

PLANNING BOARD
REGULAR MAY MEETING
MONDAY, MAY 13TH, 2024
7:00 PM—TOWN HALL—1529 NYS RTE 12
BINGHAMTON, NY 13901

Present: Brian Donnelly, Chairperson
Thomas Eldridge, Vice Chairperson
Jamie Szenher, Board Member
Maura Cooley, Board Member
Micheal Boland, Alternate Board Member

Also Present: Alex Urda, Town Engineer
Gavin Stiles, Code Officer
Nathan VanWhy, Attorney

Brian Donnelly: I'll call the regular Planning Board meeting for May 13th to order. First thing on the agenda is do a roll call.

Adam Donahue: Mr. Boland; present, Ms. Cooley; present, Mr. Szenher; present, Mr. Eldridge; present, Mr. Donnelly; present.

Brian Donnelly: Now we need to do the minutes of the February 12th, 2024 meeting. Is there any discussion? Would someone like to make a motion?

Thomas Eldridge: I'll make a motion to accept the minutes.

Jamie Szenher: I'll second.

Adam Donahue:	Mr. Boland, Alternate Board Member	Voted: Abstain
	Ms. Cooley, Board Member	Voted: Aye
	Mr. Szenher, Board Member	Voted: Aye
	Mr. Eldridge, Vice Chairperson	Voted: Aye
	Mr. Donnelly, Chairperson	Voted: Aye

The motion was thereupon declared adopted by a roll call of:
Ayes—4 Nays—0 Abstention—1 (Boland)

Brian Donnelly: We have the April 8th, 2024 regular Planning Board meeting minutes to approve. Do we have any discussion? Motion?

Maura Cooley: I'll make a motion to approve the minutes.

Thomas Eldridge: I'll second.

Adam Donahue:	Mr. Boland, Alternate Board Member	Voted: Abstain
	Ms. Cooley, Board Member	Voted: Aye
	Mr. Szenher, Board Member	Voted: Aye
	Mr. Eldridge, Vice Chairperson	Voted: Aye
	Mr. Donnelly, Chairperson	Voted: Aye

The motion was thereupon declared adopted by a roll call of:

Ayes—4 Nays—0 Abstention—1 (Boland)

Brian Donnelly: Under new business, we have FGR Realty LLC, 1322 Upper Front St, application for a site plan review to open a 7 Brew Restaurant and Drive Through. Mr. Urda, are we doing this all together or...?

Alex Urda: I would like to read both of mine together if that's ok.

Nathan VanWhy: My office has a conflict on this, we represent the property owner and so I'm unable to provide any particular advice on it. Nadine Bell's office has been reached out to about this. She's aware, she's planning on attending. I don't think anyone from her office is here tonight, but they will be in attendance at the June meeting for this one, assuming it gets that far. This is for the 7 Brew application.

Alex Urda: My intent was to read both my letters in for the site piece and the variance piece and just be through with them so we don't have to go back to them later if that's ok.

Brian Donnelly: That's fine.

Alex Urda: The applicant is here, I'll read my letters and then let them present, or do you want them to present first?

Keith Barney: If you want to do your deal and then we'll fill in afterwards.

Alex Urda: This application is for a 7 Brew in front of Lowe's at 1322 and 1326 Upper Front Street. The first of this that I'll read through is the site plan review and that is on both parcels. The applicant gave a planning board application, Engineering Letter, Trip Generation Estimate, Site Plan Set, Site Plan Set (updated), Architectural Plans, Short EAF, Site Photometric Plan.

1. The applicant held a premeeting with the Code Office and me and has been in communication with us throughout plan development.

2. Parking Stalls:

a. Parking count on the site plan is in compliance with code §73-20 G.(2) e. relative to retail or service use (530 SF building x 1/150SF = 4 required; 6 provided)

b. The Town Code is 8.5x18 for standard 90 degree parking stall dimensions.

i. Please increase your Adam DonahueA parkin stalls to the 8.5 feet minimum.

ii. You might consider reducing your other stall dimensions per code.

a. Adam DonahueA Compliance: The applicant shall assure that they, or the owner, provide and maintain exterior Adam DonahueA accessible parking spaces, aisles, access routes, markings, slopes, and signage in accordance with ICC/ANSI, A117.1, 2009 (or latest revision) and the current Building Code of the State of New York, Chapter 11 (or latest revision). Stall sizing shall be no less than 8.5ftx18ft (per Town). One (1) stall is required per this plan and is provided. Ok.

3. Site Access:

a. Site access to be one inlet lane off of Quinn Road, with the dominant access via cross access agreements through the "Lowe's" parcels. The applicant has discussed with me that this has been done for improved safety along Upper Front

Street and Quinn Road. Existing Curb cuts on Upper Front street are removed, and Quinn Road reduced to a single lane.

b. They have provide for bypass lane for departure within the drive up lanes in the event of an emergency or change of patron decision.

4. Site Lighting: Under review. The applicant has provided the site light locations and product info and a generic photometric plan of a similar layout in Vestal. We request that they provide the final version overlaid on this site to the Code Office for review by the Code Officer and myself for conformance.

5. Flood Plains: The site is outside the 500-year floodplain. We discussed the building to assure no basement or lower levels that would be below the 100-year or 500-year floodplain regardless. There are none and the site is 100% out of the flood zones.

6. Signage.

a. Coordinate signage with the Code Office for any necessary permits and/or variance requests.

a. Provide a signage plan with all proposed site and building signage to the Code Office

b. Signs shall be designed and located with appropriate setbacks per the Town Code, unless variances are requested. Ex: Ground signs 15 feet from any R.O.W. per § 73-15B(2)(b)[2]. Relocated on updated plan. Provide setback dimensions on site plan.\

c. Provide sign base details within the site plan package.

7. Sanitary Sewer:

a. Please update the pipe size and slope on C120.

b. Provide sewer lateral connection detail to trunk.

c. We recommend commercial sewer piping be 6".

d. Coordinate sewer connection with Sewer Department and Highway Department prior to construction.

e. Provide the product cut sheet for the grease interceptor and anticipated maintenance schedule/contract to the code office prior to construction.

8. Water Service

a. Coordinate with the Water Department for water meter sizing, backflow prevention requirements, etc. for water connection.

9. Electric and Gas to be connected to existing NYSEG lines on Upper Front Street.

10. Dumpster

a. No engineering concerns. Board?

b. Correct the C100 reference to 10 - C200 detail. Should be 8.

11. Landscaping: Board Review. Landscaping is minimal, but an improvement on what is there now.

12. The project is within a S73-56 Aquifer Recharge Area and is in compliance with the code and shall continue to do so.

13. Please assure that the cross access agreements with 'Lowes' have been provided to the Town Code Office.

14. Provide the Code Office with final stamped/sealed site plans.

15. Broome County 239 review was required and received.

a. NYSDOT requires curb cut removal on Front Street. Plans comply.

b. Submit drainage study?

