church who was seeking approval to combine the Totman strip, described above, with the church parcel, as shown on the maps accompanying the application. In response to the Member Carey's question, Mr. Foote stated that the strip, once stoned, could accommodate from 25 to 30 parking spaces.

With no further discussion, a **motion was made by Member Wyllie that the Town of Groton Planning Board declares itself as Lead Agency under SEQRA for the proposed Boundary Line Change. The motion was seconded by Member Clark, with the vote recorded as follows:**

<b>Ayes:</b>	<b>Chairman Neuhauser</b>	<b>Nays:</b>	<b>None</b>
	<b>Member Carey</b>		
	<b>Member Baxendell</b>	<b>Absent:</b>	<b>Member Baxendell</b>
	<b>Member Wyllie</b>		<b>Member Morey</b>
			<b>Member Maloney Hahn</b>

**Motion carried.**

**This becomes Action #86 of 2013.**

Chairman Neuhauser then read aloud Part II of the Short Environmental Assessment Form. Negative responses were obtained to all questions in Part II.

**A motion was then made by Member Carey that, based on the information and analysis of the SEQR concerning this application, the Town of Groton Planning Board has determined that the proposed action will not result in any significant adverse environmental impact, resulting in a Negative Declaration. The motion was seconded by Member Clark, with the vote recorded as follows:**

<b>Ayes:</b>	<b>Chairman Neuhauser</b>	<b>Nays:</b>	<b>None</b>
	<b>Member Carey</b>		
	<b>Member Baxendell</b>	<b>Absent:</b>	<b>Member Baxendell</b>
	<b>Member Wyllie</b>		<b>Member Morey</b>
			<b>Member Maloney Hahn</b>

**Motion carried.**

**This becomes Action #87 of 2013.**

With no further discussion, a **motion was made by Member Clark to approve the proposed Boundary Line Change, as requested. The motion was seconded by Member Wyllie, with the vote recorded as follows:**

<b>Ayes:</b>	<b>Chairman Neuhauser</b>	<b>Nays:</b>	<b>None</b>
	<b>Member Carey</b>		
	<b>Member Baxendell</b>	<b>Absent:</b>	<b>Member Baxendell</b>
	<b>Member Wyllie</b>		<b>Member Morey</b>
			<b>Member Maloney Hahn</b>

**Motion carried.**

**This becomes Action #88 of 2013.**

**Mark Snyder, Applicant/Reputed Owner – 1405 Sovocool Hill Road – TM #33-1-1.3 & 1.2 – Proposed Boundary Line Change**

Chairman Neuhauser recognized the applicant who was seeking approval to consolidate two separate adjoining parcels (.78 A. & .62± A.) into one 1.4±-acre parcel, as shown on the maps accompanying the application. The Board had no further questions.

With no further discussion, a **motion was made by Member Carey that the Town of Groton Planning Board declares itself as Lead Agency under SEQRA for the proposed Boundary Line**

**Change. The motion was seconded by Member Clark, with the vote recorded as follows:**

<b>Ayes:</b> Chairman Neuhauser	<b>Nays:</b> None
Member Carey	
Member Baxendell	<b>Absent:</b> Member Baxendell
Member Wyllie	Member Morey
	Member Maloney Hahn

**Motion carried.**

**This becomes Action #89 of 2013.**

Chairman Neuhauser then read aloud Part II of the Short Environmental Assessment Form. Negative responses were obtained to all questions in Part II.

**A motion was then made by Member Wyllie that, based on the information and analysis of the SEQR concerning this application, the Town of Groton Planning Board has determined that the proposed action will not result in any significant adverse environmental impact, resulting in a Negative Declaration. The motion was seconded by Member Carey, with the vote recorded as follows:**

<b>Ayes:</b> Chairman Neuhauser	<b>Nays:</b> None
Member Carey	
Member Baxendell	<b>Absent:</b> Member Baxendell
Member Wyllie	Member Morey
	Member Maloney Hahn

**Motion carried.**

**This becomes Action #90 of 2013.**

With no further discussion, a motion was made by Member Carey to approve the proposed **Boundary Line Change**, as requested, with the two subject parcels to be consolidated. The motion was seconded by Member Wyllie, with the vote recorded as follows:

<b>Ayes:</b> Chairman Neuhauser	<b>Nays:</b> None
Member Carey	
Member Baxendell	<b>Absent:</b> Member Baxendell
Member Wyllie	Member Morey
	Member Maloney Hahn

