

Town of Fenner Planning Board Minutes: 6/11/2025

Present: Monica Cody, Andre Schokker, Andy Bishopp, Pete Snyder, Andy Stone, Michael Wood

Community Members in attendance: Brian Davis, Melissa Davis

Town Attorney in attendance: Nadine Bell

Andy Stone called meeting to order at 7:00 pm.

Discussion of Meeting Minutes from 5/21/2025:

Correction is needed for incorrect name noted: "Erin Diana" should be corrected to "Erin Sunderman". Motion to approve the 5/21/25 meeting minutes with correction by Andy Bishop, second by Pete Snyder.

Motion carries, all in favor.

PUBLIC HEARING for 86.-2-27.2 and 86.-2-26.2 for Brian Davis (4729 Roberts Rd.)

Andy Stone opened public hearing at 7:00PM.

The Davises have modified the site plan to a lot geometry that presents two conforming lots. The "Parcel A" subdivision from the original lot which includes the dwellings and buildings is 3.97 acres with 200 ft road frontage. Simultaneously, a line change for Parcel B combines lots 86.-2-27.2 and 86.-2-26.2, adding 190.26' ft of road frontage, for a total of 280ft + 190.28ft (470.28ft) of road frontage and overall acreage of 17.59 acres, meeting the lot length and width requirements. Both revised lots are now conforming.

Town Attorney Nadine Bell noted:

Due to the parcel's crossing into the town of Cazenovia, General Municipal Law 239ML requires that the subdivision and line change be referred to the County Planning Department for review before Fenner Planning Board action can be taken.

The 239ML law refers to New York General Municipal Law Section 239-M, which requires certain municipal planning, zoning, and subdivision projects to be referred to County Planning for review prior to local action being taken. The purpose is to promote coordination of land use decision-making and consider potential impacts on neighboring municipalities and the County as a whole. A letter from the town of Cazenovia was received for the Davis' prior site plan indicating no concerns from that municipality. The Madison County Planning Board now must make a review based on the completed application and SEQRA for this modified site plan with two conforming lots.

Andy Stone will submit the full application to the Madison County Planning Board for review of this subdivision and line change application, to include:

- Application Materials: All documents required by the Municipality.
- Environmental Review forms: Completed Environmental Assessment Forms, or relevant documents under SEQRA.
- Detailed Site Plans: Site layout with scale, north arrow, lot dimensions, buildings, setbacks, access points, and relevant infrastructure.

239ML referral is required when an impacted project is within 500 ft of a municipal boundary, requiring the county planning department provide comment and review before the Fenner Planning Board can act on the application. The Fenner Planning Board could override the county recommendation with a super majority vote. Madison County Planning has 30 days to review the application materials from date of receipt. The application needs to be referred to the county after the SEQRA is reviewed. The SEQRA determination, application, and referral form from Fenner must go to the county.

Andy Stone closed the public hearing at 7:18PM with a motion by Andre Schokker, second by Mike Wood.

SEQRA document was reviewed by the Fenner Planning Board. No notable impacts were found.

Motion to record a negative declaration for the line change of parcel 86.-2-26.2 and the subdivision of 3.97 acres from lot 86.-2-27.2 by Andre Schokker, second by Andy Bishopp. Motion carries.

The county will render a decision within 30 days. The Fenner Planning Board will then have 62 days to render a decision afterwards, with a target of the July 16 Fenner Planning Board Meeting at 7:30PM. If there are any substantial changes to the action/project being referred after the referral to County Planning has been submitted, the Local Board should refer the action/project again to County Planning. If the change(s) are within the 30-day review period and before County Planning has issued the Staff Report, simply send new plans and relevant documents.

The Fenner Planning Board is required to send Madison County Planning a record of its decision within thirty (30) days of taking final action. In addition, the local board must provide findings for any contrary decision.

Motion to close the Planning Board Meeting by Pete Snyder, second by Andre Schokker at 7:28PM. Motion carried.

Respectfully Submitted,

Monica Cody