

TOWN OF CONSTANTIA
MINUTES – SPECIAL MEETING – June 30, 2020
9:00 am Constantia Town Hall

Present: Kenneth Mosley - Supervisor
Richard Colesante, John Metzger, Thomas Moran – Council Members
Clare Haynes – Town Clerk
Warren Bader – Town Attorney
John Haynes – Code Enforcement Officer
Kenneth Macari – Chairman - Board of Appeals

Absent: Frank Tomaino – Council Member

CALL TO ORDER:

At 9:00 am Mr. Mosley called the town board meeting to order with the pledge of allegiance.

RV LAW:

Mr. Colesante and Mr. Metzger after the last meeting, thought it would be a good idea to simplify the law, with plain language. With that in mind the following were reviewed to verify all agree that these items are the essential points for the law:

- Must be registered/licensed
- Must be permitted annually by the town of Constantia
- Temporary site placement is 2 weeks
- Conditional site placement exceeding 2 weeks, not to exceed 120 days
- Exemptions for special events
- Storage allowed for 1 RV at a permanent residence
- No storage allowed on vacant land

This list is not new, but it needs to be reviewed and finalized to move forward.

DISCUSSION:

Mr. Haynes wanted to clarify that only one camper can be placed on a parcel, if there are two then they are not in compliance with this new law. Mr. Colesante answered yes, the Town does not want two unless it is a campground. Mr. Mosley asked Mr. Macari if the board of appeals would grant approval for a second camper, Mr. Macari responded that he is very cautious and reminds members of his board that when they give a variance to a property it then becomes a law for that property. The variance stays forever.

Temporary placement of two weeks is using the assumption that the camper has onboard facilities that can hold sewage for two weeks, after that you go to conditional site placement which will require proper sanitary waste facilities. Even with the proper sanitary waste facilities this law will limit the amount of time for people to reside in the RV to 120 days. Mr. Colesante likes the idea of giving specific dates, Friday before Memorial Day to September 30th, an extension can be given if different dates are desired.

If a homeowner has a singular RV at their house that is registered and licensed they do not need a permit. There will be no storage of a RV on vacant land, the RV must be removed.

All agree with the points as outlined above, Mr. Bader would like to have the preamble/purpose beefed up, speak to the public health, safety and welfare of the Town. More is better for this situation in case of a challenge.

Once the law is written, there will need to be a public hearing, Mr. Colesante thinks a number of people will attend as there are a lot of these situations out there. For that reason Mr. Metzger and Mr. Colesante will create a form letter to be sent to property owners to give them time to rectify their situations. The next step will be to have Mr. Bader send a letter.

Mr. Moran struggles with how to evict people that have lived in their RV's as a long term residence, how do we deal with them? Mr. Mosley understands, but we have been lenient, now they are a public nuisance. This is the reason for the letter that Mr. Colesante and Mr. Metzger are going to create, give property owners time to come into compliance. Bottom line, RV's are not made to be year-round residences.

BERNHARDS BAY:

Mr. Metzger asked what kind of correspondence there has been with the RV in Bernhards Bay, two years ago a letter was sent about the shed with no response. This parcel has all kinds of issues, RV left on site year long, shed too close to the road. It was agreed that Mr. Haynes should reach out to him on his other issues, not the RV at the current time. Mr. Haynes believes the owner will question as to why now has been there since 2010. Mr. Bader responded that it does not make it right and he will still need to come into compliance. Mr. Haynes has not seen anyone onsite since leaving his card, there was a pop-up camper that has since been removed. Mr. Bader will wait until after the 4th of July weekend before he sends a letter.

STORAGE CONTAINERS:

Mr. Colesante and Mr. Metzger handed out the newest version Section 1010.2 Regulation on Storage Trailers and Containers in the Town of Constantia. Mr. Moran would like a section to exclude business, he would not want to harm a business if they use them in their line of work.

Mr. Haynes pointed out the storage container that is located across from the Town Hall, that container was approved by another COE as a shed. A permit was given because it is over 144 sq. ft.

Mr. Wheeler, Town Assessor came into the meeting at 10:40am, he was asked if he would assess a storage container being used as a shed. Mr. Wheeler said he would not, but could because it is not portable but movable. Once an item is on a parcel for 60 days it is considered permanent and can be taxed per real property law. Mr. Metzger asked about RVs, Mr. Wheeler responded that they are personal property with wheels, title and registration. Discussion turned to property classes and what would be considered vacant/vacant w-improvements vs primary sites, terminology gets confusing.

EXECUTIVE SESSION:

At 11:11 am the meeting closed to go into executive session to discuss an employee issue.

At 11:20 am the board members returned from executive session, it was an unanimous decision to not give the employee an increase.

ADJOURN:

At 11:20 am the meeting adjourned.