

**PLANNING BOARD
REGULAR ZOOM MEETING
MONDAY JUNE 14, 2021
7:00 P.M. – TOWN HALL – 1529 NYS RTE 12
BINGHAMTON – NY – 13901**

Approval of the May 10, 2021 Regular Planning Board Minutes.

PRESENT: Brian Donnelly – Interim Chair
Messer: Blythe, Worden, Szenher and Boland

ALSO, PRESENT: Alex Urda P.E. - Town Engineer
John Freer – Building/Code Inspector
Nicholas Cortese - Planning / Zoning Atty.

Mr. Donnelly – I need to read the virtual meeting information for the record and take a roll call of the board members to see who is in attendance for the virtual Planning Board meeting. We have to make sure that the transcription reflects there is a quorum.

With that being said the meeting convened at 7:00 p.m. at which time Mr. Donnelly called the meeting to order and read the opening of a virtual meeting, roll call of who is in attendance.

- James Boland aye
- Jamie Szenher aye
- Kevin Worden aye
- Alan Blythe aye
- Brian Donnelly aye

Roll Call: Ayes - 5 Nays- 0 Absent –0

So, it appears we do have a quorum present to proceed.

This meeting is being held via Zoom virtual meeting software, as permitted by the Governor’s Executive Orders 202.1, and 202.15, which were most recently extended by Executive Order 202.96 and extended by 202.98 respectively. Tonight’s meeting is being recorded, and will be transcribed at a later date.

Diane if you can put this in the record:

Now we can proceed with the agenda, first is the approval of the Planning Board minutes from May 10, 2021.

A motion was made by Mr. Blythe, seconded by Mr. Szenher to approve the minutes from the May 10, 2021 regular zoom meeting.

Roll Call: Ayes - 5 Nays- 0 Absent – 0

NEW BUSINESS

- **2021-PB-5 -William Lane** – 89 Hyde St – TM#066.01-1-20.2- Application for a special permit to operate a home occupation (repair & sell firearms) & Short EAF.

Mr. Urda - The referenced application is for a special use permit for fixing firearms in a residence.

The Special Permit application package included:	Dated:	Rcvd.:
Planning Board Application with Permissions	04/22/21	04/23/21
Letter of Intent	04/23/21	04/23/21
Personal Info	04/23/21	
Broome County Parcel Mapper Site Sketch	04/23/21	
Site Plan	04/23/21	
Short EAF	04/23/21	04/23/21

Existing driveway provides for parking. We have no engineering objections to the special permit.

Mr. Freer- The Ordinance Office has no issues, as long as they comply with local, state and federal guidelines.

Mr. Donnelly read the public hearing notice:

**TOWN OF CHENANGO PLANNING BOARD
NOTICE OF PUBLIC HEARING**

TAKE NOTICE that a public hearing will be held by the Planning Board of the Town of Chenango on June 14, 2021 at 7:00 p.m. upon the application of William J. Lane regarding property located at 89 Hyde Street in the Town of Chenango, Tax Map No. 066.01-1-20.2, and located in an Agricultural Zone. The application is for a Special Use Permit for a home occupation (firearms repair & servicing). The environmental significance of the requested permit, if any, will be reviewed by the Board at said hearing.

TAKE FURTHER NOTICE that due to ongoing public health and safety concerns related to COVID-19, the Planning Board **will not be meeting in-person**. Rather, in accordance with the Governor’s Executive Orders 202.1, 202.10 and 202.15, as extended by Executive Order 202.108, said public hearing will be held at 7:00 p.m. via ZOOM virtual meeting software. The hearing will be recorded and transcribed at a later date.

INSTRUCTIONS FOR ACCESS TO THE VIRTUAL PUBLIC HEARING: All persons wishing to appear at the hearing may do so via computer, tablet or smartphone by utilizing the following **Link:** <https://us02web.zoom.us/j/89331340702>, **Meeting ID: 893 3134 0702, and Password 654021.** Members of the public may also call in to the ZOOM meeting by dialing **1-646-558-8656** and entering the Meeting ID and Password above, when prompted.

