

**Minutes of the Sandy Creek Regional Planning Board**  
**Wednesday, June 7, 2023**  
**Sandy Creek Town Hall**

Members present: Larry Rice, Frank Dixon, Bill Joyce, Richard Machermer, Pat Machermer, Sybil Cummins and Shirley Rice.

Also present: Peggy Rice, Pat McDougal, Christine Kepner

Larry Rice opened the regular meeting of the Board at 7:00 PM. Bill was briefly absent as he was at the Village Board meeting for a Public Hearing concerning the adoption of amended Solar Law.

Discussion on the minutes of June 7, 2023 found no changes were needed. A motion to accept the minutes as presented was made by Larry Rice and seconded by Frank Dixon. All voted in the affirmative and the motion carried.

As Bill was absent, Larry provided the Treasurer's report. Expenditures for June 2023 are for salaries for Board members of 92.35 per person and 346.31 for Bill Joyce as Secretary/Treasurer. Also, there was a payment of \$164.48 for EFTPS. A balance of \$11,458.57 remains in the account.

Correspondence included: the minutes of the meeting of the Town Board dated May 24, 2023; Campground renewal form for Green Haven Mobile Home Park.

Bill Returned at 8:10 and a discussion ensued concerning docks at Sandy Pond. Ms. Terie Delahunt had called Bill to ask about a potential local law concerning the placement of docks. A neighbor to Ms. Delahunt has placed a dock at a 45 degree angle to their property, effectively limiting Ms. Delahunt's use of her waterfront. She had discussed the problem with an attorney and was looking into riparian and littoral rights in New York State. The Board debated the issue with consideration to 2 elements. The first is that this would appear to be a legal question to be brought up in a court of law. The second has to do with ownership of the land under the water. As much, or more than, 200 acres of land under Sandy Pond is privately owned. The Board was not comfortable creating a law that must, necessarily, infringe upon the underwater land owner's rights. While Ms. Delahunt brings up an excellent point, the Board is not prepared to legislate dock placement or usage at this time.

A Public Hearing for "Best Furriends Doggie Daycare and Boarding" was opened by Larry Rice at 7:30 pm as publicly warned. The applicant, Ms. Amy Boone was not present. Pat Machermer contacted Ms. Boone by text message and was told that she was out of state. It was pointed out that Ms. Boone had not paid the Site Plan Application Fee to John Howland which is required by the Site Plan Law to have been paid prior to considering the Site Plan complete. Many miscommunications between the Town and the Applicant would appear to have lead to this problem. Ms. Boone stated in her text message that she had dropped off an envelope containing a check for the fee in an envelope addressed to John Howland on July 3<sup>rd</sup> at the Town Office. Pat McDougal, a neighbor to the property in question, had questions concerning: 1) Noise from animals boarding overnight; 2) Removal of dog waste from the property; 3) Other neighbors having loud parties that may have a negative effect on animals boarding at the property. At that time, approximately 7:45 pm, Ms. Boone's mother, Christine Kepner, arrived to try to help however she could. She carried with her an envelope addressed to John Howland which Ms. Kepner believed contained a check for the Site Plan Application fee. As it was not addressed to the Planning Board, it was deemed inappropriate for the Board to

open the envelope. It was pointed out to Ms. Kepner that a number of inconsistencies seem to have been a part of this Site Plan Review, including Ms. Boone telling the Board that she had worked through the application with John Howland which John has no recollection of, that buildings on the property were pre-existing which two of the buildings were not, and that she had been told that she did not need to be at the Public Hearing. As she was not in attendance, none of these questions could be resolved. Ms. McDougal's questions (1,2,3 above) could be addressed as conditions for approval of the Site Plan in terms of hours of operation with no noise after closing, waste removal to be in an appropriate manner and the noise from parties to be considered when animals are at the facility. Bill made note that the 239 Review at the County level found no objections to the project. As little more could be done, Bill suggested that the Public Hearing be recessed to a date and time with the expectation that Ms. Boone would be in attendance. Larry Rice made the motion to recess the hearing to August 2, 2023 at 7:00 pm. Frank Dixon seconded the motion. All voted aye and the motion carried.

The Board moved on to the Comprehensive Plan update. It became abundantly clear that the Board has little interest in moving forward with the proposed update. Bill will be working on an alternative of perhaps hiring a consulting firm to do the work, or doing the work himself.

With no further business before the Board, a motion was made by Larry Rice to adjourn and seconded by Pat Macheimer. The motion was passed by unanimous vote and the Board adjourned at 8:30 pm.

Respectfully submitted by Recording Secretary - Sybil Cummins