- i. Please coordinate this with NYSDOT. We will require a statement from them that you have completed addressing their concerns.
- ii. Although a SWPPP/SPDES permit are not required, the applicant has reviewed the application with Derin K., TOC Highway Department, and has added drywells and a connector pipe adjacent to Quinn Road to reduce runoff to the system on Quinn Road.

Keith Barney: Right now there's no water coming off the state right-of-way, nor are we going to dump any onto them so I'll work with Tony over there at the state.

Alex Urda: Generally somebody's just got to nod their head, somehow saying that you're ok with them.

Keith Barney: Right.

Alex Urda: c. Sidewalk along NYSDOT frontage to conform to ADA/NYSDOT design standards.
 d. Required pedestrian connection between proposed building and the sidewalk. NYSDOT waiver on this should be documented and a copy provided to the Town. The use does not have any indoor seating, and no walk up service. There should be no foot traffic and the applicant has indicated they do not want a pedestrian connection.
 e. Conform to Complete Streets....applicant?
 f. Nothing may be places within the State ROW.
 g. Apply for NYSDOT Highway work permit for work within the State ROW.
 h. Broome County General reminder to adhere to Marty Sisson's guidelines to minimize impacts to stormwater and include E&SC measures.

16. SEQR: Conduct SEQR review at meeting.

We have no engineering site objections to the project.

Nathan VanWhy: The Planning Board is not reviewing site plan tonight, or is that the plan?

Alex Urda: It is unless there's a reason not to. They have a complete application in, there's no reason for them to not consider it.

Nathan VanWhy: I guess I was under the impression that you would take action at the June meeting on this.

Alex Urda: That's up to the board.

Thomas Eldridge: I was also thinking that, and there was a few things. Are you combining the parcels?

Keith Barney: Yes.

Thomas Eldridge: When will they be combined?

Keith Barney: After approval. I think we take ownership in early June. We should take ownership and we can't combine them until you approve, and the Zoning Board approves, they're both commercial districts but two different kinds.

Thomas Eldridge: That would be a good question for counsel about how that works because if we approve and they don't combine it then it doesn't fit.

Brian Donnelly: We can make it a condition of the approval.

Alex Urda: I'm sorry that I didn't include that, they had discussed it with us so I was aware of what the answer was.

Thomas Eldridge: Gavin, what is the square footage, acreage minimal for that?

Gavin Stiles: It's supposed to be six acres but we all know about that.

Alex Urda: Six acres for PDD and then the other piece is Commercial which is 20000 square feet. Their overall is much larger.

Keith Barney: Here's the commercial piece here and this is the PDD-C. Unfortunately the property is in both zones on the one parcel. There is no building on this parcel but because we're going to develop and it's all going to be on eventually, we will combine them as soon as we're able to.

Thomas Eldridge: So you have to combine them just so you know. It's a problem.

Keith Barney: Here's our overall site. As Alex mentioned we do have a single access, it is a wide access point. We're narrowing it now and controlling it to an entrance only. Right here there's an old house that's getting run-down. Right next to it is an entrance only to Lowe's parking lot. Here's the Lowe's building and here's the signaled intersection so 100% of the traffic leaving the site will be through the signaled intersection. It'll come out here, run through the existing lanes, the striping of Lowe's parking lot, we're not changing any of that. There is one exit only right here through the parking area. The rest of the traffic would get stacked up as it does today for Lowe's. Again, we have a single entrance to our site only off of Quinn, there's a separate entrance only to Lowe's parking lot, entrance and exit through the signal. I think that clarifies what the county was looking at, how does that traffic flow. Again, there's the overall zoning so question answered, we would combine them when we're able to.

Thomas Eldridge: What would they become?

Alex Urda: Stay as is.

Thomas Eldridge: Stay as is? How does that work on our end?

Alex Urda: It's fine, we have language for how to deal with that in the current code, how we deal with all the splits currently. I know we're trying to get rid of them. In my variance review I recommend that they consider once they combine that they request a rezone to CD. It's not something we can make them do I don't think.

Keith Barney: It's a permitted use in both districts, so it's kind of a funky thing where we have one piece that's in where we're adding and one parcel that is in two districts but the building will be almost split into the two and we were directed to use our address for this one for our variance because where the issues are, are all on this one piece here. I worked with the highway superintendent regarding the drywells and drainage that Alex discussed also with the water and sewer superintendent as far as our connections. He'd like us to, as shown on the plan, connect our sewer to Quinn. Water, they weren't able to find it but we're going to investigate further. The old shutoff for Jiffy Lube is supposed to still be there somewhere so in lieu of going out into the town right-of-way or the state right-of-way, we're hoping to tie into the existing water shutoff. Gas and electric, just waiting to have our appointment with NYSEG and they're going to tell me exactly where there's two pools out front. There's a

current gas cluster, we're hoping that one of those is shutoff and we're going to be able to tie into that as well without any further disruption to the state right-of-way.

Alex Urda: If water didn't stake it out for your survey, I'm going to guess that they should be able to find your shutoff.

Keith Barney: You can see where there's an excavation that looks like maybe that's where it was but maybe they didn't mark it.

Alex Urda: Greg's guys should be able to get a signal on it too and send a signal out to find it.

Keith Barney: We have a location on the map eight feet over from the valve cluster so it's probably there but just buried.

Alex Urda: I can read my variance letter real quick, that one's shorter, if you guys want me to.

Board: Yes.

Alex Urda: The application package included Zoning Board of Appeals Application, Engineering Letter from Keystones Associates, Trip Generation Estimate, Photograph Log, Site Plans: C010, C100, Architectural Plans: Elevations, Short EAF.

1. Reference also Site Plan Application '2024-PB04' relative to the same project.

2. The Short EAF appears to be in combination with the Site Plan.

3. 239 Review parcel is within 500 feet of State Road (Upper Front Street). Comments were received and pertain to site plan review.

As a 'cleanup' of an existing zoning condition relative to the 'split zoned lot', and the PDD_C overlaid over small parcels, we have no engineering objections to the variance requests pending site plan approval of '2024-PB04'.

Note: we would recommend for the future that the applicant consider merging the two parcels (1322 and 1326 Upper Front Street, as one, and rezone to Commercial District to avoid any future concerns years from now.

Brian Donnelly: Gavin, do you have any comments?

Gavin Stiles: Mostly what he said but I'm not knowledgeable about the implications of making CD and PDD-C become, that's like a board decision and I don't know what that would entail. I don't know how much it matters, I would genuinely say I'm not that knowledgeable about it but to take CD and PDD-C and merge it and call it a thing, I don't know what that would take.

Alex Urda: You mean a rezone entirely?

Gavin Stiles: How could it not be? You're taking two different things and trying to, could you merge two things and still have them be different?

Nathan VanWhy: That's like what we're going with the PDD-R, right? We're just re-zoning them to the appropriate districts that the Town Board is choosing. CD is the right district to rezone PDD-C.

Gavin Stiles: They're both super similar.

Nathan VanWhy: That's a very different discussion from what you folks are presented with tonight which is site plan and an area variance recommendation.

