

PLANNING BOARD
REGULAR MONDAY DECEMBER 9, 2024, MEETING
7:00 P.M. – TOWN HALL
1529 NYS RTE 12
BINGHAMTON, NEW YORK 13901

Approval of November 9, 2024, Regular Planning Board meeting minutes

Present: Brian Donnelly, Chairperson
Thomas Eldridge, Vice Chairperson
Jamie Szenher, Board Member
Deborrah Mastronardi, Board Member
Michael Boland, Alternate Board Member

Also Present: Alex Urda, Town Engineer
Nathan VanWhy, Planning/ Zoning Attorney

Absent: Maura Cooley, Board Member
Gavin Stiles, Code Officer

Brian Donnelly: Good evening. I will call the regular Planning Board meeting for December 9, 2024. First off can we have a roll for the attendance.

Diane Aurelio: Mr. Boland, present, Ms. Mastronardi: present Ms. Cooley, absent, Mr. Szenher: present, Mr. Eldridge: present, Mr. Donnelly: present.

Brian Donnelly: Ok we have a quorum. Next is the approval of November 12, 2024, Planning Board minutes from our regular meeting. Are there any comments or corrections? If not, I can have a motion and a second.

Alex Urda: Ryan was there not Brian. That is the only correction I saw.

Brian Donnelly: Ok, anyone else. If not, can we have a motion and a second.

Jamie Szenher: Motion to approve November 12, 2024, minutes.

Ms. Mastronardi: Second.

Brian Donnelly: Have a motion and a second can we have a roll call.

Diane Aurelio:	Michael Boland, Alternate	Voted: Aye
	Ms. Mastronardi, Board Member	Voted: Aye
	Ms. Cooley, Board Member	Voted: Absent
	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 5 to 0.

Brian Donnelly: Next on the agenda under new business for:

2024-PB18 – Peter Walsh – 100 Chenango Bridge Rd. – TM#112.06-6-3.121- Application for site plan review to construct a new self-storage facility in the Commercial Development zone and short EAF.

Mr. Urda, do you want to do both comments together?

Alex Urda:

There are two letters. I submitted this letter previously informing the Board of my involvement with the Walsh & Sons Construction Corp. I told that to the Town Board and they wanted in writing I said I would like to inform the Town
Mr. Pete Walsh is progressing with an application to the Town Planning Board for Site Plan approval including an area variance request via the Zoning Board of Appeals.
I would like to inform the Town that Mr. Walsh is one of my clients via his involvement in Walsh & Sons Construction Corp., and Walsh Realty LLC. I do not work for him/them on any projects in the Town of Chenango. I do not have any conflict in reviewing this project professionally for the Town, and I am not affiliated with this project. I intend to review the project per my contractual agreements with the Town.
It was written this way because the Town Board wanted me to make it very direct. So, there is no conflict. If you have any questions let me know.

Onto the review letter:

This is a combined review for the referenced applications for site plan and a double area variance to construction of a new self-storage facility with less than required front yard setback from 35' to 5' and the side yard setback from 15' to 5' in a Planned Development District – Commercial (PDD-C) Zone. They have withdrawn the side yard setback variance request from fifteen feet to five feet now fits on the revised drawings. Just an area variance for the front yard setback from thirty-five to five feet.

SITE PLAN APPLICATION

The application package included: Dated: Rcvd.:

- Planning Board Application and Permissions 11/04/24 11/04/24
- Letter of Intent 11/04/24 11/04/24

- Vestal Storage Letter “Criteria for Obtaining an 11/12/24 11/13/24

Area Variance

- Site Plan 11/06/24 11/06/24
- Site Plan (Updated) 12/04/24 12/04/24
- Variance Request figure with aerial photo and 3D Rendering of Units --- 11/04/24
- Lighting Plan, w/ photometrics, product data, rendering 11/21/24 12/02/24
- Short EAF 11/04/24 11/04/24

ZONING APPLICATION

The application package included: Dated: Rcvd.:

- Zoning Board Application with Permissions 11/04/24 11/04/24
- Letter of Intent 11/04/24 11/04/24
- Vestal Storage Letter “Criteria for Obtaining an 11/12/24 11/13/24

Area Variance

- Site Plan 11/06/24 11/06/24
- Site Plan (Updated) 12/04/24 12/04/24
- Variance Request figure with aerial photo and 3D Rendering of Units --- 11/04/24
- Lighting Plan, w/ photometrics, product data, rendering 11/21/24 12/02/24
- Short EAF 11/04/24 11/04/24

I did a combined review of most of this site related.

We offer the following comments:

1. Architectural plans? a. All single story?

2. Site Plan(s)

a. A project site plan submitted and updated.

b. Provide data relative to lot criteria (code versus proposed) on plan. i. Lot size and width appear to exceed §73-50 criteria for minimum area of 6 acres and lot width and depth. Confirm and add to plan.

c. Provide a grading plan with building finished floor elevations, 100-year BFE, and survey and flood datums called out.

d. Provide Erosion & Sediment Control plan along with stormwater plans/details.

e. Add easements to the site plan. i. No work shall take place in any Town Easement without prior approval. The approx. sewer line appears to be exceptionally close to Building A.

ii. Please confirm the sanitary sewer line location, and any other utilities, and all associated easements and add them to the project plans. You can request that the water/sewer department mark these out such that your surveyor assist and locate. I will have to talk with Greg Burden about this.