Members of the public wishing to comment orally on the application during the public hearing will be recognized by the Chairman through the ZOOM interface. Written comments may also be submitted prior to or during the hearing by e-mailing Diane.Aurelio@townofchenango.com, or prior to the hearing by mailing comments to the attention of the Town of Chenango Ordinance Office, 1529 NY Rte. 12, Binghamton, NY 13901.

Open the public hearing for comments.

Mr. Lane was present to answer questions.

Matthew Ward – I work with him for five years and I'm his neighbor. I'm one-hundred percent in agreement with his request.

Mr. Cortese – If anyone else wishes to speak just go to the bottom bar under reactions and it moves you to the front of the screen, that would be helpful.

Mr. Donnelly any other comments from the audience or board members?

Mr. Blythe – Don't we have a policy on this? I thought we had one a while, ago didn't we? Do you have appointments? There is no advertising, or is it only by the internet or word of mouth?

Mr. Lane - Really, I won't have a lot of time to dedicate to this. It's just a passion of mine, this is no more than an extended hobby for me. Basically, hoping this will be for a retirement job to fall back on in the future.

Mr. Donnelly – Ok there being no further discussion – I will to close the public comment portion and proceed with the environmental review. Mr. Cortese if you want to go through the EAF Part II.

Mr. Cortese – So you are closing the public hearing all together now?

Mr. Donnelly –Yes, I think we can close the public hearing because there is no one else that wishes to speak.

Mr. Cortese –Ok. This is an Unlisted Action under SEQR. We will go through the typical SEQR questions that you are familiar with. Let me just pull that up on my screen the applicant completes Part I and the board completes Part II and III of the form. You all know the drill, I'll ask the questions you answer yes or no. Yes, being moderate to large, no meaning small to no impact. So, I will go through the questions.

1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations? Boards response- No.
2. Will the proposed action result in a change in the use or intensity of use of land? Boards response – No.
3. Will the proposed action impair the character or quality of the existing community? Boards responses- No.
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)? Boards responses- No.
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkways? Boards responses- No.
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities? Boards responses- No.
7. Will the proposed action impact existing:

- a. Public/private water supplies? Boards response- No.
- b. Public/private wastewater treatment utilities? Boards responses- No.
- 8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources? Boards responses- No.
- 9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna? Boards response- No.
- 10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems? Boards responses- No.
- 11. Will the proposed action create a hazard to environmental resources or human health? Boards responses- No.

Ok that is all of the questions; you have answered them all no. So, my presumption would be you will be making a “Negative Declaration” for this Unlisted Action. If that is true I just need a motion and a second to make that “Negative Declaration” for this Unlisted Action as defined under SEQR.

Mr. Blythe – I make a motion to adopt a “Negative Declaration” for this Unlisted Action under SEQR, seconded by Mr. Worden.

Mr. Donnelly – Any discussion, can we have a vote.

Mr. Urda –Before we do that can we clean up the Short EAF Part I for the record.

Mr. Cortese – Sure.

Question 1 Does the proposed action involve the legislative adoption of a plan , local law or ordinance Administrative rule or regulation? was not answered t should be No.

Question 2 Does the proposed action require a permit approval or funding from any other government agency- Answered yes, but should name the government agencies ATF and FFL.

Question 9 Does the proposed action exceed the energy code – this is not applicable.

Question 10 Will the proposed action connect to an existing public/private water supply – this is not applicable.

Question 11 Will the proposed action connect to existing wastewater utilities? This is also not applicable.

If this could be noted on the applicant’s original for the record.

Mr. Donnelly – Any other comments, we have a motion by Mr. Blythe, second by Mr. Worden if not can we have a vote to adopt the” Negative Declaration”.