Brian Donnelly: It doesn't matter which one you change it to, one or the other.

Alex Urda: It's not required for them to have.

Gavin Stiles: Feel free to say 'Gavin just be quiet.'

Alex Urda: The reason they don't go for a full rezone is just the time frame to do a rezone and change of zone, it's more laborious and takes a little more time through the Town Board, publications, time frames there as well. Being that their use fits each zone, the variance route was quicker of the paths.

Keith Barney: The precedence has already been set right? There's been other projects where you've done the triple area variance before?

Alex Urda: The triple area variance is common, unfortunately.

Thomas Eldridge: We're not supposed to take that into consideration when looking at yours though, technically.

Alex Urda: I leave that to the Zoning Board also.

Keith Barney: I guess I'll leave it up for question. I agree with Alex, the changes, I'll work with the state. Any communication between us and the state regarding handicap access, drainage study, all of that, as always I'd work with Gavin as well and submit everything to the board that's required from us and what's going to be required for the highway work permit to get that ironed out before they'll give us a work permit.

Alex Urda: Yeah we just want to be copied on that process. The state has a highway work permit for everything in the right-of-way.

Keith Barney: Separate deal but we would keep you in the loop. We have talked about utilities, access, grading, demolition, this plan shows, it's one of the revised sheets, all the existing asphalt's coming out because we're going to be raising the grade up there.

Alex Urda: You're just creating drainage basically? Positive drainage?

Keith Barney: Yeah, just raising it enough to get 2% runoff in the paved areas so it doesn't pile up.

Thomas Eldridge: You're removing all of the current asphalt and bringing in dirt fill to raise it up then repaving it? Does that make any changes to your thing because you said that it's currently all impervious? They're removing all of the impervious to put dirt in? Does that change anything?

Alex Urda: As long as they have erosion control out there, they're still not getting close to that acre threshold that would kick them into a stormwater permit. We watch the erosion control aspect.

Keith Barney: So, there's a plan there for sediment and erosion control per DOT standards. Our construction entrance which is required, and then inlet protection for the existing catch basin that's out there, silt fence, that's all part of our plan. We are creating more pervious area than exists today with our landscaped areas here, a little bit on the back and along the right-of-way out way, to try and dress it up.

Jamie Szenher: And there's no entrance from Front St, correct?

Keith Barney: There's an existing entrance that we're going to close off and that's what was discussed with DOT that we've got to curb that and close it off. There's a one-way sign going into it that will have to be moved.

Gavin Stiles: They need a traffic study or anything?

Alex Urda: The state didn't even ask for it.

Gavin Stiles: They didn't even ask for it? Ok, good.

Alex Urda: The state already knows what was projected for that signal and they know where they're coming and going. The state had no comments on traffic. They were more worried about sidewalks. The total parcel area with the two combined is .62 so if you obliterate the whole thing you're still well under the acre threshold.

Brian Donnelly: Does anyone have any questions you want to ask at this point? I'm thinking that the smoothest plan of action is to hold off on our decision for site plan with the intention of after letting the Zoning Board do their action on what the zoning changes would be, if they're going to approve those, then at the next meeting go ahead and approve or not approve the site plan so that we have all the information we need from the Zoning Board.

Thomas Eldridge: And we'd have counsel as well.

Brian Donnelly: Right, because we don't have counsel right now. Moving ahead from this point, I think we can go ahead and we can talk about jumping ahead on our agenda and talking about the advisory opinion for the Zoning Board. Does anyone have any discussion in regards to whether or not to send a favorable or not advisory to the Zoning Board? Does anyone have any objections or does somebody want to make a motion for a favorable advisory?

Jamie Szenher: I'll make a motion for a favorable advisory.

Maura Cooley: I'll second that.

Adam Donahue: Mr. Boland, Alternate Board Member Voted: Aye
 Ms. Cooley, Board Member Voted: Aye
 Mr. Szenher, Board Member Voted: Aye
 Mr. Eldridge, Vice Chairperson Voted: Aye
 Mr. Donnelly, Chairperson Voted: Aye

The motion was thereupon declared adopted by a roll call of:
 Ayes—5 Nays—0

Brian Donnelly: The way it is right now, the way we see it, we're giving the Zoning Board a favorable advisory. Their meeting is in a couple weeks and we have another meeting a couple weeks after that. Once they approve the zoning changes then we can go ahead and give an opinion or an approval or not on the site plan. That gives you a little more time to kind of do other things that need to be...

Keith Barney: Yeah, I'll work it out with DOT and then revise for the few comments we have before the next meeting.

Brian Donnelly: So we'll be pretty all well, good solid package.

Keith Barney: Sure, ok. Thank you. So you guys can approve it at the June meeting and then we can go on to apply for a building permit?

Brian Donnelly: Yeah, the building permit is just through the Ordinance office.

Keith Barney: I just want to make sure.

Gavin Stiles: You get approval from the lower boards, then it'll be us.

Person 1: Are we allowed to ask questions?

Brian Donnelly: Yes.

Person 1: Is there a noise ordinance for the Town of Chenango?

Brian Donnelly: There is.

Gavin Stiles: Off the top of my head I don't know how many decibels it is but it happens between certain hours of the day, like you're not supposed to cut your grass between the hours of 6 AM...

Person 1: I'm only asking because I've been to 7 Brew and I live right in that area and I know that the music is very loud so I'm just concerned as to what the Ordinance is, what the hours of music will be and that type of thing.

Gavin Stiles: I don't have it in front of me, I guess we would have to check that out.

Person 1: I would appreciate it. I think my neighbors would too.

Gavin Stiles: I just don't know what the numbers are. There's a certain number of decibels and a certain number of hours per day and I just can't speak to it right now. It's a thing and you could probably find it on ecode.

Keith Barney: Whatever those numbers are we're going to agree to comply with those numbers. Usually it's at the property line that you're allowed so many decibels certain hours of the day, and lesser decibels in the evening and we would agree to comply with the code. We have to.

Alex Urda: Gavin's office would have the code available to you if you come in during normal hours, or put it in an email request if you can't make it in.

Person 1: Thank you.

Brian Donnelly: Next on the agenda is a preliminary discussion, presentation of a proposed Taco Bell at 1243 Upper Front St.

Alex Urda: I did not prepare a report for this one, I'm just going to let them present.

Francis Gorman: Good evening, my name is Francis Gorman. I'm an attorney with Harris Beach and I'm here this evening with Sam Burden of Bohler Engineering Firm and we are representing Haza Bell of Northeast, a proposed Taco Bell project on three parcels. We're planning on combining the parcels. First we'll just tell you a little bit about the developer and then we'll talk to you about the project. So, Haza Bell is actually an operator of Taco Bell franchises and other franchises so it's not like a merchant developer. This guy's going to get in, he's going to come in, he's going to operate and he's been awarded recognition by Taco Bell for being one of the best operators. They have roughly 100 Taco Bells, mostly around the metro New York area and then they have 2000 franchises around the country but again these guys operate

themselves and Delia is the principal and you will see him when we actually come before the board for site plan approval. They have great operating records and very nice properties and they're very excited about turning this parcel, which I think right now is a vacant gas station, into a Taco Bell. It would be roughly 2400 square feet with a drive-thru and I think 22 parking spaces, and now Sam can get into the details of the project.

