

A Worksession of the Town Board of the Town of Williamson, County of Wayne and State of New York was held in the Town Court Room at 7:00 PM on July 27, 2004. The following were

PRESENT: Supervisor James D. Hoffman
Councilman G. Elliott Warren
Councilman Gary Orbaker
Councilman Charles R. Monsees
Councilman Anthony Verno

ABSENT: None

The Board reviewed bills for payment.

The Regular Meeting of the Town Board of the Town of Williamson was held in the Town Court Room following the worksession and was called to order at 7:30 PM on July 27, 2004 by Supervisor Hoffman with the Pledge of Allegiance. The following were

PRESENT: Supervisor James D. Hoffman
Councilman G. Elliott Warren
Councilman Gary Orbaker
Councilman Charles R. Monsees
Councilman Anthony Verno

ABSENT: None

George Harland, Tom Moenter, Jacob Lagoner, Jeremy & Valerie Dysinger, Dan Lagoner, Orlo H. Plyter, Joyce Lochner, Mary E. and Dean D. Lagoner, Diane M. and Mark Lagoner, Gary J. Buehler, Elizabeth Herbert, and the undersigned Town Clerk were also present.

A notice having been published for a Public Hearing to hear comments for or against the June 22, 2004 revised Farm Market Local Law. Supervisor Hoffman declared the Hearing open at 7:30 PM. Supervisor Hoffman proceeded with the Public Hearing stating the rules, explaining the changes in the most recent revision of June 22, 2004 and opened it for public comment. As no one wished to comment, the Hearing was closed at 7:33 PM with a motion made by Councilman Orbaker and seconded by Supervisor Hoffman. The motion was carried.

Councilman Verno made a motion, seconded by Councilman Orbaker, to adopt the amended Local Law #178-26 G, Zoning, Farm Market. The motion was carried with Councilman Verno voting naye.

AMENDMENT: LOCAL LAW NO. 1 OF 2004

Amendment of Chapter 178, Section 26 G: Multifamily Structures and Farm Markets.”

In reviewing the proposed site plan for one or more multi-family structures, the Planning Board will be guided by the following regulations:

- A. Maximum length of rows.
 - (1) The maximum length of any group of attached structures shall not exceed 100 feet. A building group may not be so arranged as to be inaccessible to emergency vehicles.
 - (2) The front or rear of any building shall be no closer to the front or rear of any other building than 40 feet.
 - (3) The side of any building shall be no closer to the side, front or rear of any other building than 30 feet.
- B. Distance between building and driveways. With the exception of an attached garage or carport, no driveway or parking lot should be closer than 25 feet to the front of any building nor closer than 10 feet to the side or rear of any building.
- C. Recreation space. There shall be provided on the site of such development an area or areas devoted to the joint recreational use of the residents thereof. Such recreation space shall consist of no less than 400 square feet of space per dwelling unit. Each such recreation space shall be developed with passive and active recreation facilities and maintained by the management or owner.
- D. Off-street parking spaces. There shall be provided on the site of such development an area or areas devoted to the storage of automobiles. Three parking spaces shall be provided for each two dwelling units on the site. Parking areas shall contain a minimum of 200 square feet per space, excluding all driveway areas.⁹
- E. Landscaping. Trees and shrubs shall be provided along all walks and streets, around recreation areas and along the outer property line of the site. Trees shall be planted at intervals of 50 feet where feasible.
- F. Minimum size requirements for various units:
 - (1) Studio (no separate bedroom): 500 square feet.
 - (2) One Bedroom: 600 square feet.
 - (3) Two Bedrooms: 800 square feet.
 - (4) Three Bedrooms: 950 square feet.
 - (5) Each additional bedroom: 80 square feet.

G. Farm Stands and Farm Markets

- (1) Purpose and Intent - The purpose of these regulations is to provide workable, clearly stated land use regulations that allow farmers in Williamson to market their produce directly to local customers, travelers and tourists.

The intention of the code is to strike a balance between, creating new opportunities to enhance farm family revenues, rural tourism, and neighborhood services, while protecting the surrounding residents from a proliferation or an excessive scale of a traditional retail store or convenience market within the agricultural districts of Williamson. The code uses variables including - farm family ownership, structure size, types of products sold as measured by floor space, a list of specific exclusions, and the use of a special permit to provide judgment/public input on appropriate locations for the larger scale "Farm Market".

Williamson recognizes farming as a cornerstone of the town's economy and rural character. The code provides some flexibility, beyond the right to sell one's own produce to draw customers who otherwise would not stop. However, the vision of a mature farm market is one that not only is profitable, but where farm produce is always predominant, and the remaining products sold reflect a demonstrable tie to agricultural produce, farming heritage, and farm family creation. Non-brand name cottage industry products and packaging should be prevalent.

