

Town of Norfolk Planning Board Meeting Minutes October 24, 2024

The Town of Norfolk Planning Board held a meeting Thursday, October 24, 2024 at 5:15 pm, Norfolk Town Hall.

Call Meeting to Order

Kate Chepeleff (chair) called the meeting to order.

Pledge of Allegiance

The Pledge of Allegiance was said by all present.

Rollcall

Kate Chepeleff (chair) called roll, Richard Planty, Gary Bandy, Andrew Solley – Present. Tom Emburey, Vernon Wolfe (alt) – Absent. Members in attendance constituted a quorum. Also in attendance was Code Enforcement Officer, Tim Wunder.

Adoption of Agenda

The agenda for the meeting was reviewed by the Board. A motion to accept the agenda as presented was made by Kate Chepeleff and seconded by Richard Planty.
All In Favor – Carried.

Adoption of Minutes

Minutes from the September 26, 2024 Planning Board Meeting were reviewed. Motion by Kate Chepeleff to adopt the Minutes as presented and seconded by Gary Bandy.
All In Favor - Carried.

Chapter 112, Energy Systems and Battery Energy Storage Systems

Kate Chepeleff notified the Board members that the moratorium that was put in place on B.E.S.S. is due to expire in November. After a discussion, the Board recommended that the moratorium be extended for another year as the State has still not released regulations. Kate Chepeleff will notify the Town Supervisor of the Board's recommendation for extension.

Meanwhile, Kate will be contacting Jason at the County to see if he could provide some information as to what other communities are doing to address this issue.

CHAPTER 150 LAND USE & DEVELOPMENT

Kate Chepeleff will check with the County to see if any of the regulations contained in Subsections 1-28 require updating.

Chapter 150-46 Walls; Fences, Hedges; Visibility at Street Intersections

Kate would check with Jason at the County to provide more information on potentially changing the fence height from 3' to 4' as previously discussed by the Board.

Chapter 150-53 Campers & RVs / “Tiny” Houses

After a discussion, it was decided that this issue will need to be addressed in separate sections of the Code as Campers & RVs fall under Chapter 177-2. It was decided that Tiny Homes would be addressed in 150-53 with the addition of:

150-53 F. Campers and RVs are not considered to be mobile homes as defined in section A. and B. of this chapter, nor are they intended to be used as permanent dwellings. This includes all vehicles as defined by New York State Vehicle and Traffic Law § 125. (See 177-2 MOTOR VEHICLE Definition).

150-53 G. “Tiny Homes” will be defined as any residence less than 500 sq. ft. in size installed per the New York State Building Code and may be located in R-A, C-H and C-I Districts only, if they meet the following standards:

- (1) The Tiny home shall be occupied only as a single-family residence.
- (2) The Tiny home shall have an adequate supply of water and a sewage disposal system. Both systems shall satisfy the recommended standards of the New York State Department of Health for individual water and waste disposal systems.
- (3) The Tiny home shall conform to all the area requirements of the zoning district in which it is located.
- (4) The Tiny home shall be attached to a foundation system, including tie-downs, approved by the Code Enforcement Officer. Acceptable foundation systems include masonry or treated wood foundations, treated wood or concrete piers to below the frost line, or reinforced concrete pads over 12 inches of compacted crushed stone, sand or gravel, or concrete blocks on 12 inches of compacted crushed stone or gravel. After attachment to a foundation system, any open space between the bottom portion of the Tiny home and the ground shall be covered with a metal, wood or other suitable skirt, and properly ventilated.
- (5) Landscaping shall be provided to achieve the same character as the surrounding properties.
- (6) The exterior of the Tiny home and the parcel of land on which it is located shall be maintained in a neat, orderly and presentable condition.

It is further recommended by the Board that section 150-53 C. (2) first paragraph be removed, as well as (2) (b) and (e) while leaving (1) a), (c) and (d) intact.

Also, the definition of “TINY HOME” as “any residence less than 500 sq. ft. in size installed per the New York State Building Code.” should be added to **150-74** under Definitions.

Chapter 150-55 Unsafe and Substandard Buildings

The previously proposed draft of this section as reviewed in the June 27th meeting should be adopted.

Chapter 150-56 Nonconforming situations.

Kate asked the Board members to review “Blighted Property Abatement” from the Village of Massena to see if parts of it should be incorporated into Chapter 150-56. To be discussed at the next meeting.

Chapter 150-58 Special Uses – Short Term Rentals

This item was tabled until the next meeting.

Chapter 150-74 Definitions

The following proposed definition for PRIMARY RESIDENCE was reviewed by the Board: “Considered to be the principal or main home a resident lives in most of the year. Only one primary residence can be occupied at a time. This primary residence is the address listed on your driver’s license, tax returns, and other official government documents. The primary residence can be any dwelling where you live for a majority of the year that is considered your permanent address, including a single-family home, an attached or multi-family home, a condominium, a townhouse or an apartment or rental unit”. It was agreed that this definition should be adopted.

Other definitions in this section will be reviewed at an upcoming meeting.

Penalty/Fees Attachment

It was suggested that when the penalty/fee schedule is created, language should be included proposing that unpaid penalties should be added to the tax levy.

Items for Action Summary

- 1) Kate Chepeleff will contact Jason to see if he could discuss this topic and provide some information as to what other communities are doing to address B.E.S.S. systems.
- 2) Kate will contact the Town Supervisor to forward the Board’s recommendation to extend the current B.E.S.S. moratorium.
- 2) Kate will ask the County to review Chapter 150 (1-28) for their input.
- 3) Kate will ask the County for input regarding changing the fence height from 3’ to 4’.
- 4) Board members will review “Blighted Property Abatement” for potential incorporation into 150-56.

Next Meeting

The next meeting of the Planning Board is for codification and is scheduled for November 21, 2024 at 5:15 pm.

Meeting Adjourned

A motion to adjourn the meeting was made by Kate Chepeleff and seconded by Gary Bandy. All In Favor – Carried. Meeting adjourned.

Dated: October 26, 2024

Theresa Planty, Planning Board Secretary

cc: Planning Board Chair, Town Supervisor, Code Enforcement Officer, Town Clerk