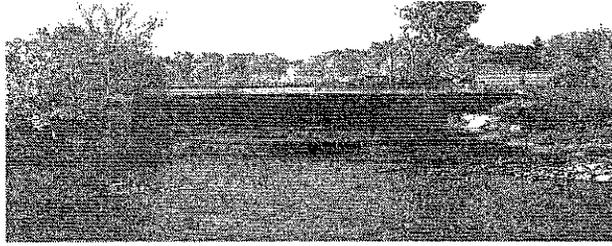


Board of Trustees  
Village of Black River, New York



Agenda  
Regular Meeting  
November 3, 2014

- Pledge of allegiance.
- Approval of minutes of the 10/6/14 regular meeting.
- Public Comment:
  - Open public hearing on Local Law #3 of 2014 relating to proposed changes to the zoning law.
- Code Enforcement Report & review of related correspondence.
- Superintendent's Report.
- Clerk-Treasurer's Report.
- Police Department Report.

Correspondence Received:

Correspondence Sent:

- A) Mayor Carpenter Re: Fire protection.

Unfinished Business:

- A) Update on Rt. 3 pump station project.
- B) Status of backhoe and garbage truck orders.

New Business:

- A) Refer zoning law amendment to Jeff. Co. Planning Dept. For 239-m review.
- B) Discuss moving the December Board meeting to December 8<sup>th</sup>.

- Reports From Standing Committees.
- Reports From Special Meetings.
- Authorize payment of bills; adjournment.

Village of Black River  
Board of Trustees  
Regular Meeting  
October 6, 2014

A regular meeting of the Village of Black River Board of Trustees was called to order by Mayor Leland Carpenter at 6:00 p.m. at the Karl J. Vebber Municipal Building.

Present:

Mayor Leland Carpenter  
Trustee Randolph Lake  
Trustee Laurie McCullough  
Superintendent of Public Works Steven Lillie  
Deputy Clerk Treasurer Kristin Burroughs  
Code Enforcement Officer Dave Lachenauer  
Planning Board Chair John Cook  
Police Chief Steven Wood

Excused:

Deputy Mayor Francis Dishaw  
Trustee Corey Decillis

Mayor Carpenter led the Pledge of Allegiance.

A motion was made by Trustee McCullough, seconded by Mayor Carpenter to open the public hearing at 6:01 p.m. regarding an increase in the minimum sewer use charge from \$45.00 to \$46.50 per quarter. The motion was carried.

Code Enforcement Report:

CEO Lachenauer stated that he met with representatives from Stebbins Engineering and their engineer regarding a proposed subdivision for property that they own behind W. Remington St. and Ames Dr. He stated that Stebbins will be submitting a plan for tree removal to the Planning Board. CEO Lachenauer updated the Board on the court case against Gerald and Marian Gerard, 119 N. Main St. He stated that the judge fined them \$250 each and told them to obtain a permit to repair or demolish their garage within 30 days.

Superintendent's Report:

Superintendent Lillie updated the Board on the Rt. 3 pump station project and stated that leaf collection has begun.

Clerk-Treasurer's Report:

Deputy Clerk Treasurer Burroughs stated that water bills had been sent out and that the annual audit will be performed the week of October 27<sup>th</sup>.

Police Department Report:

Police Chief Wood gave a verbal report.

Correspondence received was reviewed.

New Business:

Planning Board Chair John Cook was present to discuss the proposed changes to the setbacks, frontages and definitions in Section 175-8 Agricultural (Ag); Section 175-9 Residential A (Res. A); Section 175-10 Residential A (1) (Res. A (1)); and Section 175-13 Downtown Business (B (2)). He stated that the Planning Board had worked for months on the changes with the intention of making it easier for properties to comply with zoning without requiring a variance.

Mayor Carpenter stated that he was concerned about the fire protection for the Rt. 3 pump station and the reservoir on Hadley Rd. He stated that he would like to send a letter to the Rutland

Village Board  
October 6, 2014  
Page -2-

Board of Fire Commissioners to request that Black River Fire Department be put on automatic mutual aid for the two properties. The Board was in agreement.

Mayor Carpenter stated that he would like to approach the Town of LeRay at their next meeting to ask them to have the assessor put an official business sign on his vehicle while in the Village so that residents would not be concerned about seeing an unfamiliar vehicle parked in front of their homes.

