

**PLANNING BOARD
TOWN OF MARILLA**

Date: October 18, 2007

Present: Nathan Barnard, Chairman
Tom Wantuck, Co-Chairman
Rich Janiga
Dan Handy
Paul Domanowski
Judy Gillman
Debbie Zimmerman

Barbara Spanitz, Town Board
John Fronczek, CEO
Bob Miller, Consult

Guests: James Thompson

I. Nathan Barnard, Chairman, opened the Planning Board meeting at 7:02 p.m. **MOTION** to accept August and September minutes moved by Dan Handy, seconded by Rich Janiga. All in favor – 7 ayes.

II. Old Business

Debbie Zimmerman stated she noticed Bill Peter's building seemed close to Mr. Rumley's garage. CEO John Fronczek noted the driveway has been started, the hill was cut down and they are putting up a block retaining wall with trees between Bill Peter's property and whoever buys the back lot.

Jason Paananen of Nussbaumer & Clarke attended tonight's meeting for Bob Miller. According to the current code book an accessory building located in the agricultural district with a lot size of 2 acres can be as large as 2,614 square feet. A lot size of 5 acres can have an accessory building up to 10,900 square feet not including the 25 feet height. Jason stated you can revise the code to what is a permitted accessory use and what size the garage or storage shed can be or have a floor ratio set up for specific accessory uses not to exceed a certain square footage or footprint. Jason Paananen suggested adopting a Local Law to the zoning code regarding accessory use sizes in the agricultural district. It would be best to separate the barn from the garage or other accessory building. The term barn would need to be defined maybe adding a restriction for on-site commercial use. Jason Paananen stated in Ellicottville primary structures have a cap on the size of the accessory use based on the acreage.

Jason Paananen suggests a restriction on the other accessory uses based on the acreage. Tom Wantuck stated we have that now but the amount is too large. Judy Gillman stated accessory buildings are taxed. Dan Handy suggested maybe 800 square feet per acre. Rich Janiga suggested setting it on a standard acre basis. Jason Paananen stated a typical garage is 720 to 900 square feet. Jason Paananen suggested maybe a restriction on height.

CEO John Fronczek feels the square footage per acre is a good idea. It was suggested a 4000 square foot building on a 5 acre parcel would be the largest accessory building allowed before going before the Zoning Board. Chairman Nathan Barnard stated let's summarize the information and talk about it at next month's meeting.

III. New Business

None.

IV. CEO Report

CEO John Fronczek stated the B-1 on Clinton Street the lot sizes have been approved and John Schenne is supposed to bring in plans on drainage. CEO John Fronczek has not heard from him. Each individual lot will have a drainage plan and will need to appear before the Planning Board.

CEO John Fronczek stated Laura will keep an individual folder on each person applying for a special use permit.

V. Town Board Report

Councilman Barbara Spanitz stated the Town Board held a public hearing for Bill Peter's garage and a public hearing for Jutta Soeder's flag lot application.

VI. Open Presentations from the Floor

Jason Paananen of Nussbaumer & Clarke stated he and Bob Miller are setting up a training session for Planning Board and Zoning Board members which sessions will be held at the Marilla Town Hall. Jason will send training information regarding a session for this year to Laura.

MOTION to adjourn at 7:50 p.m. moved by Judy Gillman, seconded by Paul Domanowski, all in favor 7/0.

Respectfully submitted
Laura Nuttle, Clerk