

**REGULAR PLANNING BOARD MEETING  
MONDAY, MAY 8, 2023  
7:00 P.M. – TOWN HALL – 1529 NYS RTE 12  
BINGHAMTON – NY – 13901**

**Approval of the April 10, 2023, Regular Planning Board Meeting Minutes**

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Present: Brian Donnelly, Chairperson  
Thomas Eldridge, Vice Chair  
Jamie Szenher, Board Member  
Maura Cooley, Board Member  
Gerald Smith, Board Member

Also Present: Alex Urda, Town Engineer  
Gavin Stiles, Code Officer  
Nicholas Cortese, Planning/Zoning Attorney  
Michael Boland Board Alternate

Absent: None

Brian Donnelly Call the April 10,2023, Planning Board meeting to order. The first order business is the approval of the April 10, 2023, meeting minutes. Does anyone have any changes? Would someone like to make a motion to accept them?

Jamie Szenher: I'll make a motion to approve the minutes.

Gerald Smith: Second.

Brian Donnelly: Ok, we have a motion and a second, can we have a vote?

Diane Aurelio	Mr. Boland, Alternate Board Member	Voted: N/A
	Mr. Smith, Board Member	Voted: Aye
	Ms. Cooley, Board Member	Voted: Aye
	Mr. Szenher, Board Member	Voted: Aye
	Mr. Eldridge, Vice Chair	Voted: Aye
	Mr. Donnelly, Chairperson	Voted: Aye

The motion was thereupon declared adopted by roll call of:  
Ayes- 5                      Nays- 0                      Absent- 0

**NEW BUSINESS**

- **2023-PB04- Guangning Wu** – 16 Wynne Rd.- TM#111.16-6-12 Application for a special permit to allow sixteen (16) chickens in a Residential zone & short EAF.

Alex Urda: This is a review for the referenced application for a special permit to allow sixteen chickens in a Residential zone.

Discussion:

The application package included:	Dated:	Rcvd.:
• Planning Board Special Permit Application	3/31/23	3/31/23
• Applicant’s Letter	3/31/23	3/31/23
• Broome County Parcel Mapper w/ Layout	---	3/31/23
Short EAF	3/31/23	3/31/23

We offer the following comments:

1. Project is subject to 239 review within 500 feet of state/county road (I-81). They had no concerns.
  2. The project is within §73-56 Zone II Aquifer Recharge Area and §73-56 Zone I Watershed Area Sorry Zone III and is in compliance with both and shall continue to be.
- We have no engineering objections.

Gavin Stiles: I like chickens. I enjoy them Ordinance has no concerns.

Brian Donnelly: Is the applicant here, yes. Does the board have any questions.

Thomas Eldridge: So, you are using the existing building you have for the chickens. No addition, not another building?

Mr. Wu: No.

Nicholas Cortese: Did you open the public hearing, Brian?

Brian Donnelly: No, I did not.

Nicholas Cortese: Special permits have a public hearing.

Brian Donnelly: Ok, I’ll go ahead and open the public hearing. If anyone has any questions or comments, they can do so now. All you need to do is be acknowledged by the board. Sir you in the back if you could announce your name and address for the record.

Mark Tremark: I live at 73 Grant Road. My question is I don’t have a problem with chickens. Just fencing and roosters.

Nicholas Cortese: So, we have done a number of these in the past and there are always conditions with any granting for a special use permit. Standard conditions are they have to be in a pen not roam free and can’t be any roosters.

Mark Tremark: So, that has been corrected?

Nicholas Cortese: I don't know if this was ever a problem. Since I have been here those have always been the standard conditions.

Mark Tremark: Yes those are standard conditions for a special use permit. I mean with this particular case.

Nicholas Cortese: I don't know the particular history of this case to be honest with you.

Mark Tremark: Ok there is no fence and there are roosters. What happens?

Nicholas Cortese: The special use permit expires and ends up being dumped into a code enforcement matter. If they don't get rid of the chickens, then they end up getting an appearance ticket going to town court and go through that whole process.

