

Town of Yates  
Regular Planning Board Meeting / Public Hearing  
December 21, 2021

Chairman Richard Kurz called the Regular Planning Board Meeting to order at 7:00 pm at the Town of Yates, 8 S. Main Street, Lyndonville, NY 14098.

Those Present:           Richard Kurz, Chairman of Planning Board  
                                Ralph Smith, Planning Board Member  
                                Mark Hughes, Planning Board Member  
                                Ed Urbanik, Planning Board Member  
                                Gary Daum, Alt. Planning Board Member  
                                Dan Wolfe, Code Enforcement Officer  
                                Dawn Metty, Deputy Clerk  
                                Jason Raduns  
                                Ben Hershberger, Applicant  
                                Larry Wolfe

Those Absent:           Joanne Suhr, Planning Board Member

MINUTES:

Chairman Richard Kurz entertained a motion to accept the minutes from the November 9, 2021 Planning Board meeting with an amendment (see below).

RESOLUTION # 10-12/21

RESOLUTION TO ACCEPT THE MINUTES FROM THE NOVEMBER 9, 2021 PLANNING BOARD MEETING AS PRESENTED TO EACH BOARD MEMBER WITH AN AMENDMENT (SEE BELOW).

RESOLVED, to accept the minutes from the November 9, 2021 Planning Board meeting as presented to each board member with an amendment (see below).

Offered by:   Ed Urbanik  
Seconded by: Mark Hughes

Votes: 5 Ayes (Urbanik, Hughes, Smith, Daum, Kurz); 0 Nays

Dan Wolfe wanted to clarify the conditions of Brandon Auker's Special Use Permit. Dan spoke again with Brandon about maintaining certification to operate his meat processing home business. Brandon agreed that he will maintain applicable governmental authorizations and/or certifications relating to his business. Most of Brandon's work will be deer processing, with a small part of the business devoted to customer-owned domestic meat processing.

In consideration of Dan Wolfe's discussion and understanding with Brandon Auker, Ralph Smith proposed that the November 9, 2021 motion approving Brandon Auker's Special Use Permit be amended.

RESOLUTION # 11-12/21

RESOLUTION THAT THE SPECIAL USE PERMIT OF BRANDON AUKER TO OPERATE A HOME BUSINESS SHALL BE APPROVED SUBJECT TO THE HOME OWNER MAINTAINING OPERATION OF THE BUSINESS IN ACCORDANCE WITH APPLICABLE RULES AND REGULATIONS OF HEALTH AND ENVIRONMENTAL AUTHORITIES.

RESOLVED, that the Special Use Permit of Brandon Auker to operate a Home Business shall be approved subject to the home owner maintaining operation of the business in accordance with applicable rules and regulations of health and environmental authorities.

Offered by: Ed Urbanik

Votes: 5 Ayes (Smith, Urbanik, Hughes, Daum, Kurz); 0 Nays

A question of the construction on Zimmerman's store was brought to Dan Wolfe's attention that it possibly being a 2 story. Dan Wolfe explained the layout of the store, there will be a men's and women's bathroom, a closure for compressors/generators and a storage area above the back room area.

Dan Wolfe - Ben Hershberger came in a month ago for a special use permit for a dog kennel. He has 22.66 acres and over 400 ft. of frontage.

Dan Wolfe explained the regulations for kennels then asked what Ben plans on doing with the waste, what breeds he will have and what age the puppies can be sold.

Ben Hershberger – plan to compost the manure and spread it. Will have golden doodles (approximately 15), they have to be 2 months before selling.

No further discussion, regular meeting was closed.

Chairman Richard Kurz called the public hearing to order at 7:20 pm.

Gary Daum asked if Ben Hershberger is going to sell online.

Ben Hershberger – yes, going to have someone working for me to sell online and will also have appointments.

With no one in attendance and no other questions or concerns the public hearing was closed.

Offered by: Ed Urbanik

Seconded by: Mark Hughes

Votes: 5 Ayes (Urbanik, Hughes, Smith, Daum, Kurz); 0 Nays

Chairman Richard Kurz entertained a motion to approve Ben Hershberger's Special Use Permit for a dog kennel.

RESOLUTION# 12-12/21

RESOLUTION TO APPROVE BEN HERSHBERGER'S SPECIAL USE PERMIT FOR A DOG KENNEL AS PRESENTED TO EACH BOARD MEMBER.

RESOLVED, to approve Ben Hershberger's Special Use Permit as presented to each board member.

Offered by: Ed Urbanik

Seconded by: Mark Hughes

Votes: 5 Ayes (Urbanik, Hughes, Smith, Daum, Kurz); 0 Nays

Gary Daum briefly went over items from the County Planning Board meeting & mentioned the training he went to.

Dan Wolfe thanked the board and introduced Jason Raduns as the new code enforcement officer.

NO FURTHER BUSINESS WAS DISCUSSED

Chairman Richard Kurz entertained a motion to adjourn the meeting.

Offered by: Mark Hughes

Seconded by: Ralph Smith

Votes: 5 Ayes (Hughes, Smith, Urbanik, Daum, Kurz); 0 Nays