3. Area Variances a. It is our understanding from the applicant that the updated site plan reduced the area variance request to just the front setbacks. All side setbacks were revised to comply with the code.

b.

4. Parking: a. Provided 9 parking stalls as well as temporary parking adjacent to storage units. I do not see an applicable parking criteria calculation in §73-20 G. Parking 'compliance' subject to Planning Board review. Given the nature of use of this facility I have no engineering objections to the quantity of parking provided as users are expected to approach their units briefly and not remain on site.

b. Stalls are all 10x24, larger than the code of 8.5x18. The added stall length is preferred for parallel type stalls.

c. The larger width one way and two way drive aisles are preferred for emergency access and temporary parking for patrons.

d. The applicant shall assure you that they, or the owner, provide and maintain exterior ADA accessible parking spaces (**ONE REQUIRED**), aisles, access routes, markings, slopes, and signage in accordance with ICC/ANSI/ADA requirements, and the current Building Code of the State of New York, Chapter 11 (or latest revision). Stall size shall be no less than 8.5ftx18ft.

5. Site Lighting: a. Lighting photometrics and fixture information (type, mounting height, etc.) were provided.

b. Applicant provided product cut sheets for the outdoor lighting.

c. Given the location we do not anticipate site lighting concerns. The design achieves <0.5 footcandles (Fc) of spillage at the west, north, and south property lines. The east is higher but is adjacent to a commercial use that is also lit at night.

6. Signage a. What are our signage intentions?

b. Add any monument, pylon, etc. site signage to the site plan and details.

c. Coordinate signage with the Code Office for any necessary permits and/or variance requests based on area calculations, etc.

7. Sanitary Sewer – None required. Not connecting

8. Water Service – None required. Not connecting.

9. Gas Service – None required.

10. Electric Service shall be coordinated with NYSEG (Show plans to connect to the existing utilities on Route 12A). Have meter on a pole? That is code stuff with Gavin.

11. Stormwater

a. The site disturbance is greater than one acre and a SPDES permit is required. Therefore, a Stormwater Pollution Prevention Plan is also required. Please provide. I did reach out to Pete they really wanted to get through the variance discussions before they get the SWPPP done.

12. Floodplain:

a. Both the existing Effective FIRM or 2010 Preliminary FIRM indicate 100-year floodplain on the project parcel, as well as floodway at the rear of the parcel, however the current owner filed for a LOMR-F relative to the fill area onsite and had the area noted as LOMR-F survey removed from the existing 100-year floodplain.

b. A 'Permit Application for Development in Flood Hazard Areas' is required for a proposed work outside the limit of the LOMR-F. If they do go outside of that we do have an application form., we might make you fill that out anyway so we have it on record with the code office. This is for the Community Rating System reasons, there is no cost to that. Basically, to document that you put it in you have LOMA. I do ask that your information for base level value and the line of that on the plans. Put building elevations on the plans. I'm asking you put two foot freeport to it. That will be between you and Gavin technically. Being adjacent to it we still expect you to be two feet above it to avoid a mishap. Currently the site is shown to remain within the LOMR-F limits.

c. Add the Floodplain information (100-year Base Flood Elevation (BFE) value and location of it to the plans).

d. Add the building finished floor elevations to the plans including any freeboard (2 foot typically) to the 100-year event. We understand that the project area was removed from the floodplain, however we would still advise elevating to 2 feet above the BFE. Please note that the worse value of the two floodplain maps (Existing Effective FIRM or 2010 Preliminary FIRM) must be utilized.

13. Erosion Control

a. Add to plans, details, and SWPPP.

14. SEQR Short EAF—Defer to Legal Counsel for detailed review. Engineering Comments below. Definitely disturbing less than ten acres. Staying under ten acres does not require the long form. I have given this to legal to take a look at it though.

a. Part 1 Description should include the site plan and the variance(s) request to be reviewed as a coordinate review. County comments we combine the variance and site plan so they are both addressed by both Boards as a coordinated lead.

b. Item 12.b—Archaeological sensitive area per NYS CRIS website is over the entire parcel. Was marked no. It is still listed in an Archaeological sensitive area per SHPO. So, when you get your SWPPP done have that updated in your SWPPP it is a requirement. The fill site had a prior letter of no impact. The applicant should confirm that status is the same for this proposed development and include any letter of no impact within their SWPPP.

c. Item 16 is 'YES' appears to be based on existing FEMA FIRM, however the site has a LOMR-F relative to the fill area which is no longer within the 100-year floodplain.

15. The project parcel is within an Aquifer Protection Zone 1 "Wellhead Protection Area" (Location Number 2—Route 12 A Well). The site currently complies with the associated Town Code §73-55, Attachment XII, "Schedule of Regulations—Wellhead Protection Zone" and shall continue to do so.

16. Project is subject to 239 review within 500 feet of state/county road. Refer to 239 comments to consider. This was sent to Fenton for comment within five hundred feet of Municipal Boundary. We do have comments on that.

We have no engineering objections to the project advancing for review. The applicant has indicated that pending ZBA concurrence with the variance request, that they will resubmit final documents for the site plan. Site plan revisions and SWPPP should be provided prior to site plan approval. For consideration the closest building position to the road is similar in

setback to the actual road edge of pavement as neighboring commercial buildings within a 1/3 mile to the west. It appears that the NYSDOT ROW exists in this width at this location relative to the prior embankment which is now substantially filled against up to the ROW. That is up to Zoning to take a look at.