Sam Burden:

I can talk a little bit about the actual engineering aspects. The existing site is located at 1243 Upper Front St. The sites combined would be around 1.39 acres, there's three separate lots as Francis said. Site, a vacant gas station, as you can see all the development's up toward Front St, everything to the back is mainly just maintained vegetation so somebody's mowing it. In the rear of the site there's actually some headstones. We had a phase 1A archaeological study done. It was determined to be a cemetery, we got a letter of no impact from them. They said that there was no more further investigation required. It's all isolated to this area. The site is partially located based on the county map, it's a little tough to tell, we talked about this with Gavin and Alex in a little preliminary kickoff, that it's within the Zone B, like the 100, 500 year, so we're going to work with them to talk about possibly getting the building up a little bit but I don't think there's a specific requirement if we're not in it. Site is serviced by two access drives, both on Front St. We would be consolidating those driveways into one driveway.

There's existing DOT easements along the frontage and an existing access easement that runs through one of the small properties that we would be proposing to dissolve as part of this. Also, what we're proposing, 2400 square foot quick-serve restaurant with drive-thru, patio out front, so that's 34 interior seats and 10 exterior so that would put us at a requirement of 22 parking spaces. We're proposing 22 parking spaces, two of those being ADA, two other ones being mobile order pickup. That's typical now for any quick-serve restaurant. 25-foot drive aisles and a 9.5 by 20 parking stall, as mentioned it's a little bit bigger than what the code requires. It's just what Taco Bell typically likes to see.

The rest of the site plan, new Trex trash enclosure, striping, signage, landscaping, stormwater, all stuff that we will run through with Alex with engineering comments. We showed some snow storage on the site as well, we have ample room for snow storage. We are pushing back onto the site a little bit but we're not impacting the headstones. We're working with DOT to talk about the consolidation of the drives, we actually received some preliminary comments already. What we're proposing is a dedicated left out and a dedicated right, one ingress into the site, proposing disturbed less than an acre, and we would be increasing green space across the site. Generally a site is just broken right down the middle. The front half of the site goes to the right-of-way, the back half goes towards 81. We'll work with you guys on any engineering and stormwater related comments but all the stormwater's proposed to be captured and treated on site. We brought some preliminary elevations that we can just let you take a look at.

We are proposing four building signs. This is the back of the building that would face 81. Drive-thru side, this would actually face Upper Front St. This side would be our main entrance. I'd like to get any feedback on that as well tonight but the utilities I will say, we aren't showing them on there right now but we're going to find out where those mains are. We're going to try to reuse any infrastructure that's out there to the extent possible. We're going to try not to open cut Front St if we don't have to deal with DOT on that. Tonight we'd just like to get some feedback on the site plan layout for the most part before we submit engineering detailed engineering documents with the full application package. The applicant's excited to get this in front of the board, we'd like to just make sure we have the

layout nailed down and answer any questions you guys may have. Is there anything else you want to add to this?

Francis Gorman: On the drive-thru, I know we have what, eight cars for stacking?

Sam Burden: Yup, eight cars for stacking, a bypass lane for emergency vehicles and I think it was up to ten more stacks through the actual parking areas if that's even an issue. DOT likes to ask that question as well.

Alex Urda: What's your delivery truck like for you guys when you get in there, full tractor trailer?

Francis Gorman: A WB-50, which I think is a little bit bigger than the box car.

Alex Urda: Ok, just if you throw that on one of your drawings.

Sam Burden: Sorry I didn't put that up there, I just wanted to show the visual.

Alex Urda: That's ok.

Francis Gorman: The delivery guy delivers everything that Taco Bell needs and they only deliver for Taco Bell so it minimizes the delivery trips.

Sam Burden: Yeah, they have some more control over their driver because it's just their driver.

Alex Urda: That way we can see how that impacts your queue.

Francis Gorman: And I think the deliveries deliver in the morning.

Sam Burden: We'll submit a truck turning plan right on the site plan so you'll be able to see what that looks like.

Alex Urda: You heard my comments for the other application, very similar. Make sure you have your photometrics on there. We strive for 0-0 at all the property lines but in the commercial it's subject to review. Grease interceptor on the waste line, I know you don't have the same cleanup as a restaurant necessarily, but yeah. You should be able to find your utility lines.

Sam Burden: Yeah we had talked about that, you said reach out to Greg for that. I think they offered to mark that out, we just wanted to make sure before we start showing detailed connections, inverts, manholes, that we're locked in here. Nobody really has any large concerns about where the building's located, the number of parks, the width of anything. As I said, you can see the amount of green that we're showing, actual green, is what we're proposing to disturb and bring back to green. Everything else that you see that isn't green in the rear of the site would remain undisturbed.

Alex Urda: Did you get your signage into Gavin? I know that was one discussion, you asked about the sign on the rear. It's usually the one that puts everybody over the number. Get everything into him in advance so we can look at it and then we also have to decide if the bell is signage or not. That's the only quirky thing, otherwise directional stuff we don't factor in. We'll add up all the other pieces. I'm guessing you might need a variance on signage based on the additional out back. I know we ran into it at Moe's and Moe's didn't have much.

Gavin Stiles: If the dimensions go over, they go over.

Alex Urda: They asked us, we had about an hour-long discussion with these guys and one of the questions was can they put signage on both sides, and we said it exists pretty much through

that stretch to have signage on the highway side but I think each one of those has gotten a variance for additional square footage.

Michael Boland: They do have two plusses, they're not a car lot and they're not a car wash.

Jamie Szenher: Or a gas station.

Thomas Eldridge: The parcels will be joined?

Francis Gorman: Yes. The property's under contract and the approvals would be contingent presumably on getting the parcels joined so then we acquire the property, join the parcels, and then they approve their final. That would be our order.

Jamie Szenher: And they're all one owner and all PDD-C.

Thomas Eldridge: I hate to sound like a broken record on that but we had a restaurant diner that's no longer a business and the entire parking lot was like 8 parcels. The actual restaurant itself had zero road frontage because there were all these parcels around it. Nobody ever said anything until they wanted electric chargers and it was a like disaster so it is important that you put the parcels together.

Jamie Szenher: The way the existing building is now, it drops off behind that so you'll be backfilling?

Michael Boland: It's not really that much.

Sam Burden: When you look at the topography that's on it, you can see it does show that it's dropping off.

Michael Boland: But it's been filled prior.

Sam Burden: Exactly and it's only a couple feet so it's tough to see over it.

Jamie Szenher: You're not going that far behind where the existing building is now?

Sam Burden: A little bit further back but no, nothing significant to disturb any more of that buffer that's there to 81.

Brian Donnelly: I like that you moved the driveway down further away from that intersection.