Roll Call: Ayes - 5 Nays- 0 Absent –0

Mr. Donnelly – Does anyone like to make a motion on the special use permit?

Mr. Cortese – Before a motion is made, we should go through the conditions included in the resolution. 73-12 prohibitions, to make sure you are aware of the conditions directly from the Town Code. I do want to commend you on your preparedness for this.

Mr. Lane – Where are you finding that, on the conditions?

Mr. Cortese- Section 73-12 subsection 1 b- Restrictions and Prohibitions. I will send it over to you.

Mr. Lane – I see 73-12 listing for the special use permits, but it doesn't specify name gunsmith, I least I don't see gunsmithing.

Mr. Cortese- No, you won't so don't worry about it. It is intentionally open ended. So, if you meet the criteria it is generally approved. It is not wholly inappropriate for what you want to do for a home occupation.

Mr. Lane – I don't want to risk do anything that would prevent me from getting this permit. Just trying to get all the licensing is quite an uphill battle. All of this might not come to fruition if the licensing doesn't come through.

Mr. Cortese – The reality of what you proposed in your application I don't think anyone board member objects to your request. We just have to go over the conditions. Scroll down further to 73-12 b that indicates the restrictions for special use permits.

Mr. Lane - Ok I see it now, I think I got something like that before.

Mr. Cortese - I will go over this section.

[1] Indoor and/or outdoor storage or display of merchandise not produced by such home occupation.

Mr. Lane – What do you mean by indoor/ outdoor storage display?

Mr. Cortese- It can't be used as a warehouse operation.

Mr. Lane – Ok, I'm not doing that.

Mr. Cortese - [2] Window displays. You're not going to have any window displays at your house?

Mr. Lane – I don't want to advertise to avoid being targeted for a potential robbery. I have no intention of having advertising outside my home.

Mr. Cortese - [3] Use of property as a drop off point for merchandise not produced by such home occupation. It just means you can't take commercial merchandise as a drop off point at your property. You can't take commercial deliveries at your home. You don't plan on doing that?

Mr. Lane – No I don't have the space for commercial deliveries or storage here.

Mr. Cortese - [4] Selling of merchandise not produced by such home occupation. You are not machining parts on site. You can't sell what you don't produce.

Mr. Lane – No, just repairing or restoring older firearms. If that isn't enough to develop my skills and resume, the plan is like a gun broker, guns in a box. To assemble guns that I'm putting them together, and eventually have it here for someone if they wanted a gun like that.

Mr. Cortese – So, basically your taking parts and putting them together. You would be creating the firearm yourself for resale.

Mr. Lane – Yes, I would be assembling, not creating or designing parts or anything like that.

Mr. Cortese- You can't just buy guns to sell from your property. So, the town code wouldn't allow you to purchase a guns for sale unless you have assembled on site.

Mr. Lane - So, the town won't allow me to find a good deal on a firearm somewhere purchase it like Guns America or a gun broker and hold it here until a customer might purchase it., that's off limits.

Mr. Cortese- You are not supposed to be selling guns. The whole idea for a home occupation is that you have a craft or you are selling a service something like that. Your own work is the stuff that you are selling. It's basically not becoming a gun dealer from out of your home.

Mr. Worden -I don't want to interrupt but, he is going for his FFL license. So, if someone wants to purchase a hand gun online the gun would have to go to him get it on my permit and pick it up at his house.

Mr. Cortese – Something to be aware off.

Mr. Lane – Transfers is something people will be looking for me to do as well.

Mr. Cortese - [5] Building alterations and storage of equipment and machinery visible from off the lot on which the home occupation is located. So, everything is done indoors nothing will be stored outside correct?

Mr. Lane – No there is nothing be stored outside.

Mr. Cortese - [6] Storage and display of merchandise produced by such home occupation which is visible from off the lot on which the home occupation is located. Nothing is stored outside correct?