**Motion carried.**

**This becomes Action #91 of 2013.**

**Lawrence & Sylvia Woernley, Applicants/Reputed Owners – 398 Lick Street – TM #26.-1-14.34 – Proposed Minor Subdivision**

Chairman Neuhauser recognized Attorney Mike Shafer, who explained that the Woernleys were seeking approval to subdivide a 4.78±-acre parcel from there 12.3± acres. The subdivided parcel was to be transferred to the adjoining property owners, Scott and Dawn Metcalf. The subdivided lot would be non-conforming; however, it is to be combined with an existing conforming lot, TM #26.-1-14.4, with approval of the next item (Metcalf) on this Agenda

With no further discussion, a motion was made by Member Clark that the Town of Groton Planning Board declares itself as Lead Agency under SEQRA for the proposed Minor Subdivision. The motion was seconded by Member Wyllie, with the vote recorded as follows:

<b>Ayes:</b> Chairman Neuhauser	<b>Nays:</b> None
Member Carey	
Member Baxendell	<b>Absent:</b> Member Baxendell
Member Wyllie	Member Morey
	Member Maloney Hahn

**Motion carried.**

**This becomes Action #92 of 2013.**

Chairman Neuhauser then read aloud Part II of the Short Environmental Assessment Form. Negative responses were obtained to all questions in Part II.

**A motion was then made by Member Clark that, based on the information and analysis of the SEQR concerning this application, the Town of Groton Planning Board has determined that the proposed action will not result in any significant adverse environmental impact, resulting in a Negative Declaration. The motion was seconded by Member Wyllie, with the vote recorded as follows:**

<b>Ayes:</b>	<b>Chairman Neuhauser</b>	<b>Nays:</b>	<b>None</b>
	<b>Member Carey</b>		
	<b>Member Baxendell</b>	<b>Absent:</b>	<b>Member Baxendell</b>
	<b>Member Wyllie</b>		<b>Member Morey</b>
			<b>Member Maloney Hahn</b>

**Motion carried.**

**This becomes Action #93 of 2013.**

With no further discussion, **a motion was made by Member Carey to waive the Public Hearing and approve the proposed Minor Subdivision, as requested. The motion was seconded by Member Clark, with the vote recorded as follows:**

<b>Ayes:</b>	<b>Chairman Neuhauser</b>	<b>Nays:</b>	<b>None</b>
	<b>Member Carey</b>		
	<b>Member Baxendell</b>	<b>Absent:</b>	<b>Member Baxendell</b>
	<b>Member Wyllie</b>		<b>Member Morey</b>
			<b>Member Maloney Hahn</b>

**Motion carried.**

**This becomes Action #94 of 2013.**

**Scott & Dawn Metcalf, Applicants/Reputed Owners – 396 Lick Street – TM #s 26.-1-14.4 & P/O 14.34 – Proposed Boundary Line Change**

Chairman Neuhauser recognized Attorney Mike Shafer, representing the Metcalfs, who were seeking approval of a Boundary Line Change combining their tax map parcel (with frontage on Lick Street) with the just-subdivided parcel (Planning Board Action #94 of 2013) being a portion of TM #26.-1-14.34, as shown on the maps accompanying the application.

With no further discussion, **a motion was made by Member Carey that the Town of Groton Planning Board declares itself as Lead Agency under SEQRA for the proposed Boundary Line Change. The motion was seconded by Member Wyllie, with the vote recorded as follows:**

<b>Ayes:</b>	<b>Chairman Neuhauser</b>	<b>Nays:</b>	<b>None</b>
	<b>Member Carey</b>		
	<b>Member Baxendell</b>	<b>Absent:</b>	<b>Member Baxendell</b>
	<b>Member Wyllie</b>		<b>Member Morey</b>
			<b>Member Maloney Hahn</b>

**Motion carried.**

**This becomes Action #95 of 2013.**

Chairman Neuhauser then read aloud Part II of the Short Environmental Assessment Form. Negative responses were obtained to all questions in Part II.

