

Minutes of a regular meeting of the Town Board of the Town of Durham held December 4, 2007, at the Town Building in Oak Hill, NY.

Present:

- Gary Hulbert - Supervisor**
- Linda Sutton – Councilwoman**
- Jodi Wood – Councilwoman**
- William Carr – Councilman**
- Robert Elpel – Councilman**

Secretary: **Chris Kohrs – Deputy Town Clerk**

Others Present:

- Tal Rappleyea – Town Attorney**
- Wes Moore – Highway Superintendent**
- Charles G. Soderblom – Town Clerk**

Supervisor Hulbert called the meeting to order at 7:38. There were eight people present.

Mr. Gardner came before the board to see what information is needed to have the town take over Durham Woods Road. Attorney Rappleyea would need a survey description of the roadbeds and lien release information. Wes was satisfied that all requirements were met.

The Town of Durham Comprehensive Plan Committee has completed their work on the plan and the next step is a Public Hearing. After the hearing and within 60 days, the plan has to be forwarded to the County for their review. The county will respond within 30 days, and then a public hearing is held, if there were no changes to the final draft it can be approved at that time. Public Hearing will be held on December 19, 2007 at 7:30 PM

Mr. Tucker purchased property on Rt. 145 with an outdated subdivision from 1974, 1 month before the new subdivision laws. . He has since had it surveyed and came to the building inspector for a permit. He took four lots and made it into two. He was checking to see if he needed a variance. Town Board needs a letter from DEC pertaining to wet area, drawing of driveway access. Attorney Rappleyea explained there are 5 items to consider when approving a variance: 1) Conform to surrounding character of the community, 2) will it create an undesirable negative environmental impact 3) is request substantial, 4) is there an alternative 5) need for variance self-created. Mr. Tucker will then have to go thru the subdivision process.

Mr. Heck, from Durham Community Planners, reported that new signs would be going up in place of the old signs whenever the town men can do it. The hanging flower baskets have been removed and replaced with Christmas kissing balls along Rt. 145.

Dr. Goldstein asked if the Maggio Route 23 Project is permitted to start clearing land even though the Site Plan Application has not been approved. Mr. Rappleyea explained that a landowner is permitted to clear their land without review permitted they disturb less than one acre. If they clear over an acre, they are required to complete a SEQOR

application. There is concern over the negative impact the site clearing could have on the view shed.

Supervisor Hulbert asked for an update on the Agricultural Committee. Dr. Goldstein explained a report was given at the last meeting a copy was given to each board member.

Supervisor Hulbert read a letter of resignation from Charles Soderblom, Town Clerk, effective December 31, 2007. The board accepted his resignation and thanked him for his many years of service.

Sean Frey asked about the status of the Sign Law for the town of Durham. The board explained that research found if the town were to pass a Sign Law it would not disallow the restrictions imposed by the state or federal highways, therefore, it would not benefit the town to proceed.

Ms. Wood motioned to enter into executive session at 8:20 p.m. to discuss a personnel matter, seconded by Mr. Carr.

Supervisor Hulbert called the work session to order at 9:00 p.m. Mr. Carr explained the board has been reviewing issues with the building and code departments and have decided to appoint two board members to work with the departments to address their concerns. **Mrs. Sutton moved to appoint Mr. Carr and Ms. Wood as the board members to work with the departments, seconded by Mr. Elpel. All were in favor motion approved.**

Ms. Wood motioned to adjourn at 9:05 p.m. seconded by Mr. Elpel.

Minutes approved:

Chris Kohrs, Deputy Town Clerk