A motion was made by Trustee McCullough, seconded by Trustee Lake to adopt the following resolution:

**Resolved**, that the following abstracts of audited vouchers be approved: interim abstract dated 9/18/14 in the amount of \$9,279.16 (General Fund: \$7,821.17 Water Fund: \$1,312.84 Trust & Agency: \$145.15; interim abstract dated 10/3/14 in the amount of \$131.54 (Trust & Agency) and regular monthly abstract dated 10/6/14 in the amount of \$9,279.16 (General Fund: \$7,821.17; Water Fund: \$1,312.84; Trust & Agency: \$145.15). The motion was put to a vote as follows:

Mayor Carpenter	Yes
Trustee Lake	Yes
Trustee McCullough	Yes
Trustee Dishaw	Excused
Trustee Decillis	Excused

The motion was passed and the resolution duly adopted.

A motion was made by Trustee McCullough, seconded by Mayor Carpenter to adjourn the meeting at 6:59 p.m. The motion was carried.

Respectfully submitted,

Kristin Burroughs  
Deputy Clerk Treasurer

A local law to amend Chapter 175 of the Village Code.

Article 1. - Statement of Authority. The Board of Trustees of the Village of Black River, pursuant to the authority granted it under Article 7 of the Village Law and Sections 10 and 20 of the Municipal Home Rule Law of the State of New York, hereby enacts as follows:

Article 2. - Statement of Purpose and Findings. The Board of Trustees of the Village of Black River hereby finds that clarification of certain definitions and setback requirements under the Zoning Law of the Village are necessary to provide for better and clearer administration of that law. It is the purpose of this local law to enact such changes.

Article 3. - Enactment. The Board of Trustees of the Village of Black River hereby amends Article 175 of the Village Code as follows:

A. Section 175-3 Definitions is hereby amended to add or substitute the following definitions:

1. Definitions.

ALTERNATE FRONT YARD SETBACK - Setback allowed for alterations to an existing structure which does not meet current setback requirements.

LOT LINE, FRONT - The property line separating a plot or parcel of property from a public street or highway. If a lot adjoins two or more streets or highways, the yard on the street designated as the lot's E911 address shall be considered the front lot line.

LOT LINE, REAR - That lot line which is opposite and most distant from the front lot line.

SETBACK - Perpendicular distance measured between the principle building line or accessory structure line and the property line, centerline or property street line.

STORAGE SHED, ACCESSORY - A one story non habitable building no greater than 160 square feet used to store small items.

VISIBILITY/SIGHT AREA- The portion of a corner lot within an area formed by connecting the point of intersection of adjacent street curb lines (or if there are no street lines or curbs) and points on each of the street curb lines a certain required distance from the intersection. The purpose is to ensure line of sight visibility of vehicular and pedestrian traffic in or near the intersection in all directions.

VISUAL OBSTRUCTIONS - Any permanent or temporary structure or vehicle, sign, planting or fence that obscures, impedes, or blocks visibility of oncoming traffic or pedestrians.

YARD, FRONT - The space within and extending the full width of the lot from the center line of the street to the part of the

principle building which is nearest to such center line. If a lot adjoins two or more streets or highways, the yard on the street designated as the lot's E911 address shall be considered the front yard.

YARD, REAR - The space within and extending the full width of the lot from the rear lot line to the part of the principle building which is nearest to such lot line.

B. Section 175-8 subdivision D is amended and as amended restated as follows:

A. Area, yard, coverage, and height regulations:

Dimension - New Lots	One-Family Dwellings	Accessory Uses/Structures
Minimum lot area	3 acres	
Minimum lot dimension	250 feet	
All minimum setbacks	50 feet	50 feet front yard, 10 feet side and rear (5 feet for storage sheds)
Maximum lot coverage	30 %	
Minimum living space	1,200 sq. ft.	
Maximum building height	35 feet	

C. Section 175-9 subdivision D is amended and as amended restated as follows:

Under Section 175-9. Residential A (Res. A).