Sam Burden: In DOT's comments, they said the same thing. There was another comment about padding pedestrian connection. We're proposing a bike rack next to the patio as well. We have sidewalks there now and we propose to just maintain them.

Jamie Szenher: With all the green space, will there be indigenous trees planted amongst that green space?

Sam Burden: We'll go through the landscaping for what the code requires.

Jamie Szenher: That was brought up to us last year.

Thomas Eldridge: Multiple times, so if you're going to put trees on there then just label them indigenous.

Sam Burden: Is that a county comment?

Thomas Eldridge: No, no. Local, native that's what it was.

Alex Urda: Nate and I were just talking about the zoning and similar to the other applicant with your PDD-C, you'll want to double check that your frontage meets PDD or not. I don't remember

what you had for frontage on the combined or the depth. You might have a triple area variance as well. I think we talked about that. We do the cleanup on those.

Thomas Eldridge: It appears to be about 190' per GIS. 187.

Sam Burden: Would that be required or can that be waived, the triple area variance or you have to go to the...

Brian Donnelly: You'll have to go through the Zoning Board.

Sam Burden: With that in mind can we receive that recommendation to go and do that or do we need to have a full application package in?

Francis Gorman: Would we submit the full application and then at that hearing they would do maybe what they did with the prior applicant?

Gavin Stiles: You'll have to get relief from the six acres.

Alex Urda: And the frontage and the depth.

Sam Burden: I just didn't know if we could get that recommendation now and put those application packages together at the same time?

Gavin Stiles: You can gang up variances.

Thomas Eldridge: It'd be just like the other one, it'd be the same meeting like we did with him. There'll be the two packages and we can just do them both at the same time. Signage too, might as well.

Alex Urda: Check those numbers. We know you're going for the variance on the PDD-C, might as well go for the signage at the same time.

Gavin Stiles: We can hash that out.

Alex Urda: They have an early deadline. They meet early to recommend that it comes through us and then you go back to them at the end of the month. They're probably your critical path through their first recommendation meeting.

Gavin Stiles: So, it's pretty good to get the ZBA handled.

Alex Urda: We just have this zone that was overlaid over things. It's cumbersome unless we really want to reject everything and wait for six acre development. Hard to do. We have Lowe's, the Giant plaza area, we have a couple that have met it.

Gavin Stiles: We have what, three?

Alex Urda: Yes. I think three.

Sam Burden: As far as site layout, anything like that appears to jump off the page?

Alex Urda: Did you get down to the 30-foot throat for the state or did they work with you on 36 feet or something?

Sam Burden: They haven't commented. They did put a caveat comment at the end that they won't review it again until formally submitted, SEQR, lead agency.

Alex Urda: You pushed it as far south from that light as you could?

Sam Burden: Yeah, they mentioned that as well, and that's about as far as we could possibly go.

Alex Urda: The other thing they'll be looking at is that your delivery truck can get around that first corner.

Gavin Stiles: Merging the properties was key to like shove it, get as far away as you can.

Alex Urda: Do you know what path they take when they leave here? Probably no clue. Sometimes the state asks you that, if you have a string of these, if you happen to know what way it's going. With Dollar General they wanted to know which way the truck was leaving. That was a mess.

Francis Gorman: It looks like we're not going to have any issue either way. We could put it both ways on the plat if they wanted to see it.

Alex Urda: Just make sure you're not swinging multiple lanes and crossing the center line.

Sam Burden: I don't know if that's any better for you to see, he's headed north.

Alex Urda: We just don't want them to delay you, if you could have them look at that in advance if they haven't already.

Sam Burden: We submitted that with them and they were pretty good with getting preliminary comments back which is helpful.

Brian Donnelly: Any other comments, questions? Thank you very much. On to advisory opinions, referrals. Next on the agenda is Avdo Mujcic, 258 Brooks Rd, application for an area variance to build a home with less than required acreage from 2 to 1.9 acres in an Ag zone. Alex?

Alex Urda: This is a review for the referenced application for an area variance to build a home with less than required lot size from 2 acres to 1.9 acres in an Agricultural zone. The application package included a Zoning Board of Appeals Application w/ permissions, Applicant letter of Intent, Site Sketch, Short EAF.

1. 239 Review parcel is within 500 feet of State/County road and NYS Ag. District.
2. NYS Agricultural Data Statement not required for an area variance.
3. For comparison, similar lot sizing with existing homes occurs within ¼ mile both north and south of this location without conflict.
4. Building department shall assure adequacy of existing well/on-site septic system through the building permit process.

We have no engineering objections.

Brian Donnelly: Gavin, do you have any comments?

Gavin Stiles: There used to be a house there. There's a well there, a septic. It's lacking a tenth of an acre, no I don't care. I'm not worried about it at all.

Thomas Eldridge: No road frontage issues because it's Agricultural.

Brian Donnelly: Is the applicant here? No. Do we have any comments, concerns, questions? Do we have a motion for a favorable advisory?

Jamie Szenher: I'll make a motion for a favorable advisory to the Zoning Board.

Maura Cooley: I'll second the motion.

Adam Donahue: Mr. Boland, Alternate Board Member Voted: Aye
Ms. Cooley, Board Member Voted: Aye
Mr. Szenher, Board Member Voted: Aye
Mr. Eldridge, Vice Chairperson Voted: Aye
Mr. Donnelly, Chairperson Voted: Aye

The motion was thereupon declared adopted by a roll call of:

Ayes—5 Nays—0

Brian Donnelly: That will go to the Zoning Board with a favorable advisory from us. Next is Serena Brown, applicant for an area variance to extend an existing driveway on the north and south sides, with the north side coming within three feet of the line where only ten feet is allowed in an Agricultural zone with a short EAF. Mr. Urda?

Alex Urda: The application package included Zoning Board of Appeals Application w/permissions, Applicant letter of Intent, Applicant Sketch, Short EAF.

1. 239 Review: parcel is within 500 feet of State Road (NY Route 12). Review received and NYSDOT will not allow driveway widening within the State right-of-way(R.O.W).

We have no engineering objections to widening within the parcel, but applicant to adhere to NYSDOT comments.

Brian Donnelly: Gavin?

Gavin Stiles: They've got a swampy area to the north of their driveway and they don't want to drive in a swamp and it just doesn't bother me at all. They just want to have some impervious stuff to drive on.

Brian Donnelly: The restriction is just what's coming out on the road.

Gavin Stiles: There's something in our code that says something about have to be ten feet. I don't have the paperwork in front of me but there's a footnote that says garage, detached, this, that or the other, and driveways ten feet from side lot and they are encroaching and they are looking for relief from that.

Brian Donnelly: You're the applicant?

Serena Brown: Yes I am. The thing is, we've got three cars right now, we play a lot of musical cars out on 12 trying to move things around. We've got a teenage driver whose going to start driving in a few months so that's another vehicle and then I know it's a long ways down the road but we've got a three-year old, a two-year old, a six-week old that will all be teenage drivers at the same time and so now you're adding, one will be gone but even if your only adding one vehicle each you've got potentially five vehicles trying to back in and out of this driveway that we already can't really fit three cars in. We're currently adding an addition on to the home to accommodate all the littles but we're trying to while we're doing this trying to also...I don't know if you've ever driven by, we're right across from the Central Baptist Church, right at the corner of the driveway where we're always trying to back out, the muds

and the pits just get worse and worse there because we're trying to play musical cars while not going out onto 12.