Mark Tremark: Was paperwork submitted for the size of the enclosure?

Nicholas Cortese: That all goes through Gavin.

Gavin Stiles: It has not but any structure.

Mark Tremark: I mean the fence, is it the whole area?

Gavin Stiles: We don't have any fencing laws locally or state level. Any accessory structure under 144 square feet does not require a building permit. It does need to meet the setback but does not require a building permit. So, that is a 12' x 12' if it bigger than that a permit is necessary. Fencing we have nothing.

Mark Tremark: Nobody had to submit any layouts of how they are going to be contained.

Gavin Stiles: Not if it's fencing and not if the solid structure is 144 square feet or less. If the coop is less than 12' x 12' whatever dimensions you want to put together.

Mark Tremark: I'm more worried about the process for applying for the special permit, it seems a lot more lackadaisical from what I have done is what I'm getting at. So as long as there are no roosters.

Gavin Stiles: The no rooster condition will be put on it. And if a hen house goes up that exceeds 144 square feet, then it will fall under an accessory structure that requires a building permit.

Mark Tremark: I'm not worried about that.

Thomas Eldridge: If there not fenced in obviously it would be revoked and would have to remove the chickens.

Mark Tremark: Thank you.

Brian Donnelly: Any more questions or concerns? There being none I will close the public hearing section of this application. Now we do the EAF.

Nicholas Cortese: Is everyone good with questions and stuff, yes. This is an Unlisted Action under SEQR. You have the Part I EAF that came along with the application. This is Part II where I ask you several questions about environmental impacts. Answer no for too small impacts, Answer yes for moderate to large impact and here we go.

**EAF SHORT FORM PART II**

1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations? Boards response.

Board: No.

2. Will the proposed action result in a change in the use or intensity of use of land? Boards response.

Board: No.

3. Will the proposed action impair the character or quality of the existing community? Boards responses.

Board: No.

4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)? Boards responses.

Board: - No.

5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking, or walkways? Boards responses.

Board: No.

6. Will the proposed action cause an increase in the use of energy, and fail to incorporate reasonably available energy conservation or renewable energy opportunities? Boards responses.

Board: No.

7. Will the proposed action impact existing:

- a. Public/private water supplies? Boards response.

Board: No.

- b. Public/private wastewater treatment utilities? Boards responses.

Board: No.

8. Will the proposed action impair the character or quality of important historic, archaeological, architectural, or aesthetic resources? Boards responses.

Board: No.

9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora, and fauna? Boards response.

Board: No.

10. Will the proposed action result in an increase in the potential for erosion, flooding, or drainage problems? Boards responses.

Board: No.

11. Will the proposed action create a hazard to environmental resources or human health? Boards responses.

Board: No.

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

Gerald Smith: I make a motion to adopt a "Negative Declaration" for this Unlisted Action under SEQR.

Thomas Eldridge: Second.

Brian Donnelly: We have a motion and a second can we have a vote.

Diane Aurelio	Mr. Boland, Alternate Board Member	Voted: N/A
	Mr. Smith, Board Member	Voted: Aye
	Ms. Cooley, Board Member	Voted: Aye
	Mr. Szenher, Board Member	Voted: Aye
	Mr. Eldridge, Vice Chair	Voted: Aye
	Mr. Donnelly, Chairperson	Voted: Aye

The motion was thereupon declared adopted by roll call of:

Ayes- 5	Nays- 0	Absent- 0
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Nicholas Cortese: Ok here are the list of conditions:  
1. Is everyone content with 16 chickens? Yes.

2. No rooster on the property.
3. Chickens have to be kept in an appropriate enclosure, designed to prevent their escape. Can't be allowed to roam freely on the property.
4. For whatever reason if you are convicted of keeping your chickens in a way as a public nuisance in the Town, then the special permit goes away.
5. For whatever reason you no longer have chickens on your property for a year the special permit expires.

So, those are the conditions. Do you have any questions sir for the Board?