Nate VanWhy: I looked at the EAF Part I touched on the archaeological sensitive area. I think we should get that letter of no impact for the Zoning Board before the Planning Board takes action.

Alex Urda: Should that be Webb or the applicant of the project. Seems it would not matter; I do not know.

Nate VanWhy: Webb can apply for it or the applicant. Do we have anything in the file showing you are under an optional lease with Webb?

Peter Walsh: You don't but we can provide that.

Nate VanWhy: Question thirteen (a) talks about this being in the wetlands. Because actually saying you are not out of the one-hundred-year flood plain this project is out of the wetlands where this project is being disturbed.

Peter Walsh: Not in the project area that might be along the river.

Nate VanWhy: Is there a map showing where the wetlands are on Webb's property.

Alex Urda: I just went on GIS Mapper it is not on the project area that I saw on the mapper.

Nate VanWhy: We need something to confirm that there are no wetlands in the project area. Because the SEQR form says there is wetlands on the property we need to confirm that you are not touching the wetlands. Everyone is going to laugh at this one. Question 15 There are two endangered species brook floater and the green floater. I assume they are fish; I don't know too much about those. Question 20 the States Mapper says either this site or the adjoining property has been subject to remediation for hazardous waste. Do we know which property this is?

Alex Urda: The Mapper does not give the DEC number. I looked that up once before for Webb.

Nate VanWhy: I need you to check that and verify for the file that we identify and address any concerns that the Town might have that maybe

potentially hazardous waste either on this property or the neighboring property. What was that and what was remediated. Do we have any concerns and have something showing DEC was satisfied we won't have any issues then. A lot of things are noted on the DEC Mapper anyway on the short form.

Alex Urda: You're on the Short Mapper, right? You would have to use Full Mapper to get the DEC spill code, you can look that one up.

Nate VanWhy: We can go through the 239 comments.

Alex Urda: Did Lora give her own comments or just Health and DOT.

Diane Aurelio: We got these today from Broome County, late in the afternoon.

Alex Urda: This is the County's letter from today Planning Department has reviewed and has not identified any significant county-wide or inter-community impacts associated with this proposed project contingent upon on compliance with NYSDOT, DPW and BCHD. Complete site plan a complete SWPPP appropriate documentation of no hazardous materials storage and appropriate documentation that the design complies with all applicable floodplain regulations and would not negatively impact flood conditions on site or to surrounding properties that the project. They note the following should be addressed.

The existing FEMA Special Flood Hazard Area Preliminary FEMA Flood Hazard Area and inundation areas from the past flooding events, The Town should exercise caution in approving and the applicant should know the risks in developing this use in this flood prone area. The Town should restrict self-storage facilities in flood-prone areas where these uses will be vulnerable to property damage and may become a hazard during a flood, Opening the flood-prone ara to storage facilities is not prudent. Stored materials can become waterborne debris during floods, endangering adjacent properties and creating potential debris blockages. NYS Uniform Fire Prevention and Building Code restricts the replacement of hazardous materials in the floodplain- That was addressed with Mr. Sissons Loma.

NWI wetlands occupy the property tax map. The site plan should show compliance with the USACOE and no impacts to the wetlands.

The Town should ensure that the project complies with the Town flood damage prevention, stormwater and erosions and sediment control, performance standards, aquifer protection, and property maintenance regulations.

The SEQR EAF should include address and show compliance with NYSDOT, DPW and BCHD comments and with all other applicable requirements., include the SWPPP, geotechnical documentation that project the site can withstand the project and all other supporting documents.

The SEQR EAF, should also include the variances in the project description, address the “no” wetlands response (see BCGIS wetlands on the tax map and adjoining properties.) and address the “yes” floodplain response).

The SEQR EAF, site plan and application should provide appropriate documentation that the project will not include hazardous material storage. The automated nature of the facility with rentals online, cell phones application, no onsite rental office, no permanent onsite employee and move in without need to meet with onsite manager raises concerns for hazardous material storage. See BCHD comments.

The SEQR EAF should address the potential for auctions and garage sales onsite.

The site plan should show the following

- Compliance with NYS DOT, DPW and BCHD comments, with the Town Flood Damage Prevention regulations and all other agencies requirements.
- Base flood elevation.
- Appropriate emergency access.
- Grading and drainage plan stormwater management and erosion and sediment control.
- Utilities, lighting plan specifications, photometric analysis to the extent necessary, landscaping plan and signage plan.
- Fence and gate specifications.

They routed it to BMTS, NYSDOT, DPW, BCHD and Broome County Emergency Services (OES) for review BMTS had no comments. They don't say they gave it to Fenten though.

Diane Aurelio: It shows on the 239 form that it was sent.

Nate VanWhy: As long as they got it.

Alex Urda: NYSDOT any work to be conducted within the State right-of-way, such as for driveway work or vegetation clearing near the site's entrance will require a Highway Work Permit. From NYSDOT.

Nothing be placed within the State right-of-way, including fencing, signage, parking or stored items. Pursuant to this requirement the driveway gate shown on the site plan shall be placed entirely within the property boundaries and shall not encroach on the State right-of-way. Please advise the applicant to submit a revised site plan removing the encroachment.