Brian Donnelly: Basically it's a safety issue as far as anything else.

Serena Brown: Right.

Thomas Eldridge: As long as Gavin is good with it.

Brian Donnelly: Does anybody want to make a motion for a favorable advisory to the Zoning Board?

Maura Cooley: I'll make a motion for a favorable advisory.

Thomas Eldridge: I'll second it.

Adam Donahue:	Mr. Boland, Alternate Board Member	Voted: Aye
	Ms. Cooley, Board Member	Voted: Aye
	Mr. Szenher, Board Member	Voted: Aye
	Mr. Eldridge, Vice Chairperson	Voted: Aye
	Mr. Donnelly, Chairperson	Voted: Aye

The motion was thereupon declared adopted by a roll call of:

Ayes—5 Nays—0

Brian Donnelly: It will go to them with a favorable advisory. I think maybe stressing the idea that it is a safety issue as far as having to jockey cars in and out of the driveway on route 12.

Serena Brown: We've done it for a few years and I'm more concerned about the fact that a teenager's going to be doing it, he's going to be part of this jockeying around soon and then 16 years from now when traffic is even worse down 12...

Brian Donnelly: I think safely driving in and out of your driveway is better than worrying about...

Serena Brown: I only kind of understood, so is there somebody else or something else we need to potentially get approval for for this or will it just be at that 22nd meeting?

Thomas Eldridge: Yes, it's going to go to the Zoning Board. What I would advise you is anything you can do to not make the driveway wider at Rte 12 is going to behoove you. The state is not going to want you to have a 40-foot wide driveway at the road, so if it stays as wide as it is as the road and gets as wide as you're allowed beyond that, it's ok. If you start making the driveway 40 feet wide at the road, the state is going to have a problem.

Serena Brown: How far would they allow? At the road, how many feet is considered...

Brian Donnelly: Alex, how far is the right of way after the property? So many feet from the center of the road or something.

Thomas Eldridge: How wide of an entrance you can have off of the highway. It's like 22 feet or something like that, right?

Alex Urda: Yeah.

Serena Brown: So if it's at 22 feet how far in does it have to be 22 feet before it can expand out?

Thomas Eldridge: As long as the gravel isn't wider than 22 feet at the highway.

Alex Urda: I don't know how deep your property line is, I don't recall if they're a 100-foot right of way or 66.

Brian Donnelly: You'd have to check probably with the state what it is. It's usually marked from the center of the highway, right? Center of the road?

Alex Urda: Yeah, I just don't know...

Brian Donnelly: Back so far off the center of the road.

Serena Brown: Because I feel like it could be doable.

Brian Donnelly: So then maybe you could widen it after that.

Serena Brown: My thought process is just being able to do a three-point turn in our driveway to be able to come out of the driveway forward.

Brian Donnelly: We're basically saying we don't mind if you go within three feet of the property line but the state's concerned with how far you can go out at the road.

Serena Brown: Ok, got it.

Thomas Eldridge: It'll cause you more headaches than you want.

Brian Donnelly: What else is on the agenda?

Thomas Eldridge: They sent us an email that the Town Board is requesting the Planning Board issue a recommendation regarding self-storage facilities in the Town of Chenango, specifically which zoning districts would allow such uses and what potential restrictions, if any, shall be placed on such a use. In storage units, when they come before us, they aren't an approved use in any zone.

Brian Donnelly: Not approved in any zone.

Thomas Eldridge: Currently.

Brian Donnelly: What we can do is, I didn't know officially it got on our agenda. I don't think it did get on our agenda officially however we can discuss it at this point if anyone has some discussion or if you want to hear...it's not a public hearing because we're not set up to be doing a public hearing at this point.

Webb Sisson: Are we allowed to speak?

Thomas Eldridge: We already saw the material the first time through.

Brian Donnelly: The Town Board is putting it back on us to determine which zones that it would be appropriate to do self-storage facilities and that being said, it limits us to what areas in the town would be able to house these things. I think it's a matter of, we're going to need to sit down and look at the zones and come up with some ideas on which zones we think are going to be appropriate.

Michael Boland: What is it zoned over there now?

Thomas Eldridge: This is not just him, this is for the town in general.

Brian Donnelly: We had three applications for self-storage facilities and they're in different zones.

Jamie Szenher: Each is a different zone.

Brian Donnelly: The Town Board is asking for our recommendation on where, if anywhere in the town, would it be appropriate to have these facilities.

Thomas Eldridge: I personally think from looking at the list, when I looked at it before, I think they should be allowed anywhere that retail or any kind of service is provided because it is a service to the customer. It is no different than a retail. There's no garbage, there's no nothing. It's always clean, fenced in, has an asphalt driveway in and out. It's a building with lots of garage stores. I also feel that it should be allowed anywhere that you can build a solar farm because people would rather look at a storage facility than a solar farm any day of the week.

Alex Urda: One reminder that I gave the Town Board when they discussed this once was that modern storage is also, if you're going to envision like one of my clients, one of their layouts is a massive climate controlled building. It's got one entry point, you go inside the building, their entry's based on code. You go inside the building and the storage is in the building among hallways and floors. So you look at that thing and it looks like a giant 2-story commercial building but it's just storage indoors. The giant white building in JC that just got outfitted, somebody had put car ramps in that thing and they stored cars on multiple floors in that. You have to remember that it's not just the strips of storage, you might consider excluding those next to residential or not, but you might allow a full-on building. You have to be careful on what you're visualizing, and the other's outdoor storage. What comes along with these is outdoor storage of RVs, motor homes, trailers, typically anyone doing storage also wants a strip of outdoor stalls because those are actually even easier, there's no building and they rent them all. It's not just the strips.

Thomas Eldridge: There's places where they make them look like barns.

Michael Boland: The outdoor storage, would that be a plus or a minus?

Thomas Eldridge: I see no problem with that stuff because usually it's still the same thing, it's a fenced in area with campers, boats RVs. It's not something you wouldn't see parked in any parking lot.

Alex Urda: In Vestal we were allowed to put them at the back of the place. They were screened by the buildings, but that wasn't, I think that was just in discussion in the process. It wasn't necessarily excluded. We probably could've put them out front.

Thomas Eldridge: Nobody's going to pay to store something, a bunch of unsightly whatever's, it's no different than a parking lot usually.