Mr. Wu: So how long does it expire or end? How long until it expires?

Nicholas Cortese: As long as you adhere to all the conditions it doesn't expire.

Gavin Stiles: As long as you do everything you are supposed to and continue to have chickens, you're good.

Brian Donnelly: You stop having chickens for 1 year then the permit disappears.

Nicholas Cortese: Are there any conditions the board you would like to add or subtract? It will read as follows:

#### **TOWN OF CHENANGO PLANNING BOARD**

#### **A RESOLUTION CONCERNING SPECIAL PERMIT APPLICATION 2023-PB04**

At a regular meeting of the Planning Board of the Town of Chenango, held on May 8, 2023, at the Town Hall, 1529 NY Rte. 12, Binghamton, New York, the following resolution was offered and seconded:

**WHEREAS**, on March 31, 2023, Wu Guangning ("Applicant") duly filed an application for a special permit pursuant to Section 32-13 of the Town of Chenango Code to harbor sixteen (16) chickens on property they own within the Town, located at 16 Wynne Road, designated as Tax Map No. 111.12-6-12, and located in a Residential Zoning District; and

**WHEREAS**, pursuant to Part 617 of the implementing regulations of the State Environmental Quality Review Act ("SEQRA"), the Planning Board determined on May 8, 2023 that the Applicant's application constitutes an Unlisted Action as defined under said SEQRA regulations and, upon careful consideration of the possible environmental impacts of granting said special permit, determined that the approval thereof will not have a significant adverse impact on the environment and issued a negative declaration for the purposes of SEQRA; and

**WHEREAS**, after due notice by publication in the official newspaper of the Town of Chenango, the Planning Board held a public hearing to consider said application on May 8, 2023, at which hearing all persons desiring to be heard in regard to said application were so heard; and

**WHEREAS**, upon review of the Applicant's application and the entire administrative record associated therewith, the Planning Board has found and determined that Applicant's proposed special use will not, in the circumstances of the particular case, be injurious to the neighborhood or otherwise detrimental to the public

welfare and complies with the relevant special permit standards under Sections 15-4 and 32-13 of the Chenango Town Code.

**NOW, THEREFORE, BE IT RESOLVED**, that the Planning Board of the Town of Chenango hereby approves the Applicant’s application 2022-PB16 for a special permit to harbor chickens in a Residential Zoning District at 16 Wynne Road (Tax Map No. 111.12-6-12) subject to the following condition(s):

1. No more than 16 chickens shall be harbored on the property at the same time.
2. Applicant shall not harbor any roosters on the property at any time.
3. The chickens shall be kept in an appropriate enclosure designed to prevent their escape and shall not be permitted to roam freely about the Applicant’s property.
4. If a court of competent jurisdiction should issue a judgment, order, or other final ruling that chickens are being harbored on the property in violation of Article II of Chapter 32 of the Chenango Town Code, as may be amended from time-to-time, this special permit shall become null and void.
5. If no chickens are harbored on the property for a period of 365 consecutive days, this special permit shall expire.

**BE IT FURTHER RESOLVED** that this resolution shall take effect immediately.

**CERTIFICATION**

I, Brian Donnelly, do hereby certify that I am the Chairman of the Town of Chenango Planning Board and that the foregoing constitutes a true, correct and complete copy of a resolution duly adopted by the Planning Board of the Town of Chenango at a meeting thereof held on May 8, 2023, at Town Hall, 1529 NY Rte. 12, Binghamton, New York. Said resolution was adopted by the following roll call vote:

Brian Donnelly: Ok can we have a motion.

Thomas Eldridge: Motion to approve the special permit with the conditions mentioned.

Gerald Smith: Second.

Brian Donnelly: We have a motion and a second can we have a vote MS. Aurelio.