Any person within an A or A/R Zoning District may erect a farm market or farm stand and sell agricultural products from the same premises, provided that the property otherwise complies with this chapter and the standards set forth herein. The authorized official, code enforcement officer, pursuant to Article II of this chapter, shall permit any such market and its related accessory structures.

Portable carts, wagons, tables or stands consisting of 35 square feet or less, which sell agricultural products grown on the site, are exempt from these regulations.

(2) Definitions

- (a) "Farm Stand" – a temporary, permanent structure or farm wagon no more than 150 square feet in size that's use is accessory to on-site agricultural operations and is used to sell raw, unprocessed fruits, vegetables, nuts, honey, maple syrup and other agricultural produce in its raw or natural state at least 75% of which was grown on the premises. Cider jams/jellies may also be sold.
- (b) "Farm Market" – an enclosed permanent structure, from which to sell agricultural products, the retail sales area of which shall not exceed 6,000 square feet; however, accessory growing structures (greenhouses) open for retail sales will not be counted as retail space for the purpose of this definition, provided that the principal farm market and said accessory structures maintain a fifty-foot setback.

These accessory structures may be attached or separate from the farm market structure. Farm markets also may be used for limited sales of processed foods and non-food items as well as horticultural products, beverages, candy, dairy products (i.e., ice cream and frozen desserts), bakery products produced on site, souvenir and handcrafted items.

- (i) A "Farm Operation" is a single or multiple parcels of land listed on the Williamson tax roll under the same owner(s) and approved for an agricultural assessment on a minimum of 10 acres.
- (ii) Light lunches - the sale of hot and cold sandwiches, including hot dogs and hamburgers, soups, salads and desserts composed in part of ingredients produced on the farm and excluding that which is traditionally found in a full service restaurant, such as prime rib dinners and fish fries. The sale of pizza shall not be allowed nor shall catering services be permitted.

(3) General Standards

- (a) The farm stand or farm market shall be setback from any public right-of-way in compliance with the applicable zoning regulations. The yard or setback area shall be kept clear to provide unobstructed visibility for motorists.
- (b) There shall be safe ingress and egress from the site as determined under review of the site plan by the Planning Board.
- (c) Site plan and/or special use permit approval shall be contingent upon satisfactorily addressing the impact on adjacent properties, the environment, and pedestrian and motorist safety.

(4) Farm Stands

- (a) Subject to site plan approval by the Planning Board, a farm stand shall be allowed only if:
 - (i) It is accessory to agricultural production on the same farm operation, and
 - (ii) Both the farm stand and farm operations are owned and operated by the farm stand proprietor or immediate family members.
- (b) The site plan for a farm stand shall include the information listed in Section 178-19 of the Williamson Code.
- (c) At least three accessible and usable off-street parking spaces shall be provided. Each parking space shall be at least 10' x 20' in size and shall not encroach upon public right-of-way or create a traffic hazard. Parking spaces for farm stands are exempt from Article IV of the Williamson Code regarding handicapped parking.
- (d) No electrical wiring or hookups of any kind are allowed.

- (e) The farm stand operation may be conducted no more than 10 months per year. Months of operation must be consecutive in a calendar year January 1st through December 31st.
 - (f) Farm stands not used for a period of three consecutive years shall be removed from the premises at the landowner's expense.
- (5) Farm Markets
- (a) Subject to a special use permit approval, a farm market shall be allowed if:
 - (i) It is accessory to agricultural production on the same farm operation, and
 - (ii) Both the farm market and farm operation are owned and operated by the farm market proprietor or immediate farm family members.
 - (b) Applications for special use permits for farm markets shall be accompanied by a drawing that shows the proposed roof and exterior wall treatments, including construction materials and colors.
 - (c) One 200 ft. off-street parking space shall be provided for each 200 square feet of gross floor space area, with a minimum of at least three parking spaces including provisions for handicapped parking.
 - (d) Farm market operations are permitted to sell produce and horticultural products, which have been grown on- or off-site:
 - (i) On an annual basis, 40 percent of the gross floor space shall be devoted to produce and horticultural products, which have been grown on- or off-site.
 - (ii) Other permitted activities allowed shall include farm tours, hayrides, you-pick operations, light lunches and educational activities related to agriculture. Other compatible activities may be allowed subject to a special use permit.
 - (iii) Food franchises are prohibited in any farm market operation.
 - (e) Outside storage and display of produce and plant materials shall be permitted on all portions of the property, with the exception of areas where traffic site distances will be impacted.
 - (f) Outside storage and display of all other items accessory and incidental to a farm market operation shall be in approved areas, no less than 50 feet from any property line other than the public right-of-way. The size of said storage area shall be buffered in a manner that will not create a nuisance to adjacent properties.
 - (g) Absolutely no petroleum products, alcoholic beverages, lottery tickets, tobacco or magazines may be sold or dispensed at farm markets.
 - (h) No subleasing is permitted with the farm market.
 - (i) The farm market operation may be conducted twelve (12) months per year.