No access to the north side of the northernmost building of the development may be made using the State right-of-way. Given the proximity of the building to the highway boundary, this restriction will preclude vehicular access to that side of the building.

County Engineer – the applicant should be aware the parcel is in the Municipal Separate Storm Sewer Systems Permit Area (MS4) and as such, should adhere strictly to erosion and sedimentation control guidelines set forth by the New York State Department of Environmental Conservation (NYSDEC), a developed Stormwater Pollution Prevention Plan (SWPPP) and associated plans. These measures should remain in place and be maintained until work is complete and/ or final stabilization of the disturbed soil achieved whichever applies to the implemented measure. Pollutant discharges from construction activities should be minimized to the greatest extent possible. Illicit discharges are strictly forbidden per Broome County Local Law Perm 5 of the 2020 and are defined in section 306-2.15 as any direct or indirect regulated non-stormwater discharge to the County owned MS4. Discharges is defined in section 306-2.9 as any addition or introduction of any pollutant, stormwater, or any other regulated substance whatsoever into the municipal separate from

storm sewer system (MS4) or into waters of the United States. Please provide a completed SWPPP.

The applicant should be aware that the Fire Code, in the 2020 NYS Fire Code section 510, now requires radio coverage testing to be performed in newly constructed buildings. If the test results are not adequate, the building owner MUST add Emergency Responder Communications Enhancement System (ERCES) that meets or exceeds the requirements of NFPA 1221. Occupancy permit cannot be issued without first testing for adequate coverage within the building. Please contact Chuck Rogers for more information at (607)-778-8214.

There are no other apparent impacts to Broome County Infrastructure, therefore the Broome County Department of Public Works Engineering Division has no additional comments related to the project located at Tax Map#112.06-6-3.121

DPW had no additional comments.

BCHD-There should be no floor drains in units with vehicle, machinery or other motorized equipment storage. Floor drains in these areas connected to a shallow absorption system are considered Class V Motor Vehicle Inspection Wells under USEPA and require special regulation. Storage of hazardous materials and / or waste should not be permitted.

That is, it for the 239 thus far.

Brian Donnelly: There is no one here from the Ordinance Office. Does the applicant have information they would like to share with us so far. If not, we will see if there are any questions.

Peter Walsh: We would like to see how the variance is going to possibly get approved. Then we can proceed with the full SWPPP based on this design that information is helpful. Then we would have a clear path. The first comments we got regarding the sliding gate on the original plan. We did revise that on the new site plan obviously we will be submitting more.

Brian Donnelly: Does anybody have any questions regarding the site plan.

Thomas Eldridge: Where does the drainage go?

Peter Walsh: On the high level the plan was to have a catch basins at the center of each one of those drives down through middle of those buildings. He was talking about a pond behind the vet in the northwest corner that is not used currently. But again, until we get into the full SWPPP design we cannot really response to that.

Thomas Eldridge: It is all impervious, asphalt is on the building site, right?

Peter Walsh: The initial design is going to be gravel.

Thomas Eldridge: Which technically is impervious.

Alex Urda: Gravel counts as impervious.

Peter Walsh: We just did a partial survey. Alex, your concern on the encroachment, we may have to make some building tweaks. We do have an easement of our own.

Alex Urda: I did not know you had one before or not. Can you show the setback line on that. I'm just asking where the existing setback line is. It is a thirty-foot setback right.

Nate VanWhy: I think it is thirty-five feet for the front. That is what it says here in your letter.

Peter Walsh: The main reason for that is the property line goes from; you can see it on the site plan. Fifty-six feet right near the entrance and over to the gymnastics it is standard twenty feet access for that thirty-foot to go away because of that property line runs so far away from the curb line.

Nate VanWhy: Was anything sent to NYSDOT yet.

Alex Urda: Yes, they reviewed it their comments were more relative to the access.

Nate VanWhy: My point being they did not raise any issues with the setbacks. No major concerns with the variance.

Alex Urda: How does it sit relative to the neighbors?

Nate VanWhy: Do another satellite view from the gymnastics to the east. That one is setback really far. The one on the west is closer.

Peter Walsh: Site plan I've shown a line running from the vet clinic to the west is closer to the road than us. Gymnastics sits pretty far back

Thomas Eldridge: Looks like your line starts at the gymnastics parking lot

Jamie Szenher: So, you when from twenty-one feet to fifty-five feet for the setback.

Thomas Eldridge: He is looking for a straighter line.

Peter Walsh: I don't have the dimensions on here but I'm guessing twenty-five feet. To the east corner. Tired to set it parallel with the road.

Thomas Eldridge: We cannot act on this until the SWPPP is completed we will need all that stuff.