Mr. Lane – No

Mr. Cortese - That's fine. [7] Special permit shall expire when the home occupation changes ownership when the nature of the home occupation changes or the real property changes ownership or for whatever conditions the Planning Board may establish. So ,if you sell your home or change the home occupation the special permit will go away.

Also, Broome County questioned if you will be discharging firearms on the property?

Mr. Lane – I'm already doing test firing of my own guns. Test firing is not always required but, if that is a barrier I could purchase a piece of equipment that you can do a single test firing if necessary. I would rather go outdoors for a test shot.

Mr. Cortese - This is verbatim from the Town of Chenango Code.37-1 Discharge of firearms just so you are aware.

A. Discharge a firearm in such a way as will result in a shot, slug, load or other projectile therefrom passing over Hider Park, Wolfe Park and any other park or any part thereof owned or maintained by the Town.

B. Discharge a firearm within 500 feet of the boundaries of Hider Park, Wolfe Park and any other park or any part thereof owned or maintained by the Town.

Mr. Lane –To order a gun and pick it up to flip it for profit I'm not allowed to do that?

Mr. Cortese – What you propose to the board tonight the board is not opposed to.

Mr. Blythe – Just to be clear, you repair used guns as need be and buy and sell them as well?

Mr. Lane – Yes, repair older firearms to continue the gunsmithing skill. So, I still have the option to purchase a firearm. Order a gun to flip it for profit I'm not allowed to do that?

Mr. Cortese – Not unless you are assembling it at your home for resale.

There being no further discussion a motion was made by Mr. Worden, seconded by Mr. Szenher to approve the special use permit with the following conditions:

- 1.No indoor storage or outdoor storage or display of merchandise not produced by such home occupation.
- 2.There shall be no window displays.
- 3.The property shall not be used as a drop off point for merchandise not produced by such home occupation. The sale of merchandise not produced by such home occupation.
- 4.Building alteration and storage of equipment & machinery shall not be visible from off the lot on which the home occupation is located.
- 5.Storage or display of merchandise produced by such home occupation shall not be visible from off the lot which the home occupation is located.
- 6.This special use permit shall expire when the home occupation changes ownership, when the real property changes ownership or when the nature of the home occupation changes.
7. Any discharge of firearms on the property must comply with all federal, state and local regulations governing the same.

Roll Call: Ayes - 5 Nays- 0 Absent –0

Mr. Donnelly – So you are approved with the conditions stated and you will be receiving a copy of the approval.

Mr. Cortese – Diane, I’m not sure of your practice but, if you can send Mr. Lane a copy of the entire resolution for his record that would be great.

- **2021-PB07-Tesla EV Charging Station** – Lauren Sweeney – Owner of record Mirco Inc. – 1154 Castle Creek Rd – TM#066.10-1-13- Application for site plan review for Tesla to construct 8 EV Charging Stations in the Pdd-c Zone & Short EAF Form.

Mr. Urda - The referenced application is a site plan request to install 8 Tesla vehicle EV charging stations with electrical equipment, and to repave the gravel parking lot.

The Site Plan application package included:	Dated:	Rcvd.:
Planning Board Application with Permissions	05/11/21	05/12/21
Letter from Applicant	05/11/21	05/12/21
Letter of Owner Authorization	08/21/20	05/12/21
Environmental Impact Statement	05/11/21	05/12/21
Short EAF	05/13/21	05/13/21
Site Plan Drawings	05/12/21	

1. The applicant shall coordinate with NYSDOT for any permits/approvals for work within the NYSDOT R.O.W.
2. Project is subject to 239 Review.
3. Site disturbance (including NYPA site) is <1 acre and no SWPPP/NOI required but provide for E&SC BMPs.
4. Paving areas appear to be regrading with full depth subbase replacement. Call out on site plan the differing “standard” and “heavy duty” areas and fix detail names on 2/C-6 & 3/C-6 accordingly. We have no engineering objections to the special permit. However, on the Short EAF Part 1 question 19 has the proposed action or an adjoining property been the location of an active or closed solid waste management facility? Should be no. this would also apply to the Electrify America Short EAF as well. If this could be noted on the form for the file. They should also check with the NYSDOT for Highway work permit and check in for their driveway .