Dimension - Lots of Record	One-Family Dwellings	Accessory Uses/Structures
Minimum lot area	12,500 square feet	
Minimum lot frontage	100 feet	
Minimum lot depth	125 feet	
Minimum front yard or alternate front yard setback	50 feet	50 feet
	In-line with existing primary structure, relative to additions or modifications to existing structures.	In-line with existing accessory structure, relative to additions or modifications to existing structures.
Minimum rear yard	25 feet	10 feet (5 feet for storage sheds)
Minimum side yard	10 feet	10 feet (5 feet for storage sheds)
Maximum lot coverage	30 %	
Minimum living space	1,200 square feet	
Maximum building height	35 feet	20 feet

D. Section 175-10 subdivision D is amended and as amended restated as follows:

Dimension - Lot of Record	One-Family Dwellings	Two-Family Dwellings	Accessory Uses/Structures
Minimum lot area	12,500 square feet	15,000 square feet	

Minimum lot frontage	60 feet	60 feet	
Minimum lot depth	125 feet	125 feet	
Minimum front yard or	40 feet	40 feet	40 feet
Alternate front yard setback	In-line with existing primary structure, relative to additions or modifications to existing structures.	In-line with existing primary structure, relative to additions or modifications to existing structures.	In-line with existing accessory structure, relative to additions or modifications to existing structures.
Minimum rear yard	25 feet	50 feet	10 feet (5 feet for storage sheds)
Minimum side yard	10 feet	10 feet	10 feet (5 feet for storage sheds)
Maximum lot coverage	30%		
Minimum living space	1200 square feet	700 sq. ft. per dwelling	
Maximum building height	35 feet	35 feet	20 feet

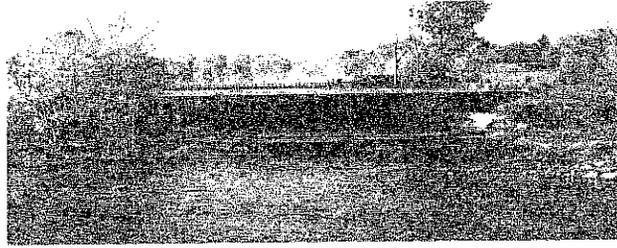
E. Section 175-13 subdivision C is amended and as amended restated as follows:

Dimension	Primary Buildings	Accessory Uses/Structures
Minimum lot area	10,000 square feet	
Minimum lot frontage	50 feet	
Minimum lot depth	100 feet	
Minimum front yard or	25 feet	25 feet
Alternate front yard setback	In-line with existing primary structure, relative to additions or modifications to existing structures.	In-line with existing accessory structure, relative to additions or modifications to existing structures.
Minimum rear yard	25 feet	10 feet (5 feet for storage sheds)
Minimum side yard	10 feet	10 feet (5 feet for storage sheds)

Article 4. - Severability. If any part of this Chapter shall be found to be void, voidable, or unenforceable for any reason whatsoever, it shall not affect the validity or enforceability of any remaining section or provision of this Chapter.

Article 5. - Effective Date. This local law shall take

Board of Trustees  
Village of Black River, New York



October 27, 2014

Mr. Erick Shumaker  
Crown Castle  
2000 Corporate Drive  
Canonsburg, PA. 15317

RE: Cell tower located on property owned by the Village of Black River

Dear Mr. Shumaker:

This letter is in reference to the above referred subject and the lighting on the cell located on Village of Black River property located on Maple Street Village of Black River ID # 841028

As per our conversations of today regarding the lighting on the cell tower, I have enclosed for your use a copy of the Village of Black River Planning Board minutes dated October 8, 2002 in which a condition that was placed on Cingular Wireless at the time was that the company would provide lighting on the tower. I have also enclosed the supporting documents from Fort Drum requesting that this condition be placed on the company for the construction of the tower.

By receipt of this letter, I must inform you that by not having the tower lighted that this would be a violation of the conditions set by the Planning Board, As per our conversation you stated that you have already setup to have the proper lighting reinstalled.

If you should have any questions or concerns regarding this matter, please feel free to contact me at the Village Office.