**A motion was then made by Member Wyllie that, based on the information and analysis of the SEQR concerning this application, the Town of Groton Planning Board has determined that the proposed action will not result in any significant adverse environmental impact, resulting in a**

**Negative Declaration.** The motion was seconded by Member Clark, with the vote recorded as follows:

<b>Ayes:</b> Chairman Neuhauser	<b>Nays:</b> None
Member Carey	
Member Baxendell	<b>Absent:</b> Member Baxendell
Member Wyllie	Member Morey
	Member Maloney Hahn

**Motion carried.**

**This becomes Action #96 of 2013.**

With no further discussion, a motion was made by Member Clark to approve the proposed **Boundary Line Change**, as requested. The motion was seconded by Member Wyllie, with the vote recorded as follows:

<b>Ayes:</b> Chairman Neuhauser	<b>Nays:</b> None
Member Carey	
Member Baxendell	<b>Absent:</b> Member Baxendell
Member Wyllie	Member Morey
	Member Maloney Hahn

**Motion carried.**

**This becomes Action #97 of 2013.**

**Thomas Brown, Applicant/Reputed Owner – NYS Route 222 (aka Cortland Road) – TM #20.-1-37.1 – Proposed Minor Subdivision**

Chairman Neuhauser recognized the applicant who explained that he was seeking approval to subdivide a 12±-acre parcel from his 148± acres. He stated he was keeping the 12±-acre parcel and selling the rest.

With no further discussion, a motion was made by Member Wtllie that the Town of Groton Planning Board declares itself as Lead Agency under SEQRA for the proposed Minor Subdivision. The motion was seconded by Member Clark, with the vote recorded as follows:

<b>Ayes:</b> Chairman Neuhauser	<b>Nays:</b> None
Member Carey	
Member Baxendell	<b>Absent:</b> Member Baxendell
Member Wyllie	Member Morey
	Member Maloney Hahn

**Motion carried.**

**This becomes Action #98 of 2013.**

Chairman Neuhauser then read aloud Part II of the Short Environmental Assessment Form. Negative responses were obtained to all questions in Part II.

A motion was then made by Member Wyllie that, based on the information and analysis of the SEQR concerning this application, the Town of Groton Planning Board has determined that the proposed action will not result in any significant adverse environmental impact, resulting in a Negative Declaration. The motion was seconded by Member Clark, with the vote recorded as follows:

<b>Ayes:</b> Chairman Neuhauser	<b>Nays:</b> None
Member Carey	
Member Baxendell	<b>Absent:</b> Member Baxendell
Member Wyllie	Member Morey
	Member Maloney Hahn

**Motion carried.**

**This becomes Action #99 of 2013.**

With no further discussion, a motion was made by Member Clark to waive the Public Hearing and approve the proposed Minor Subdivision, as requested. The motion was seconded by Member Carey, with the vote recorded as follows:

<b>Ayes:</b> Chairman Neuhauser	<b>Nays:</b> None
Member Carey	
Member Baxendell	<b>Absent:</b> Member Baxendell
Member Wyllie	Member Morey
	Member Maloney Hahn

Motion carried.

**This becomes Action #100 of 2013.**

**Kevin & Karol Riese, Applicants/Reputed Owners – 885 Spring St. Ext. – TM #25.-1-13.3 – Proposed Minor Subdivision**

Chairman Neuhauser recognized Kevin Riese who explained that he was seeking approval to subdivide his 57±-acre parcel into one parcel of 43± A. and one containing 14± A., as shown on the maps accompanying the application. The smaller parcel will be combined (next item on this Agenda) with the adjoining Houston parcel (TM #25.-1-24.1) which has road frontage on Sovocool Hill Road.

With no further discussion, a motion was made by Member Carey that the Town of Groton Planning Board declares itself as Lead Agency under SEQRA for the proposed Minor Subdivision. The motion was seconded by Member Wyllie, with the vote recorded as follows:

<b>Ayes:</b> Chairman Neuhauser	<b>Nays:</b> None
Member Carey	
Member Baxendell	<b>Absent:</b> Member Baxendell
Member Wyllie	Member Morey
	Member Maloney Hahn

Motion carried.

**This becomes Action #101 of 2013.**

Chairman Neuhauser then read aloud Part II of the Short Environmental Assessment Form. Negative responses were obtained to all questions in Part II.

A motion was then made by Member Wyllie that, based on the information and analysis of the SEQRA concerning this application, the Town of Groton Planning Board has determined that the proposed action will not result in any significant adverse environmental impact, resulting in a Negative Declaration. The motion was seconded by Member Clark, with the vote recorded as follows:

<b>Ayes:</b> Chairman Neuhauser	<b>Nays:</b> None
Member Carey	
Member Baxendell	<b>Absent:</b> Member Baxendell
Member Wyllie	Member Morey
	Member Maloney Hahn

Motion carried.