* * * * *

Councilman Verno presented the following Resolution and moved its adoption. It was seconded by Councilman Warren.

WHEREAS: The Town of Williamson is proposing to amend Chapter 178 of the Town Code as it pertains to the operation of farm markets in the Town of Williamson, and

WHEREAS: In order to aid the Town Board in determining whether such project and financing and other related actions of the Town in connection therewith (the "Action") may have a significant effect on the environment, the Town Board has caused to be prepared the appropriate Environmental Assessment Form (EAF), and

WHEREAS: the Project has been identified as a listed, Type I Action pursuant to the State Environmental Quality Review Act (SEQRA) and the Town Board has expressed its desire to act as lead agency for SEQRA review purposes, and

WHEREAS: all other potentially involved agencies have been contacted by letter and none have objected to the Town Board of the Town of Williamson acting as lead agency, and

WHEREAS: the Town Board has duly reviewed the EAF, as well as any public comments and any correspondence from interested or involved agencies, and has duly considered the impacts that may be expected from the proposed action and compared the same with the criteria set forth in the applicable SEQRA regulations,

NOW, THEREFORE, BE IT RESOLVED: by the Town Board of the Town of Williamson, Wayne County, New York, as follows:

1. The Town Board hereby declares that it is acting as lead agency for the purpose of SEQRA review concerning the Project and all actions related thereto.
2. Based upon its review and consideration of the EAF and other necessary criteria, the Town Board hereby finds that (a) the proposed project does constitute a "Type I Action" and that (b) the object of the above-referenced action, therefore will result in no major adverse impacts and, therefore, is not an action which may have a significant effect on the environment" and that since said action will not have a "significant effect on the environment", no "environmental impact statement" need be prepared, as such quoted terms are defined in the applicable SEQRA Regulations.

3. By reason of the foregoing, the Town Board hereby authorizes and directs the Supervisor to execute and file a Negative Declaration in the form attached hereto and to sign the first page of the Full Environmental Assessment Form Designating that the Project and all actions related thereto will not have a significant impact on the environment.
4. The Town Board hereby authorizes the Supervisor to forward, upon request copies of this Resolution and the Negative Declaration to all appropriate agencies.
5. The Town Clerk is hereby directed to maintain for public inspection a file containing a copy of this Resolution, the Negative Declaration and all submissions to date concerning the Environmental Review of this project and all actions related thereto.
6. This resolution shall take effect immediately.

Roll call vote on the Resolution was as follows:

AYES: Supervisor Hoffman
 Councilman Orbaker
 Councilman Warren
 Councilman Monsees
 Councilman Verno

NAYES: None

The Resolution was declared adopted.

Public Comment: Orlo Plyter appreciated the flags in the new court room were placed correctly. He also thanked Supervisor Hoffman and the Highway Department for taking care of the drainage problem at the Grange Hall.

Supervisor Hoffman made a motion, seconded by Councilman Warren, to accept the Consent Agenda containing the following items:

- a. previous minutes: July 13, 2004
- b. pay the Library bills as audited by the Library Board of Trustees:
 vouchers 176 – 188, total – 4,749.43
- c. to accept the following budgetary transfers:

<u>FROM</u>	<u>AMOUNT</u>	<u>TO</u>
<u>A-General Fund:</u>		
A1990.900 Conting Acct	\$ 600.00	A1110.410 Justices-Cont Chrg Card
A1990.900 Conting Acct	17,000.00	A1440.400 Engin-Contract
<u>F-Water Fund:</u>		
F8320.421 Sup/Power/Pump-Elect	35,000.00	F8310.421 Admin-Heat/Gas
<u>H16 – Town Hall Complex:</u>		
H16-1990.400 Conting Acct	2,000.00	H16-1620.400 Contract-Misc exp

The motion was carried.

Councilman Warren explained the Recreation Committee’s plans on conveying survey, similar to one done in the Town of Ontario, of our community. The survey would include number of people living in Williamson, ages, average income etc. This is being done to find out if there is a need to hire a full time Recreation Director. Ontario makes most of their recreation money from child-care. The Committee feels the additional programs would pay the Director’s salary. The position would be a Civil Service applicant. They are also looking into increasing each program fee.

Councilman Warren presented the following Resolution and moved its adoption. It was seconded by Councilman Verno.