Sincerely,

David M. Lachenauer  
Code Enforcement Officer

CC: Mayor and Village Board of Trustees  
Village of Black River Planning Board

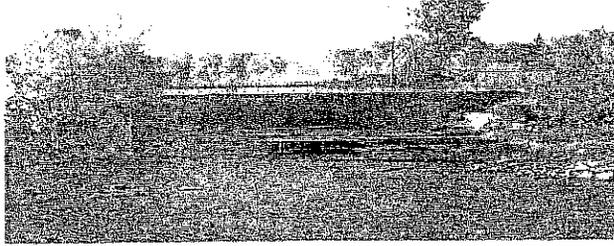
107 Jefferson Place  
Black River, NY 13612

www.blackriverny.org

(315) 773-5721 Phone

(315) 773-5726 fax

Board of Trustees  
Village of Black River, New York



October 23, 2014

Town of Rutland  
28411 NYS Rte 126  
Black River, New York 13612

RE: Proposed zoning law amendments

To Whom it May Concern:

This letter is in reference to proposed Zoning Code amendments for the Village of Black River.

This letter serves as notification of changes to the current Black River Zoning Code. The purpose of this is to provide for less restrictive setback on properties located within the Village. Please find the enclosed copy of the proposed changes to the current code.

If you should have any questions or concerns regarding this matter, please feel free to contact me at the Village Office.

Sincerely,

A handwritten signature in black ink, appearing to read "David M. Lachenauer".

David M. Lachenauer  
Code Enforcement Officer

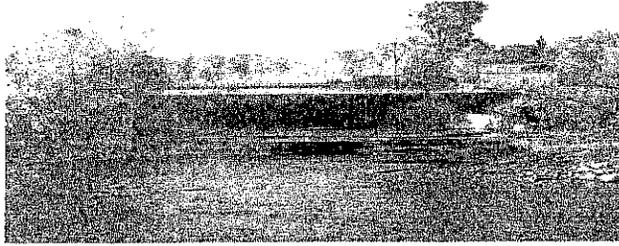
CC: Mayor and Village Board of Trustees

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Board of Trustees  
Village of Black River, New York



October 23, 2014

Mr. David Prosser, Chair  
Jefferson County Planning Board  
239 M Referral  
175 Arsenal Street  
Watertown, New York 13601

RE: Village of Black River Zoning Code Amendment Local Law 3 of 2014

Dear Chair Prosser:

This letter is in reference to the above referred subject for 239 M review regarding the Village of Black River zoning code amendment Local Law 3 of 2014.

I have enclosed for your use a copy of all of the relevant documentation for this proposed zoning code update. The proposed changes to the zoning code have been made with reasonable consideration as to the character of each zone and its suitability for particular uses and encouraging the most appropriate use of land by allowing for a less restrictive setback and frontage requirement. By easing these requirements it will help promote the health, safety and general welfare of the public. It will also help reduce the work load on the Village's Zoning Board of Appeals by having fewer area variance requests.

If you should have any questions or concerns regarding this matter, please feel free to contact the Village's Code Enforcement Officer David M. Lachenauer the Village Office.

Sincerely,

A handwritten signature in black ink, appearing to read "Leland Carpenter". The signature is written in a cursive style.

Leland Carpenter  
Mayor

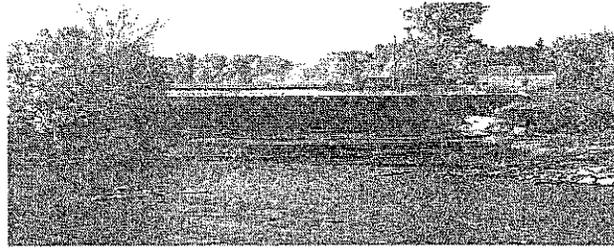
CC: Village Board of Trustees  
Village of Black River Planning Board

107 Jefferson Place  
Black River, NY 13612

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(315) 773-5721 Phone  
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Board of Trustees  
Village of Black River, New York



October 15, 2014

Board of Commissioners  
Rutland Fire District  
P.O. Box 626  
Black River, NY 13612

Dear Commissioners:

I am writing on behalf of our Village Board of Trustees. Our village water treatment facility located at 30032 NYS Rte. 3 and our water reservoir located on Hadley Rd. are both located in your town outside of our village limits. These facilities house and treat the water supply for our village as well as part of the Towns of Rutland and LeRay. Due to the sensitive nature of these facilities we are requesting that Black River Fire Department be placed on automatic mutual aid for incidents at these locations. Two of our water operators Steve Lillie and Les Williams are members of our Fire Department and are familiar with the layout, equipment and any safety concerns that may arise at these facilities.

Thank you for your consideration in this matter.

Respectfully,

*LC*  
Lee Carpenter  
Mayor

CC: Rutland Town Board, Black River Fire Dept.