Mr. Freer – The Ordinance Office has no objections check with NYSDOT for their driveway and a building permit is required.

Mr. Cortese – John can I ask you a question. How are they accessories for the gas station?

Mr. Freer – They are not on the same lot.

Mr. Cortese – Zoned PDD-C all accessory structures should be behind the principal use.

Mr. Freer- This is a unique setup since Mirco owns all three parcels, two of which are across the street. There is gas station on one side and across the street is the propane storage tank and now this on another parcel. The propane tank was put in as an accessory structure and was done improperly so, I wanted this to go before the Planning Board for review.

Mr. Cortese – You didn't answer my question. This is not behind the principal use being the gas station which is across the street. They may need an area variance, based on the positioning all accessories not behind the principal use.

Caycee Hart – Representing the applicant Lauren Sweeney from Kimley Horn. Ralph Stevens, John Canning from Tesla and Trevor Smith were present during the meeting

Mr. Donnelly - So, it appears you will need a variance. Does anyone else on the board have any questions.

Mr. Urda - We should make a few changes on Part I of the EAF.

Question 12 b Is this project site or any portion located within an area designated as sensitive for archaeological sites on the NYS State Historic Preservation Office (SHPO) archaeological site inventory – should be yes.

Question 17 b Will the storm water discharge be directed to establish conveyance systems (runoff and storm drains) is yes and need to coordinate with NYSDOT.

Question 19 was left blank Has the site of the proposed action adjoining property been the location of an active or closed solid waste management facility – should be no.

These changes should be noted on the original application.

Mr. Boland – This is very straight forward wasn't aware of the variance. This is a nice site, very easy and clean and is a big improvement.

Mr. Donnelly – So, we will move onto the Short EAF can we do both projects at the same time?

Mr. Cortese – There are two applications can't combine into one project. So, unfortunately, we will have to go through both Short EAF forms for each application. Is there a reason you submitted two applications for the same site.

Ms. Hart- Yes, they are two different projects that is why there are two separate applications But, I will default to Trevor to answer those questions.

Trevor Smith – This is still to be determined. Each are operating on their own using the same collection cabinet. We will be using the same contractor to pave the lot. We might be using different vendors for the installation of the chargers Depending on the contractors being familiar with both products this will determine whether or not we will be using the same contractors for installation. So, the scope of the primary work will be the same. As for the single EAF for both or segment will be however you want to handle it up to you. They are two separate businesses on the same lot being developed possibly at the same time.

Mr. Cortese- So we will do one at a time.

Mr. Donnelly – I would like to see some type of landscaping . Do you anticipate doing anything? just to make it look welcoming and part of the neighborhood.

Trevor – Our intent is to make the space better than it is. We are not opposed to landscaping. However, it is really up to the landlord. We will do some type of vegetation. Tesla is across the county it is up to the given property owner and layout of the site . We are not averse to putting some type of vegetation around the proposed equipment. The back is screened from view. There is one super charging station not a large area to landscape and add vegetation.

Mr. Boland – Not a huge fan for landscaping no one ever takes care of it . Some shrubs or two trees. Low maintenance pick something that makes sense, That’s my only concern.

Mr. Cortese - Let’s go through the Short EAF Part II. The questions you answer yes or no. Yes, being moderate to large, no meaning small to no impact. So, I will go through the questions.