Diane Aurelio:	Mr. Boland, Alternate Board Member	Voted: N/A
	Mr. Smith, Board Member	Voted: Aye
	Ms. Cooley, Board Member	Voted: Aye
	Mr. Szenher, Board Member	Voted: Aye
	Mr. Eldridge, Vice Chair	Voted: Aye
	Mr. Donnelly, Chairperson	Voted: Aye

The motion was thereupon declared adopted by roll call of:  
Ayes- 5                      Nays- 0                      Absent- 0

Brian Donnelly                      So, the special permit is approved with conditions, and you will be receiving paperwork from the ordinance office. So, you can go ahead and enjoy your chickens.

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- **2023-PB05- Splash Car Wash Binghamton, LLC. - Cade Krueger - 1108 Upper Front St.-**  
TM#128.08-2-8- Application for site plan review to add more vacuum stations to the existing car wash business located in Pdd-c zone & short EAF-

Alex Urda:                      This is a review for the referenced application for a site plan review for Splash Car Wash to use a portion of 1108 Upper Front St. for additional vacuum stations for their existing business located on 1104 Upper Front St. in PDD-C zone.

**Discussion:**

The application package included:	Dated:	Rcvd.:
• Planning Board Special Permit Application	3/28/23	4/3/23
• Owner’s Letter of consent	3/27/23	4/3/23
• THE DDS Companies Letter of Intent	4/3/23	4/3/23
• Site Plans and site rendering	---	---
• Sign and Lighting Product cutsheets	---	4/3/23
• Lease		
• Short EAF	3/29/23	4/3/23

We offer the following comments:

1. Project is subject to 239 review within 500 feet of municipal boundary and county road. a. Please address 239 concerns about access route to vac units.
2. The project is within a §73-56 Zone II Aquifer Recharge Area. The project complies with this code section and shall continue to do so.
3. Obtain site plan approval from the Code Office.
4. The site disturbance is <1.0 acre and does not require a SWPPP or SPDES permit.
5. Site Lighting. We have no objections to this lighting as any 0.1 spillage or less is onto the owner/less55ors, lessees, or Front Street, however, please provide the footcandles out to 0.0.
6. Provide the Code Office with final stamped/sealed site plans.

7. El Puplo parking review as this site plan modifies their parking on the east: a. Our site plan review of the El Puplo parking requirements on February 5, 2018, as part of their site plan review required 50 stalls. They provided 56 stalls.  
b. El Puplo added 5 parallel stalls on the south side at some time for a total of 61 stalls.  
c. The current Splash Car wash site plan on the El Puplo area removes 9 prior parking stalls (one had been encroached on by a shed) leaving El Puplo with 52 stalls. The restaurant has enough parking.  
We have no engineering objections.

Gavin Stiles: Ordinance Office has no concerns just a building permit and signage being required.

Brian Donnelly: Is the applicant here, yes.

Mason Everhart: I'm representing DDS today. This is Jeff Arnold who is the representative of Splash. I have a visual presentation. Alex covered a lot of it but we are not just to gain approval for the vacuum center addition to the existing Splash Car Wash on 1104 Upper Front Street. The parcel is almost entirely covered by existing asphalt. Our work will slightly reduce the amount of impervious surface in the area. We expect 7 new lighting fixtures. You mentioned there is some light spillage onto the adjacent property. All the lights that we have spec out will have side and front shielding oriented downward to eliminate any light spill. We also have proposed trees and scrubs more than what is currently there if you don't include the greenhouse of course. We have adequate snow storage in the back as well as 2 vacuum motors. Which are and Jeff can speak on that as well. They are state-of-the-art, don't have to worry about any noise pollution coming off the site. We have required electrical service obviously for the lighting and the vacuum motor. Don't have to worry about any public utilities being impacted in any way. We have also proposed curbing along the northern most end of the vacuum center to separate EL Puplo Restaurant from our vacuum center.

