

**Regular Meeting  
SHELDON PLANNING BOARD  
November 13, 2019**

The meeting of the Town of Sheldon Planning Board held November 13, 2019 at the Offices of the Wyoming County Fire & Building Codes, 36 Center St., Warsaw, NY 14569 was called to order at 7:00 p.m. by Chairman Wayne Abbott.

Present: Chairman Wayne Abbott  
Board: Don Pawlak, Debbie Kirsch, Jeff Nixon, Mary Kehl  
Absent: Kathy Roberts  
Recording Secretary: Town Clerk Carol Zittel  
Also present: Alyssa Cutcliffe, Don Roberts, Attorney David DiMatteo, Kate Meyer, Tom Keem

A signed list of all present is on file in the Town Clerk's office.

**Land Separation – Thomas Keem**

The Board reviewed the land separation application from Roxanne Keem (property owner) and Tom Keem (son). Tax parcel 68.-1-19 is currently 98.9 acres. The proposed land separation would split the parcel into one 95.9 acre parcel and one 3 acre parcel. Mr. Keem is planning on building a new home on the 3 acre parcel. There is a dilapidated chicken coop that is within 25' of the property line.

A motion was made by Don Pawlak and seconded by Mary Kehl to approve the land separation application received from Tom Keem with the stipulation that the chicken coop be removed.

Ayes: (5) Abbott, Pawlak, Kirsch, Nixon, Kehl Nays: (0) Absent: (1) Roberts

Motion Carried.

**Land Separation – Keith Tozier**

The Board reviewed a land separation application received from Keith & Lisa Tozier. Mr. & Mrs. Tozier will be acquiring .78 acres from Scott Tozier to merge with their existing parcel.

A motion was made by Don Pawlak and seconded by Debbie Kirsch to approve the land separation application received from Keith Tozier.

Ayes: (5) Abbott, Pawlak, Kirsch, Nixon, Kehl Nays: (0) Absent: (1) Roberts

Motion Carried.

**Approval of Minutes**

The minutes from October were not distributed tonight. The Board will review them at their December 11<sup>th</sup> meeting.

**Zoning Map Changes**

Alyssa put the current zoning map on the screen for the Board to review. A scale has been added per the Board's prior request.

**Draft Law – “Amending Article IV “Zoning District Regulations of the Town Zoning Law of the Town of Sheldon”**

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Attorney DiMatteo distributed a copy of the proposed law to Board members.

**Question Regarding Naming/Numbering of Business Districts**

Attorney DiMatteo asked the Board if it would be acceptable to name the Business Districts #1, #2, #3, #4.

- Business District #1 – Four corners at Route 77 and Route 20A
- Business District #2 – Four corners at Route 77 and Centerline Rd.
- Business District #3 – Four corners at Route 77 and Perry Rd.
- Business District #4 – Two northern corners of intersection at Route 77 and Minkel Rd.  
(only on northern side – other side is Town of Java)

**Conforming Lots Language**

The Board would like to confirm that changing these areas from ag to business will not prevent property owners from replacing buildings (with existing footprint) that may be lost to fire or some natural disaster. The Board references Section 5090, letter C1 of our current zoning law which states the following:

**C. RESTORATION AND ALTERATIONS**

1. Repair and Replacement of Non-Conforming Structures - A non-conforming structure destroyed by fire or other causes or which is demolished for any reason may be repaired, rebuilt or replaced without conforming with the requirements of these regulations, provided that the horizontal area occupied by the foundation or base of the repaired, replaced or rebuilt structure does not exceed the horizontal area occupied by the base or foundation of the structure formerly occupying the lot and furthermore provided that:

It is the Board's intention that this wording be included in the new zoning law.

**New Language Suggested for New Zoning**

Attorney DiMatteo suggests the following language changes to our new zoning:

Ag districts changed to low density

Rural residential changed to medium density

Trailer park changed to high density

Seasonal use changed to limited use

Alyssa and Don confirm that this terminology is being employed in new zoning laws.

**Approval of Proposed Local Law and Language Changes**

A motion was made by Jeff Nixon and seconded by Don Pawlak to approve the wording of the draft Local Law with updated map as presented tonight and to recommend the adoption of the new language suggested by Attorney DiMatteo in regards to the labeling of districts.

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Ayes: (5) Abbott, Pawlak, Kirsch, Nixon, Kehl   Nays: (0)   Absent: (1) Roberts  
Motion Carried.

**Sign Permits**

Attorney DiMatteo suggested that the Board look at sign permit regulations when composing the new zoning law. The popularity of LED rotating signs is an issue that the Board should consider in regards to light pollution and other concerns.

**Parking Schedule**

Alyssa suggests that a parking schedule should be added to the new zoning law.

**Public Hearing on County Model Draft Zoning Laws**

Alyssa and Don advised that the model draft zoning laws are on the County website for review. There will be public hearings regarding these model laws at the County offices. Visit the County website for more information: [www.wyomingco.net](http://www.wyomingco.net)

**Adjournment**

A motion was made by Mary Kehl and seconded by Don Pawlak to adjourn the November 13, 2019 meeting of the Sheldon Planning Board.

Ayes: (5) Abbott, Pawlak, Kirsch, Nixon, Kehl   Nays: (0)   Absent: (1) Roberts  
Motion Carried.