1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations? Boards response- No.
2. Will the proposed action result in a change in the use or intensity of use of land? Boards response – No.
3. Will the proposed action impair the character or quality of the existing community? Boards responses- No.
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)? Boards responses- No.
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkways? Boards responses- No.
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities? Boards responses- No.
7. Will the proposed action impact existing:
 - a. Public/private water supplies? Boards response- No.
 - b. Public/private wastewater treatment utilities? Boards responses- No
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources? Boards responses- No.
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna? Boards response- No.
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems? Boards responses- No.
11. Will the proposed action create a hazard to environmental resources or human health? Boards responses- No.

Ok that is all of the questions; you have answered them all no. I assume you will be adopting a Negative Declaration for this Unlisted action under SEQR.

Mr. Canning – So there will be two votes for the environmental review?

Mr. Cortese – Yes. There will be two motions. We just completed the first one.

Mr. Blythe made a motion to adopt a Negative Declaration for this Unlisted action under SEQ, seconded by Mr. Boland.

Roll Call: Ayes - 5 Nays- 0 Absent - 0

Mr. Urda – We received Broome County comments today.

Mr. Blythe – Yes, we received it today at 3:30 p.m. today, was the applicant aware? Yes.

Mr. Cortese – So, if you were going to grant site plan approval today, you may want to attach some conditions.

Mr. Urda – They have to deal with NYS DOT to coordinate any and all permits. That email came out today. Also provide a drainage study. They will want that before any approvals.

Mr. Blythe – We’re they aware of what NYSDOT said?

Mr. Urda – Including the drainage and driveway entrance. Get highway work permits from NYS DOT.

Mr. Blythe – And the walkway, right?

Mr. Urda – They throw that in often, but they didn’t this time.

Mr. Cortese – So, what type of condition acquire all necessary permits from NYS DOT?

Mr. Urda –Yes, including the drainage and driveway entrance and get highway work permits from NYS DOT.

Mr. Cortese – So, Brian the conditions would be:

Acquire the necessary variances and approvals from the Zoning Board of Appeals

Acquire necessary permits from NYS Department of Transportation.

That should cover it, unless you want to address some type of landscaping.

Mr. Donnelly -I would like to see some type of landscaping along the same lines what Mr. Boland had stated some type of trees and nice appearance and low maintenance. What does everybody else think? Would any like to make a motion?

Mr. Worden – Better make them native trees or such. I make a motion

.Mr. Donnelly – So we have a motion and a second can we have a vote?

Ms. Aurelio – Is there a certain number of trees or type as part of the conditions?

Mr. Donnelly – That will be up to their discretion.

Mr. Blythe –They have done this before.

Motion by Mr. Worden, second by Mr. Boland for site plan approval with the following conditions:

Question 17b -Will storm water discharges be directed to established conveyance systems (runoff and storm drains)- need to contact NYSDOT.

Question 19 Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? This was left blank should be no.

Mr. Cortese – Ok we will begin with Part II. We can't skip it. Again, yes or no. Yes, being moderate to large, no meaning small to no impact. So, I will go through the questions.

to no impact. So, I will go through the questions.

1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations? Boards response- No.
2. Will the proposed action result in a change in the use or intensity of use of land? Boards response – No.
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11. Will the proposed action create a hazard to environmental resources or human health? Boards responses- No.

Ok that is all of the questions; you have answered them all no. So, my presumption would be you will be making a “Negative Declaration” for this Unlisted Action. If that is true I just need a motion and a second to make that “Negative Declaration” for this Unlisted Action as defined under SEQR.

Mr. Blythe made a motion to adopt a “Negative Declaration” seconded by Mr. Boland.

Mr. Donnelly – Any discussion, can we have a vote.

Roll Call: Ayes - 5 Nays- 0 Absent – 0

property. The environmental significance of the requested permit, if any, will be reviewed by the Board at said hearing.

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Members of the public wishing to comment orally on the application during the public hearing will be recognized by the Chairman through the ZOOM interface. Written comments may also be submitted prior to or during the hearing by e-mailing Diane.Aurelio@townofchenango.com, or prior to the hearing by mailing comments to the attention of the Town of Chenango Ordinance Office, 1529 NY Rte. 12, Binghamton, NY 13901.