Nate VanWhy: That is the topic of discussion is operation and timing of the variance. The Zoning Board will be taking action on this. You have options for SEQR review this is an Unlisted action under SEQR. So, you can do an uncoordinated review typically of what you folks do. This is certainly a bigger project development than the other that you have done. Error on the side of doing a coordinated review so one of the boards is the lead agent in charge of the environmental review process itself. Typically, the Planning Board assumes the lead agency you folks are generally looking at a lot more than the Zoning Board of Appeals would. Zoning cannot take final action on the variance until either you as lead agent act on SEQR we uncoordinated review, and they do their own SEQR review. Regarding your point we would have to have enough information to determine SEQR. The concern would be the SWPPP that has some changes to the plan, we cannot review SEQR until we know what the final plan is. This is close to the final with some minor tweaking. Your task tonight is to give an advisory opinion to the Zoning Board. I would recommend a motion declaring the Planning Board as Lead Agency Send off to the Zoning Board your advisory opinion and have at the Zoning Board meeting consent to you acting as lead agency. They cannot act on the final variance, but they can give feedback then the applicant can maybe give them the comfort to move forward with their SWPPP You cannot be contingent on SEQR. If that happens then they finish their SWPPP much more updated site plan you folks in January could theoretically review SEQR. At the Zoning Board in January do their variance. Actually, if you do have a meeting in January theoretically you could do SEQR. Then the Zoning Board could do their variance later. That is a lot to happen, especially with the holiday. I can see potentially if you can get everything done

within that time period. If you are waiting to do your SWPPP until after the Zoning Board meets on the 23rd .

Peter Walsh: We would proceed now. We had to get some sort of feedback if we are going in the right direction. We have a path moving forward to get started and hopefully have everything answered for you by the thirteenth of January.

Nate VanWhy: To have them move forward with the SWPPP and if everything plays out like I just discuss theoretically take action on the SEQR and the site plan at your January meeting. The Zoning Board grant their variance at their January meeting. I would recommend if you folks have anything you want to see done differently or changed on the site plan. They have presented concerns about landscaping between the rear of the building and the road. Do you want to see anything different with the lights. Parking, we should talk with Gavin to see if he thinks what parking should be, unless he is unsure.

Peter Walsh: I don't know how many spaces are required.

Alex Urda: Once they show one space, they will be required to have a handicap space.

Nate VanWhy: The other thing I would ask is if the Town does not appear to have parking for this type of facility. I will refer Gavin to correct me if I am wrong. You should provide us with something that gives us a reasonable amount of parking for this size of storage facility. You folks part of the site plan conditions say they need twenty spaces. The question would have to be why, based on some studies that show nine or whatever number is adequate. If it is more than nine, we would ask you to put on more.

Thomas Eldridge: Hope big is this facility in Vestal?

Peter Walsh: Thirty-five thousand square feet parking spaces are four for contractors, they will park their personal car and pull their truck out. If we get into a parking situation, they don't have space to park their car.

Thomas Eldridge: How many spaces do you have in Vestal?

Peter Walsh: If we didn't put in our last building probably twenty for the whole length of one building, twenty-five, thirty spaces. That is for the camper's actual rental spaces.

Thomas Eldridge: How many for cars?

Peter Walsh: Zero. They park all over the place. There is no set parking.

Thomas Eldridge: You feel that is adequate, from your experience there.

Peter Walsh: We have DHL a mini distribution center there and if they weren't there, we probably need one to two parking spaces. We have plenty of room to plow snow and that is it. We have enough room if we have to add parking if need be.

Nate VanWhy: One of the common areas of discussion in Planning is do we really need to put in parking requirements for the developer and if is not going to be a problem then let them do it.

Brian Donnelly: Self-storage facility you don't stay there long, you drop your stuff off or pick up and leave.

Nate VanWhy: So, the types of concerns that you do not have a parking requirement. You are pushing parking off-site somehow. Now there is no parking on Chenango Bridge Road. If anybody parks there they will be towed. The nearest available parking area is the Park and Ride, very few people are going to park and walk over to the storage facility. It is unlikely if you don't have any parking requirements in place. People will park outside of the lot anyway. It is the developer's problem.

Pater Walsh: A lot of people park in front of their storage unit and leave, that is another reason why the lanes are so wide.

Brian Donnelly: That gives them enough space to get by.

Peter Walsh: Daily, probably ten people will come and go.

Alex Urda: Can you make sure of the parking layout that the fire truck can maneuver with that the thirty-foot lane all the way around. I

Peter Walsh: Sure.

Alex Urda: I bring this because we ran into this before, projects that are right next to the reiver blindsides everybody when I mention this level of review. The stormwater criteria for quality control are totally waived when you discharge directly into the river or adjacent to the river. Because they do not want you to slow it down and let it out when the storm catches up to you. I don't know who is doing your stormwater plan. I would like

to anticipate getting you a presentation saying we are going to do quality control for a run-off reduction on site. They probably ask if we concur with the quantity being waived by State regulations EPA regulations. I am bringing it up now because if we wanted to go a different direction on that we would need to know that sooner than later.

Nate VanWhy: Can you think of any reasons why the Planning Board might want to go in a different direction?

Alex Urda: One thing that is required right now is the runoff reduction that infiltrates the water and if they can achieve that go over the current permit. I have seen where stuff got infiltrated on prior site throughout the river rather than trying to hold it back. That has been the most I've been asked for anywhere was the solar farm in the flood plain, they are on hold currently.

Brian Donnelly: What is your policy at your other facility on hazardous waste.

Peter Walsh: They have a lease agreement that specifically says many things are not allowed to be stored inside the units. But patrolling that is next to impossible. People pull in fifty-foot trucks, no one is going to sit there and watch them unload every single item out of their car or truck. If we find someone in violation obviously, we will enforce it.

Brian Donnelly: Your policy is not to have hazardous materials stored.

Peter Walsh: Yes, it is in the lease. They must sign a lease agreement. They are all notified up front. We have been there four years and have not had any issues.

Alex Urda: It is all remote.