Webb Sisson: It was in the town's 5-year comprehensive plan to encourage the Planning Board to approve the commercial districts self-storage. That's why this is coming up. Not in residential areas but in commercial areas such as my property. That's why I'm here. If you look at it and it has a positive effect on the property it's now going to receive taxes for the town. You're going to see less storage containers for the town. It's a win-win for the town. Right now it's not receiving hardly anything in taxes. Put on a nice respectable self-storage facility with lasers, fences, 24/7 like what was proposed by the Walshes, it would be a win for the town. Residents can't find a storage facility to store anything for 30 miles. I'm sorry, it's very discouraging for a resident in the Town of Chenango, and I'm going to let this young man over here finish our reasoning, my son, give some explanations as to why it should be approved.

Marty Sisson: I've read the Town Code more times than I ever care to anymore but I think there's an error in it where it does not show in there anywhere where storage facilities are currently restricted in the town. The code is contradictory for the commercial zones, like unbelievably contradictory. The way that it's written is it basically makes it arbitrary, what type of buildings you get to decide within the town. There's lots of businesses in this list, in the code, it was written what 50-100 years ago? How many television repair shops are there? Besides that, there are so many businesses that are within the commercial district that aren't listed. Why is a storage facility being singled out? Because, it's not specifically said in the code, but it says other similar uses, that is wide open. Anybody can interpret that any way they want. Why are storage facilities being singled out?

Alex Urda: I think one discussion in the past was how it didn't, why does it not fit service use as an 'other similar use'?

Thomas Eldridge: Right, that's what we looked at, we took the definition off of that.

Nathan VanWhy: My impression is you folks are saying the Town Board heard, the Town Board is asking the Planning Board to make a recommendation on where to allow it so I don't think you need to sell people on allowing it so much, it's just where.

Thomas Eldridge: We have the task at this point to decide where.

Jamie Szenher: In each town code it says if it's not included, it's excluded.

Thomas Eldridge: That's why I said a few minutes ago I personally think it should be allowed any place that retail or services are offered.

Nathan VanWhy: That's going to be almost every single commercial district in the town.

Michael Boland: What is the zoning over there?

Alex Urda: It's straight up CD over there.

Gavin Stiles: He's CD, Bert Adams is NC, and the one down in back of The Spot is PDD-C. Bert's NC, it's PDD-I some of it, it's NC where he wants to put it, but it's PDD-C down in back of The Spot. That's in a neighborhood.

Jamie Szenher: That's a different area because there's all houses in there. How did that get that way? That's a whole different problem.

Nathan VanWhy: They types of conversation that you folks could have, I know the Town Board asked for recommendation on what districts, right? I think it would've been also an appropriate request by the Town Board to ask not just what districts, but what types of other criteria might you place on a storage facility like this? Do you have any recommendations on minimum security requirements or lighting or distance from residential structures, for example. I think the distance from residential structures would solve to the extent that anyone considers it a problem, placement of a self-storage facility over there. I think sir, your property, does it have any houses adjacent?

Webb Sisson: No it does not.

Nathan VanWhy: So, that's like the prime example of a place where you might want to put something like that.

Alex Urda: It's tricky to single them out though. Like you can have a gas station in the same zone.

Nathan VanWhy: You have to think about that stuff.

Marty Sisson: If I could speak real quick, everything that you just said, those things already exist for every other facility. Why are we singling out storage facilities again? Lighting, parking, next to houses, that's all already established.

Brian Donnelly: We're trying to figure out how this would best fit in, that's what we're trying to do right now. So, we're not singling that out.

Marty Sisson: I read it and I don't see how it's much different than a Taco Bell to be honest.

Brian Donnelly: Did you have something you wanted to say?

Person 2: Yes Brian. This might be wrong but under the March 7th, 2016 Comprehensive Plan for PDD-I it did have a recommendation for storage malls. It was a recommendation in the Comprehensive Plan dated March 7th, 2016 on page 48.

Jamie Szenher: And that was given to the Town Board? Because the Town Board is the one who makes the changes. So, they kicked it to us.

Alex Urda: They've been slow to move much ahead on the Comp Plan.

Webb Sisson: I think what the Town Board is looking for from this board, which is, you're a part of the Town Board being the Planning Board you're a side shoot so to speak, for your recommendation as to whether or not to allow storage facilities. That's what they're looking for from you people to make a positive decision this evening, if you could. Then they can move forward and make the determination with the help of Gavin and our illustrious engineer over there, making sure that it's done correctly.

Nathan VanWhy: To that point, I think the statement about retail uses, other service businesses, I do think the Town Board would want specific zones so I think looking at the list of the zones, probably Neighborhood Commercial, PDD-C, PDD-I, CD. I'm assuming all the PDD-R are residential and would not be appropriate and then there's a Mobile Home District, probably not that either. Do any of the other Town Board members have any concerns about NC, PDD-C, PDD-I, or CD?

Jamie Szenher: Just the Niles Park, can we put a caveat on there?

Thomas Eldridge: It would have to fall under the same requirements as like the gas station we just did down here with the gas station with the houses behind it. The lighting and everything would have to fit into the same box.

Nathan VanWhy: That 's a fair comment right that singling out one particular use when really anybody could put any, they'd be under the same restrictions as anyone else. Somebody could buy up a lot of that particular area and put in a 7 Brew.

Jamie Szenher: That's what it is, it's zoned that way.

Nathan VanWhy: If there's a concern with an area, then that area should probably be rezoned so that it's not Commercial Development or PDD-C, whatever it is.

Jamie Szenher: That whole strip of houses in the trailer park there should be changed to Residential.

- Nathan VanWhy: You could make that as your recommendation, add it to all the commercial uses we talked about and then also maybe the Town Board should consider rezoning that particular area from PDD-C to Residential.
- Alex Urda: Some of the reasoning for that back then was they wanted that stuff gone. They wanted it to be commercial.
- Nathan VanWhy: Housing is sticky.
- Alex Urda: The Comprehensive Plan actually recommended everything from 12A to the river to be Commercial. Somebody did it before with the PDD-C and then the next Comp Plan stepped it up a notch and said let's do all of it.
- Thomas Eldridge: Any restrictions if any, I don't think like they said and you reiterated for the most part, I don't think you would need any necessary extra restrictions because if it falls into those zones we really covered the bases on all the restrictions needed. A gas station that backs up to three houses, we just did that.
- Nathan VanWhy: You really have to think like what is it about, if you could point to a commercial self-storage facility as having particular impacts on a neighborhood, then conditions or restrictions or other requirements around it would make sense. I'm going to say putting a manufacturing facility smack in the middle of an area, you're going to say okay noise, smell, traffic, that type of thing. Is there anything unique about commercial self-storage that invites, I know there was a person who spoke at the interpretation hearing where they mentioned a concern that there's going to be people squatting in the self-storage facilities. I have no idea how common that type of thing is but they were concerned that oh, if you put this in their residential area then you're going to have vagrants, squatters...
- Thomas Eldridge: It's one of the only things you legally can't squat in to be honest when you look it up. You cannot inhabit it at all therefore you can't squat in it and can be arrested for squatting in it whereas the abandoned house down the street, squatters can squat in it and technically can't be arrested for it. Because it is inhabitable.
- Nathan VanWhy: You'll have to anticipate people raising concerns like that and then just articulate why or why not you think that is or isn't a major concern. If you don't have any reason to think this type of use is any more of a problem than any of the other commercial uses then there's no particular reason to add a specific criteria around it.
- Alex Urda: I've been through the devil's advocate side of it for you guys trying to think of it and so what the trade is on the commercial side, if you don't have a sales tax component to it you've got property tax. You get the property tax because it's no longer vacant or is whatever it is, but then you add the service to the community. If you look at everyone when the houses flooded, you need to get your stuff out of there so you can remodel. Where did you put it? A lot of people were cramming all their stuff on to second floors and had to go stay somewhere else because they couldn't take their stuff somewhere. It's the same when students come home from college. They want to put their stuff in a unit for three months so they don't have to putter at mom and dad's house with it. The community gets the gain of the use so you're trading sales tax for local service.
- Jamie Szenher: The ones out there are used a lot. They're used a heck of a lot.

