Joint Public Hearing
Town of Shelby Planning Board & Zoning Board of Appeals
Shelby Town Hall
4062 Salt Works Rd
Medina, NY 14103
July 2, 2019

Planning Board Members Present: Kirk Myhill Chairman

Bradley Pask Secretary

Larry Hill John Pratt Teresa Wilkins

Jerry Velesko Alternate

ZBA Board Members Present: Craig Lacy Chairman

Patti Bushover Secretary

Larry Szatkowski Sharlene Pratt Marian Fry

Others Present: Dan Wolf Town of Shelby Code Enforcement Officer, Timothy Winters applicant, Jessika Bulera 10497 West Shelby Rd Middleport (a neighbor)

Call to Order: Planning Board Chairman K Myhill called the Business Meeting to order at 6:45 p.m. A roll call was taken by ZBA P Bushover for the ZBA members. P Bushover reported that there was a quorum present.

Chairman K Myhill called for the approval of the minutes for the Planning Board meeting June 4, 2019 Planning Board members approved minutes.

Chairman Myhill opened the Public Hearing with the reading of the Public Notice (see Att. A). Chairman Myhill stated that the Darlene Rich Town of Shelby Clerk had receives an E-Mail from Sherry Wheatly on July 02, 2019 at 1:40. S. Wheatly owns land at 10421 West Shelby Rd Middleport E-Mail is as follows Dear Shelby board meeting, "I am unable to make the meeting tonight but I am all for the Winters putting in their pond." Sherry Wheatly P. Bushover reported that the ZBA received a copy of the E-Mail. Jessika Bulera who was present at the Public Hearing and owns property at 10457 and 10497 West Shelby Rd. Middleport stated that she had no objection to the pond.

Chairman Myhill stated a history about the proposed pond at 10500 West Shelby Rd. He explained that at first the pond was thought to be in the Hamlet of West Shelby but on farther research it was found that the area on which the pond is to located is in a Ag Residential Area and the zoning map provided by county was incorrect.

Zoning Board Chairman C. Lacy asked P. Bushover to read the ZBA Public Notice (see Att. 1). Chairman Lacy asked Mr. Winters to explain the placement of the pond. Mr. Winters explained that the area was low and wet and that he had wanted to place a pond in that area to make use of the land. Mr. Winters also stated that upon the test digging in the area an old foundation also an old well was found. P.Bushover asked how deep the pond would be and how the material that would be removed would used. Mr. Winters stated that the pond would be 12 ft. deep to support fish and the material would be taken by Art Hill who is digging the pond.

K. Myhill stated that the County Planning Board had reviewed the site plan for the pond and Special Use Permit and had approve the pond.

Public Hearing was close at 6:58