Peter Walsh: It is all remote, it is one hundred percent seamless and I'm there every day in and out of the property. It is not like we are absent, we are coming and going all day long. Sometimes going up and fixing stuff, cleaning out units, picking up garbage that had been left here and there. You would like to think that it is man less, but it is definitely not.

Nate VanWhy: Certainly, as a condition of the site plan to require they prohibit the storage of hazardous materials would be appropriate than how they plan on enforcing that.

Peter Walsh: I would submit something to the Town to ensure it was up to their standards.

Alex Urda: A building permit permits that type correct in that class. There is no office on site.

Peter Walsh: Correct.

Nate VanWhy: For the chain link fence, one of the things to think about is this is the very first application for commercial self-storage facility what you do here is likely to set some president but guidance on what you would like to see. Chain link fence not with slats woven into the fence to prevent people from being able to see in.

Peter Walsh: The reason we asked for that variance was to put the building up to the property line so it is not a fence. These buildings have stainless steel they look decent. We could dress it up on that side with stone and landscaping to make it look a lot different. Maybe put up some iron or aluminum fencing along the front. The back you do not see so it really does not matter. At least you will have a nice aesthetic appeal from Chenango Bridge Road.

Nate VanWhy: So, you are thinking of not having chain link fencing on the rest of it.

Peter Walsh: It is definitely, going to be an enclosed perimeter; will that fence be the entire way it would be five times the cost of a chain link fence. I have not really determined.

Nate VanWhy: That is one for the Planning Board to decide on a visual standpoint the aesthetics do you think this will create any particular impact, environmental review question. Do you feel there are any impacts with this type of facility to be mitigated in some way. It is a commercial district it is next to the Gymnastics facility. Is this fitting within area adequately enough or anything should be done to address whatever visual impact this might have. The answer could be no, that is something you need to think about.

Alex Urda: You said you can bring that fence to the front of the building. You can eliminate it along the side. To clarify that eliminate the fence that is shown along the entire front.

Thomas Eldridge: The rendering shows it like that. It looks like a very nice idea.

Alex Urda: Clarify the parking spaces long term.

Peter Walsh: No, it is only nine spaces. We have twenty=five spaces to rent because we have boars and campers.

Alex Urda: What did we end up allowing for outdoor storage?

Thomas Eldridge: We did not put any stipulations on it because the word equipment was so vase.

Alex Urda: I did not see any outdoor storage there.

Michael Boland: Do you want them in the rear

Alex Urda: Rear on one side.

Thomas Eldridge: I think the one on the one side sounds great. The rest of it as far as the chain link fence. I do not see any problem with that. The Gymnastics decided to put up a fence around there. They just get a permit, and they can put whatever they want up.

Michael Boland: The rendering does look good.

Thomas Eldridge: It does and the building across there looks nice. Do we need a motion to declare Lead Agency?

Brian Donnelly: That is where I was headed next. Can I have a motion and a second on assuming Lead Agency.

Thomas Eldridge: I make a motion we declare ourselves as Lead Agency.

Jamie Szenher: Second.

Brian Donnelly: Can we have a vote:

Diane Aurelio:	Michael Boland, Alternate	Voted: Aye
	Ms. Mastronardi, Board Member	Voted: Aye
	Ms. Cooley, Board Member	Voted: Absent
	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 5 to 0.

Brian Donnelly: So, we will be the Lead Agency.

Thomas Eldridge: Do we do the coordinated review motion now?

Nate VanWhy: By assuming the Lead Agency you will be doing the coordinated review. Just add the review of the plans for the advisory opinion.

Brian Donnelly: The next thing to do is the advisory for the Zoning Board for:

2024-V 16 – Peter Walsh – 100 Chenango Bridge Rd.- TM#112.06-6-3.121- Application for a double area variance to construct a self-storage facility with less than required front yard setback from 35’ to 5’ and side yard setback from 15’ to 5’ in a Commercial Development Zone and short EAF.

Which has changed from a double area variance to a single area variance for the front yard setback from thirty-five to five feet.

Anything to discuss on that or would someone like to make a motion on the advisory.

Michael Boland: We cannot approve anything now I would think you could because you still will have control before you approve anything anyway. That way they could make a plan if they got the variance approved. We have given them the nod on our part. That will get them closer, and we still have control. I will make a motion for a favorable advisory to the Zoning Board of Appeals for the single area variance.

Ms. Mastronardi: Second

Brian Donnelly: Can we have a vote:

Diane Aurelio:	Michael Boland, Alternate	Voted: Aye
	Ms. Mastronardi, Board Member	Voted: Aye
	Ms. Cooley, Board Member	Voted: Absent
	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 5 to 0.

Brian Donnelly: So, it will go to the Zoning Board with a favorable advisory from us. Unless we have any other questions, we are pretty much done. We have an addition to the agenda tonight, we have been asked to give the audience to Yellow 20 LLC. /Cipriani Energy.it is Michael Quinn for 32 Smith Hill Road discussion on the solar project

Michael Quinn: First of all, thank you all for allowing me

Brian Donnelly: You can come up to the front table and we can hear you and it can be recorded better.