Alex Urda: Or for somebody who has a motor home. They can't park in front of their house because we've cited them for it. It gives them a place to put it for relatively cheap.

Thomas Eldridge: A trailer, tow behind trailer or whatever.

Michael Boland: Is there a stipulation down there for grade, elevation?

Thomas Eldridge: For flood?

Michael Boland: Yeah, anything next to the river down there?

Thomas Eldridge: Where he asked to be?

Michael Boland: Yeah.

Thomas Eldridge: He's as high as the road now.

Michael Boland: I know he's raised it. I don't know which level that fits, 100, 500.

Thomas Eldridge: I know what he's at now is above the road so I don't think it falls into anything.

Jamie Szenher: It's well above any flood. Your business has never flooded, right Webb?

Webb Sisson: We're out of the 500 year floodplain. Right now we're at 870.

Alex Urda: His engineer mapped him out of the floodplain.

Thomas Eldridge: For the sake of tonight we could make a recommendation to the Town Board for a favorable advisory? What would it be?

Nathan VanWhy: I think I saw a bunch of nodding heads about allowing it in NC, CD, PDD-C, PDD-I. I believe that covers all the commercials. You could say those four and any other commercial districts you may have overlooked.

Alex Urda: The recommendation by the Comp Plan that Tom's referring to, we were having problems with warehousing, the term warehousing. If anybody remembers when AirTemp wanted to put a building over here and put their office in it but the majority of it was to house all their stuff that's behind their building down there and the boards had trouble with how to get that into an Ag zone because it was warehousing so much stuff. Then the Comp Plan started looking at well, we've disallowed that there. We could come up with a zone that we wanted them there, we wanted them to stay down there but how do we allow that use with some warehousing. I don't know that you want to interject any of that into the piece with the Town Board but that was the other language in that Comp Plan was: "add storage mall to item 1 which then would read '1. enclosed warehousing, wholesale establishments, and storage malls.'" And that solved the problem of businesses that wanted to store all of their stuff in it. Not manufacturing.

Thomas Eldridge: They just didn't move forward, the Town Board never moved forward with it.

Alex Urda: The Town Board didn't advance that and at the time the entity that was trying to persuade them to just dropped it.

Michael Boland: The Town Board was just all about other stuff, it had nothing to do with up in an Ag area.

Alex Urda: The Town plan was trying to address warehousing, wholesale establishments, and storage malls. I don't know how wholesale ended up in there, other than if you were a wholesale

like Champion. If you're a wholesaler you're still retail but private retail back in the day. I'm not sure why it ended up in that one.

Nathan VanWhy: Regardless, the Comp Plan's recommendation as the gentleman pointed out is in the PDD-I district and what you're recommending is not just PDD-I but three other districts also for reasons that were articulated. Okay, that can be the recommendation to the Town Board. The Town Board will hear it, I'm assuming I'll get told to put something together but the Town Board needs to have a discussion. They're probably going to ask you, Alex, for a map of those four districts within the town highlighted so that they understand where they're exactly putting it.

Brian Donnelly: Restrict it to strictly storage malls which would be...

Thomas Eldridge: Commercial storage.

Brian Donnelly: Not commercial storage because commercial storage could be some kind of wanting to build...

Nathan VanWhy: We will define what this means. We're not just going to be storage mall, commercial storage and not define it. We're going to define it most likely as an establishment as a service provided to customers to rent out a unit within the facility like a self-storage. We'll come up with a good definition. We're not going to reinvent the wheel here.

Alex Urda: I don't know if you want to restrict it to Residential.

Michael Boland: I don't think you want to do that because if you're commercial and you want to just put your papers in there what's the difference?

Alex Urda: If AirTemp wants to put up a 40,000 square foot building and store their stuff in it, I think the definition ought to be broad enough to allow them.

Nathan VanWhy: That's a different animal than what the board has been asked to address.

Alex Urda: It's still storage though.

Nathan VanWhy: What the Town Board has asked is commercial self-storage which everyone should understand is...

Alex Urda: I guess if they worded it commercial self-storage then that's what we're addressing. I didn't see how they worded it.

Brian Donnelly: I think we make a motion and make a recommendation we should have possibly some definition on what exactly we're telling them they can put into these four commercial zones.

Nathan VanWhy: I think you can take it in pieces. Tell them our recommendation is these zones and then just ask them, do you want us to provide any further advice and recommendations on this? Definitions, all of that stuff. I don't want to stop the process. The Town Board would love to hear from you, yes we do recommend that these do be allowed in these districts, now what? And then we can go from there.

Michael Boland: Otherwise it stops the train.

Nathan VanWhy: Yeah, next time the Town Board will say, the Planning Board didn't make any recommendation because they want to know what do you want them to do further? And it's like, let's move it along to the extent we can.

Alex Urda: They're going to then ask the three of us to define it further and then probably come back around again.

Nathan VanWhy: I wouldn't be shocked if that's exactly what happens.

Thomas Eldridge: Should we make a motion to the Town Board that we feel that the NC, PDD-C, PDD-I, and CD are good zones to possibly put self-storage or however they want to word it? And if they would like any further insight from us or restrictions or anything they can so ask.

Alex Urda: If it falls under service use it fits NC.

Jamie Szenher: Sounds good to me, what he said.

Thomas Eldridge: Sounds good? I'll make a motion that we have an advisory to the Town Board, recommendation to the Town Board that they look to put storage facilities in NC, PDD-C, PDD-I, and CD zones and if they are looking for any further restrictions or advisement from us, to ask.

Maura Cooley: I'll second the motion.

Adam Donahue: Mr. Boland, Alternate Board Member Voted: Aye
 Ms. Cooley, Board Member Voted: Aye
 Mr. Szenher, Board Member Voted: Aye
 Mr. Eldridge, Vice Chairperson Voted: Aye
 Mr. Donnelly, Chairperson Voted: Aye

The motion was thereupon declared adopted by a roll call of:
 Ayes—5 Nays—0

Webb Sisson: Thank you. It's time the town moved forward with this.

Thomas Eldridge: Motion to adjourn.

Jamie Szenher: Motion to adjourn, seconded.

Respectfully Submitted,



Kari Strabo