Mr. Donnelly - The public hearing was open for comments. The applicant is present to answer questions from the board.

Mr. Szenher – It looks like she is trying to unmute herself.

Ms. Edwards- Yes, I appreciate your time going through this.

Mr. Blythe - This is very straight forward.

Mr. Donnelly – Any further comments, not hearing, any comments or concerns this portion of the public hearing is closed.

Mr. Cortese – I have this as a Type III Action under SEQR this is for the construction of a shed. So no further action is required under the SEQR requirements.

Mr. Donnelly – Ok if there is no further discussion can we have a motion on this special permit.

Mr. Cortese – We should go through the conditions I sent earlier if everyone agrees. The resolution would read as follows.

TOWN OF CHENANGO PLANNING BOARD

A RESOLUTION CONCERNING SPECIAL PERMIT APPLICATION 2021-PB09

At a regular meeting of the Planning Board of the Town of Chenango, held on June 14, 2021 via Zoom virtual meeting software in accordance with the Governor’s Executive Orders 202.1, 202.10 and 202.15, as extended by Executive Order 202.110, the following resolution was offered and seconded:

WHEREAS, on May 21, 2021, Tina L. Edwards (hereinafter “Applicant”) duly filed an application for a special use permit pursuant to Subdivision (C) (15) of Section 72-12 of the Town of Chenango Code to exceed the maximum of two accessory structures on property she owns within the Town, located at 210 Castle Creek Road and designated as Tax Map No. 111.08-1-20; and

WHEREAS, said application was duly referred to the Broome County Department of Planning and Economic Development, which reviewed Applicant’s application and determined that there would be no significant countywide or inter-community impacts associated with its approval; and

WHEREAS, pursuant to Part 617 of the implementing regulations of the State Environmental Quality Review Act (“SEQRA”), the Planning Board determined on June 14, 2021 that the Applicant’s application constitutes a Type II Action as defined under said SEQRA regulations, inasmuch as the special use permit would authorize the “construction, expansion or placement of minor accessory / appurtenant residential structures” (6 NYCRR 617.5 [c] [12]) and, thus, no further environmental review of the action is required; and

WHEREAS, after due notice by publication in the official newspaper of the Town of Chenango, the Planning Board held a public hearing to consider said application on June 14, 2021, at which hearing all persons desiring to be heard in regard to said application were so heard; and

WHEREAS, upon review of the Applicant’s application and the entire administrative record associated therewith, the Planning Board has found and determined that Applicant’s proposed special use will not, in the circumstances of the particular case, be in conflict with the character of the neighborhood and surrounding properties, be injurious to the neighborhood or otherwise detrimental to the public welfare, and otherwise complies with the relevant special permit standards under Sections 15-4 and 72-12 (C) (15) of the Chenango Town Code.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Board of the Town of Chenango hereby approves the Applicant’s application 2021-PB09 for a special permit to exceed the maximum of two accessory structures at 210 Castle Creek Road in the Town of Chenango, Tax Map No. 111.08-1-20, subject to the following condition(s):

1. The property shall contain no more than four (4) accessory structures.
2. The accessory structures shall comply with all requirements of the Town of Chenango Zoning Code, including, but not limited to setbacks and square footage. If any proposed accessory structure does not comply with the Zoning Code, appropriate variances must be obtained from the Zoning Board of Appeals prior to the commencement of construction.
3. If the number of accessory structures on the property is reduced to two (2) or fewer for a period of 365 consecutive days, this special permit shall expire.

- **NONE**

There being no further business before the Board a motion was made by Mr. Blythe seconded by Mr. Boland to adjourn the meeting at 8:04 p.m.

There were 21 participants that attended the Zoom meeting.

Respectfully submitted,

Diane Aurelio
Ordinance Secretary