Michael Quinn: I know this was short notice and that it is late. I'm from the Cipriani Energy Group. This is to reintroduce the solar project that was under application since the moratorium. So, I just wanted to reintroduce the design very quickly. We have made a few changes to the new design. Then discuss our driveway to make sure we have gone over the design with Alex, Gavin and Emergency Services and designed our driveway. I wanted to run through the Planning Board to ensure that everybody is good so we can move on. Because we are looking for a cross agreement with NYSEG. This is one of the main reasons why it has been such a long delay since we have gotten back to you. It was difficult to figure out exactly some deed situations and the right-of-way with NYSEG. So, we have been working with them and figured out a cross agreement.

Alex Urda: Can you explain that and the width of the driveway.

Michael Quinn: Yes, that was another situation. I can get right to that, if you like. I should have brought the original sheet to compare. So, this is Grandview Drive right here. This is a general version of our sketch plan. The substation is down here.

Thomas Eldridge: Where is that?

Nate VanWhy: That is in the Town of Chenango by Hider Park. The substation is just above it.

Alex Urda: Gavin and I beat him up on the access and what NYSEG requirements were and utilize this access by their substation.

Michael Quinn: Currently they have a tractor path used to access their substation, and that is within their right-of-way. So, we spent time figuring out how to work with code with Alex's guidance to ensure we were designing our pole line up with NYSEG and all that was appropriate. Preliminary discussion about the crossing agreement. Which I have a closer image of.

Alex Urda: NYSEG access would have been rejected by Gavin and I. It does not meet the requirements for site access for width and dimension for

turn around. They had to go back to the drawing board. And figure out what they could work out to achieve site access.

Michael Quinn: Just for reference this is what Alex is talking about. This is about ten to twelve-foot dirt path. Which is required to get to that big substation. That is not up to code so we talked with them can we get it below twenty feet. Originally the typographical study and the mylar and we have more space up here and shift it a little bit more. So, we met code with the twenty-foot access in all directions. We talked with Emergency Services to make sure the turnaround was suitable.

Brian Donnelly: Where is the solar farm in regard to where the driveway s now?

Alex Urda: It is at a dead ended hydro of sorts not suitable for them to utilize that for their fire supply therefore get rid of some of the road requirement. In case anybody wants to know. Greg said no so you cannot use that for your fire suppression. So that will require a bit of work in some fashion, correct?

Michael Quinn: Yes sir. I will turn this around now. What we have here is the old design here. As you can see there is no defined road. There was a misunderstanding amongst the previous team that we had access to this. So, we had to go through and modify and that is what took us so long. I would like to point out the major change of the site plan is the road that we tried to take out fewer trees. Partially because it's on a steep slope in this area here. So, as you can see here in this design all these trees are cleared from here and this area right here as well. This is kind of a steeper slope that is not suitable for our development. It is also where you have the most visual access to it. Maintaining the trees here. There would be a lot of benefits to it. We plan on leaving it that way and keeping those trees there. Along with the screening as you can see here on the previous site plan. This is just sketch so we did not include it. That screening we are not taking away either. That is kind of a major thing. Something that held us back from submitting a full package with the SWPPP, so we know the SWPPP is the most important thing. This is an area where runoff control is very important. We are paying very close attention to it. DEC recently came out with a memo, so we are looking at that very carefully and we are working with our engineers to make sure we address that matter. So, we will get that over to you to review our design that was implemented there. As

you can see here the level spreaders are gone from our original site plan. We got retention pond here another one here, there were some comments about it on the previous feedback. There is a big retention pond here. We will be reevaluating how our plan is set to best control runoff and maintain safety for this neighborhood below.

Diane Aurelio: Is there going to be three retention ponds or two?

Michael Quinn: The previous recitations of our stormwater management plan had three ponds.

Brian Donnelly: What is the size of the acreage you have there?

Michael Quinn: The fenced in area has come down a little bit in this design. Here is the fenced area goes down from seventeen to fourteen. And then roughly the tree clearing we had twenty-four acres now it is down to twenty acres. These types of things might change depending on our SWPPP. In terms of percentage, it all falls within the Town Code.

Thomas Eldridge: It goes into a dead end into a cul-de-sac.

Alex Urda: Make sure you ask your predecessor to confirm what the road frontage was here.

Michael Quinn: I will have to get back to you on that.

Alex Urda: That number there is crucial for a variance.

Brian Donnelly: That is one question that is going to come up.

Alex Urda: Now you know who formerly owns

Thomas Eldridge: This was a problem last time. Even if you have the retention ponds, the last retention pond where does it drain to?

Michael Quinn: So, these types of things was going to have my engineer address with me right now. Things might change as well. I understand these were concerns.

Thomas Eldridge: So, last time their answer was downhill. Basically, what he said. The problem is the park and the community, and everything is flowing downhill already. Where does the water from the pond drain into, right into the ball field. I Just want you to come prepared because that is what he is going to say next time.

Michael Quinn: We will respond to that. And we will be in touch with Alex and Gavin. We will make sure we can spread it out, however.

Thomas Eldridge: The radiant lines on your map. Not to pick on you. The spot that is very steep. It is all the same steepness. See the lines are all the same distance across. You may have left some trees for sight reasons / visual reasons. But the whole thing is a side mountain there is no flatter spot.

Michael Quinn: Yes, the slope goes down and is steeper here. But with the level spreader it should be tighter. That makes sense. I have this visual it does appear the same. Because we ordered a tighter lidar it is the same one that helped us, understanding we have more space here. I'm not sure why that double spreader is so far away. But that is a very good point.

Nate VanWhy: So, what was the visual analysis previously.