**This becomes Action #102 of 2013.**

With no further discussion, a motion was made by Member Clark to waive the Public Hearing and approve the proposed Minor Subdivision, as requested. The motion was seconded by Member Carey, with the vote recorded as follows:

<b>Ayes:</b> Chairman Neuhauser	<b>Nays:</b> None
Member Carey	
Member Baxendell	<b>Absent:</b> Member Baxendell
Member Wyllie	Member Morey
	Member Maloney Hahn

Motion carried.

**This becomes Action #103 of 2013.**

**Marlin Houston, Applicant/Kevin Riese, Reputed Owner – 718 Sovocool Hill Road – TM #25.-1-24.1 & P/O 13.3 – Proposed Boundary Line Change**

Chairman Neuhauser recognized Kevin Riese who first asked questions about subdividing his land, with particular reference to road frontage. Member Carey explained that a flag lot could be created, but he would have to come back before this Board in order to do so. Kevin then explained that, at this meeting, his neighbor, Mr. Houston, was seeking approval for a Boundary Line Change to combine the two lots as shown on the maps accompanying the application.

With no further discussion, a motion was made by Member Wyllie that the Town of Groton Planning Board declares itself as Lead Agency under SEQRA for the proposed Boundary Line Change. The motion was seconded by Member Clark, with the vote recorded as follows:

<b>Ayes:</b> Chairman Neuhauser	<b>Nays:</b> None
Member Carey	
Member Baxendell	<b>Absent:</b> Member Baxendell
Member Wyllie	Member Morey
	Member Maloney Hahn

Motion carried.

**This becomes Action #104 of 2013.**

Chairman Neuhauser then read aloud Part II of the Short Environmental Assessment Form. Negative responses were obtained to all questions in Part II.

A motion was then made by Member Clark that, based on the information and analysis of the SEQR concerning this application, the Town of Groton Planning Board has determined that the proposed action will not result in any significant adverse environmental impact, resulting in a Negative Declaration. The motion was seconded by Member Wyllie, with the vote recorded as follows:

<b>Ayes:</b> Chairman Neuhauser	<b>Nays:</b> None
Member Carey	
Member Baxendell	<b>Absent:</b> Member Baxendell
Member Wyllie	Member Morey
	Member Maloney Hahn

Motion carried.

**This becomes Action #105 of 2013.**



With no further discussion, a motion was made by Member Carey to approve the proposed Boundary Line Change, as requested. The motion was seconded by Member Wyllie, with the vote recorded as follows:

<b>Ayes:</b> Chairman Neuhauser	<b>Nays:</b> None
Member Carey	
Member Baxendell	<b>Absent:</b> Member Baxendell
Member Wyllie	Member Morey
	Member Maloney Hahn

Motion carried.

**This becomes Action #106 of 2013.**

## **EXECUTIVE SESSION**

At 8:15 p.m., a motion was made by Member Carey to enter into Executive Session to discuss potential litigation regarding a specific property's lack of compliance with conditions imposed by the Planning Board, with a request that Town Code Enforcement Officer and Town Attorney be present. The motion was seconded by Member Clark, with the vote recorded as follows:

<b>Ayes:</b> Chairman Neuhauser	<b>Nays:</b> None
Member Carey	
Member Baxendell	<b>Absent:</b> Member Baxendell
Member Wyllie	Member Morey
	Member Maloney Hahn

Motion carried.

**This becomes Action #107 of 2013.**

At 8:50 p.m., a motion was made by Member Clark to come out of Executive Session. The motion was seconded by Member Wyllie, with the vote recorded as follows:

<b>Ayes:</b> Chairman Neuhauser	<b>Nays:</b> None
Member Carey	
Member Baxendell	<b>Absent:</b> Member Baxendell
Member Wyllie	Member Morey
	Member Maloney Hahn

Motion carried.

**This becomes Action #108 of 2013.**

It was announced that **no action was taken** by the Town of Groton Planning Board in the Executive Session.

## **ADJOURNMENT**

At 8:55 p.m., a motion was made by Member Clark to adjourn the meeting. The motion was seconded by Member Wyllie, with all members present voting in favor.

  
Joan E. Fitch, Board Secretary

Emailed to Town/Deputy Clerks, CEO Coats,  
VM, PS & Board Members on 9/30/13.