WHEREAS: The Town of Williamson owns and maintains a public park within the township which park is known as the “Williamson Town Park”, and

WHEREAS: The Williamson American Legion has volunteered to incur certain expenses for the construction of an additional ball field in the Williamson Town Park, and

WHEREAS: The Town of Williamson would like to accept the contribution of the American Legion improvements to the Williamson Town Park, and

NOW, THEREFORE, BE IT RESOLVED: By the Town Board of the Town of Williamson in regular session duly convened as follows:

- 1.) The Town Board of the Town of Williamson agrees to accept the contribution made by the Williamson American Legion in the amount of six thousand five hundred dollars (\$6,500.00) to cover the cost of constructing an additional baseball field in Williamson Town Park which contribution shall cover improvements including but not limited to preparation of the field, fencing and a backstop.
- 2.) It is agreed that the Williamson American Legion shall have the ability to reserve the use of the newly constructed ball field for up to fifteen (15) occasions during each calendar year for certain events and games organized by the Williamson American Legion with the understanding that the Town Board reserves the right to modify or terminate the Legion's use of the property in the event that the ball field is needed for other municipal purposes.
- 3.) The American Legion's use of the ball field is conditioned upon the Legion signing and returning to the Town a letter of understanding as it pertains to the use of said ball field.
- 4.) This resolution shall take effect immediately.

Roll call vote on the Resolution was as follows:

AYES: Supervisor Hoffman
 Councilman Orbaker
 Councilman Warren
 Councilman Monsees
 Councilman Verno

NAYES: None

The Resolution was declared adopted.

Councilman Warren presented the following Resolution and moved its adoption. It was seconded by Councilman Monsees.

WHEREAS: The Town of Williamson owns and maintains a public park within the township, known as the "Williamson Town Park", and

WHEREAS: In recognition of contributions made by the Williamson American Legion for the construction of an additional ball field in the Williamson Town Park,

NOW, THEREFORE, BE IT RESOLVED: By the Town Board of the Town of Williamson in regular session duly convened, as follows:

1. The new ball field to be constructed in the Williamson Town Park shall henceforth be known as the "Williamson Veterans Field."
2. This resolution shall take effect immediately.

Roll call vote on the Resolution was as follows:

AYES: Supervisor Hoffman
 Councilman Orbaker
 Councilman Warren
 Councilman Monsees
 Councilman Verno

NAYES: None

The Resolution was declared adopted.

George Harland explained to the public the need for the American Legions interest in this project. It will give them a home park, which they do not have at the present time. He also thanked every ones helps in this project.

Councilman Monsees presented the following Resolution and moved its adoption. It was seconded by Councilman Verno.

WHEREAS: An agreement for cleaning was entered into on November 2000, between the Town of Williamson and R.C. Cleaning, and

WHEREAS: The Town Facilities have moved to a new and larger building than previously occupied,

NOW, THEREFORE, BE IT RESOLVED: That the agreement between the Town of Williamson and R.C. Cleaning be revised to reflect the additional cost of cleaning the new facility.

Roll call vote on the Resolution was as follows:

- AYES: Supervisor Hoffman
- Councilman Orbaker
- Councilman Warren
- Councilman Monsees
- Councilman Verno

NAYES: None

The Resolution was declared adopted.

John Manahan has suggested that the Town purchase defibrators for the Water, Wastewater and Highway personnel. He is working on getting prices for this purchase. He strongly would like the Board’s support in this purchase.

Supervisor Hoffman presented a sample of a sign for in front of the new Town Complex. It would list the Library, Town Hall and Court on it. The sign would be double sided and no maintenance. People have commented the building letters are not easily seen from Route 21. The cost is approximately \$575.00. He also mentioned the activity, enclosed, announcement board is still being worked on.

Public Comment: Mark Lagoner verified the passing of Local Law #1-2004. He also thanked the Board for their perseverance and diligence in this achievement. George Harland mentioned he has kept in contact with Sgt. Schrader with the Army National Guard who two years ago put a lot of time and labor into developing the Town Park. He has inquired how the Park was developing and mentioned how he missed working with the different communities and their projects.

Supervisor Hoffman made a motion, seconded by Councilman Verno, to pay the following bills as audited:

<u>Account:</u>	<u>Voucher No.:</u>	<u>Totals:</u>
General Fund	371 through 398	\$ 16,153.61
Youth	49 through 50	
Highway Fund	222 through 239	18,777.95
Water Fund	201 through 217	26,453.51
Sewer District No. 1	140 through 146	2,122.96
<u>Capital H – 16</u>	<u>62 through 68</u>	<u>7,715.44</u>
Total:		\$ 71,223.47

Councilman Warren made a motion, seconded by Supervisor Hoffman, to enter into Executive Session for Personnel reasons at 7:55 P.M. The motion was carried.

Councilman Warren made a motion, seconded by Councilman Verno, to return to Open Session at 8:17 PM. The motion was carried.

Councilman Orbaker made a motion, seconded by Councilman Monsees, to adjourn the meeting at 8:18 PM.

Marlene A. Gulick
Town Clerk