Thomas Eldridge: We asked for a bunch of houses; I don't think they came back. They were rescinded or the moratorium came around before we got the visuals. Did we ever see them?

Jamie Szenher: No. We asked for visuals from Route 88 and 81

Thomas Eldridge: I do not think we ever saw them.

Michael Quinn: That would be new anyway. We are updating things once we get our SWPPP figured out. That is the reason why we have not started our glare study yet. We need a clear slate for DOT and all these different things. Visual impact is huge. We need to make sure our array layout is built around and managing the runoff.

Thomas Eldridge: If you don't know already there was a formal request on visuals. Just make sure you have their request.

Brian Donnelly: If you don't have it touch base with Diane, she will help you get that information.

Alex Urda: Just a view on different positions.

Michael Quinn: I will make sure before we file anything, and we are on the same page.

Alex Urda: Maybe the three of us.

Michael Quinn: I have two different visual simulations and locations plus the comments regarding the stormwater. It would be helpful to have brief meetings with Gavin and yourself. Routes 81 and 88 interchange for visualization in addition to the finalization of this layout is pretty much finalized. We want to get that SWPPP figured out first. That will dictate everything surrounding. That is the number one thing to protect the neighborhood. I understand your concern. We are not going to blow off any concerns that you guys may have and the community.

Inaudible

Michael Quinn: You got some visuals from the first plan and the board wanted more. I believe there is a view shed analysis for visualization.

Thomas Eldridge: I understand why they picked that spot; the infrastructure is right there. Other than that, it is not a great place for a solar farm.

Michael Quinn: It is compacted.

Alex Urda: It is likely we will have a public hearing on this.

Thomas Eldridge: I would think so.

Michael Quinn: That makes sense.

Alex Urda : Usually that is a starting point and then they ask for additional visuals.

Michael Quinn: Also, there is a viewshed analysis

Thomas Eldridge: I understand why you picked this spot because there is a substation tight there and makes the infrastructure very easy. Other than that it is not a great place for a solar farm.

Michael Quinn: It is complicated

Alex Urda: It is likely we will have a public hearing

Thomas Eldridge: I would think so.

Michael Quinn: We are figuring that out as well. Probably using smaller trucks for this t turn around.

inaudible.

Nate VanWhy: We had a solar company bringing trucks willy nilly.

Michael Quinn: That is a great point.

Thomas Eldridge: A lot of the streets are not built for large trucks.

1.08 stop

Thomas Eldridge: We shut them down immediately.

Alex Urda: We did not expect thunderstorms in February, it was a disaster.

Michael Quinn: It is complicated in this area. That is why we have to pay close attention to

Brian Donnelly: Are there any other comments or questions. Thank you very much, it was nice to enlighten us about what is in the future.

Michael Quinn: Do you mind if I ask the Town if you have any comments or if you are ok with what Alex, Gavin and Emergency Services so far. The reason why I ask this is so we can start pursuing the crossing agreement. This right here represents the right-of-way, NYSEG right-of-way. We would need to submit our design with confidence if we were to apply for a crossing agreement..Jamie Szenher: Where is the NYSEG substation

Michael Quinn: Substation id down here.

Jamie Szenher: You will use that road also.

Michael Quinn: The first fifty feet and this area here will go.

Jamie Szenher: As a turnaround.

Michael Quinn: There is a swale next to i, it is pretty flat, It would not be any good for them to us that part of the road. If Emergency Service's needs, it. I understand there was a time when they tried to access through the substation, and it was difficult to access.

Alex Urda: We do not want them to have trouble again with access to Grandview Drive.

Brian Donnelly: Looks like Alex and Gavin came up with a pretty good plan, from what I can see.

Michael Quinn: They looked into it very deeply and covered a lot of points, and resolved them. So, we will go ahead move on that part. As far as the SWPPP we will be in communication with you guys so we can move in tandem and no big surprises.

Alex Urda: Do not ask for the five percent allowance, just make sure quantity works out

Michael Quinn: Yes, yes, yes.

Alex Urda: There is a five percent allowance the applicants ask if they can exceed the quantity by five percent get waived. I would say no on this part.

Michael Quinn: Which makes good sense.

Alex Urda: Just so you know in advance

Michael Quinn: Thank you, we had a conversation with engineering about that before, I appreciate it, it has been a couple of years and I appreciate that. I just want to reiterate we are focused on that aspect more than anything else. I think our new design will also have a visual impact and we will make sure to design it so there will not be any glare issues with DOT, get the FAA on board and make sure we get all the comments addressed. Any follow-up comments and any input the Town can provide is really helpful for us. Thank you all very much.

Alex Urda: You will need visual site visits. I can direct you to some sites. One off Robinson Hill you can see their access road. You might see it from the highway, see it at.

Jamie Szenher: You can see it from Parkway too,

Alex Urda: See it from the highway and SUNY, The old IBM Glenwood forty-five acres. Brian drives around it once a year. He loves it. He has given me pictures of bobcats up by the silt fences.

Michael Quinn: Would you like to add the sketches.

Alex Urda: I like to see electronically is ok for me right now. Any questions you can ask Diane, she is the record keeper. If anyone has it, she does.

Thomas Eldridge: Motion to adjourn.

Jamie Szenher: Second.

Meeting adjourned at 8:15 pm.

Respectfully submitted,



Diane Aurelio
Ordinance Office