Jeff Arnold: From Splash Car Wash use to be Classy Car Wash. Has been in business for 25 years and we grateful and appreciate all of the community support for our car wash. What we are doing here I wouldn't say we are adding vacuums we are putting in an entirely new center. We now have 9 vacuums next to the building. Which becomes a little confusing when customers pull int and customers are backing out onto the line. It creates some traffic issues. It also locks people in if the line comes around and a person is sitting here, then they're blocked in. We don't have enough vacuums, so we want to go to a full-blown vacuum state-of-the-art center in the state of New York. This will give us up to 30 vacuums with 14-foot size spacing. Which would be wider for vehicles to swing fully open. And the vacuum handle units will be on each side of the vehicle. Just as they are

now. The motor system will set out here on 2 pads. They are a silent motor system. They use 1 motor and 1 dust collector unit, probably the most advanced silencer system on the market. By far the most state-of-the-art vacuum tech system on the market today. The decibel range is less than 10-feet is less than 38 decibels which is equivalent to my conversation right here. When back in the day you pull in put in your dollar and run at 100 decibels per vacuum. So, we are basically making no noise with these new vacuums. I heard a comment about entrance access. So, when a customer comes into the car wash, they come out and turn right to the vacuum center. And come back out to the traffic light just like they would if they came out of the car wash. If a customer was a member, everyone knows car wash are based on membership now a days. If you have a membership with us. So, if a customer with membership doesn't want a wash there is an escape way around the back of the building where you would come down, we can just let them through to use the vacuum. We don't allow a paid vacuum center, if they are not a wash customer it is not something we offer. Surprisingly we don't get a call for that. People know how these vacuum centers work.

Mason Everhart: We are planning to use the existing drainage same slope patterns. The plan is to use the existing catch basins so everything kind of flows back this way and caught by the catch basin on the eastern side.

Jeff Arnold: The last point I want to make is this was between the property owners and presently lease to Brother Brown. Which they will now be leasing to Splash. This is something that took months and months of preparation to make everybody happy with-it DDS put a lot of time into it. If anyone has any questions for me or Ms. Ramirez. Again, they are neighboring property with the restaurant. This is something we are trying to do secretly or covertly without them knowing about it. We have been very up front about this for the last 6 months now.

Alex Urda: Is the access totally separate and you are making green space.

Mason Everhart: Yes, this is all green space. Attached to the existing curb line up and around. That is optimal for both the Mexican restaurant and the car wash.

Alex Urda: Not sure you can get to one from the other.

Mason Everhart: No there is no cross link between the restaurant parking and the vacuum center parking. When they come out and go into the Mexican restaurant separate.

Alex Urda: This is a one-way entrance.

Mason Everhart: Yes.

Gerald Smith: So, the entrance to the restaurant will remain the same and what about the green houses will they go away?

Mason Everhart: Yes.

Gerald Smith: Do they know that?

Mason Everhart: Yes, they do know. I'm not sure if they were interested in pursuing it past this year anyway.

Gerald Smith: On your vacuum you say free vacuums, they are only for your members use?

Mason Everhart: It's for all wash customers.

Gerald Smith: So, they can't just come in off the street to use the vacuums. It's Just for wash customers.

Jeff Arnold: Sometimes a customer does that and we're not going to stop them.

Gerald Smith: But those that are doing it will have to go around the back of the car wash to gain that access on the side of the building that you were talking about.

Jeff Arnold: Yes, it is completely paved. On a rare occasion if a vehicle is too tall, a truck or RV. We get a lot of lifted trucks, or they have large tires or something obscure that isn't conducive to our washing equipment. So, with the escape route they can move safely from the wash location.

Thomas Eldridge: Who owns that parcel?

Jeff Arnold: Cindy Lattner of Lattner Holdings.

Thomas Eldridge: I know they're not trying to get a use variance or anything, is there any problem with that trying to get a building permit on a piece of property that nobody owns?

Nicholas Cortese: They did submit a lease agreement along with the application. They do have sufficient interest in the property.

Thomas Eldridge: I just want to make that clear so it's not a jam up for you.

Gerald Smith: And a surprise for the property owner.

Alex Urda: El Puplo you understood my parking count. Just make sure you meet your parking requirements. I'm not sure what your lease agreements are. More or less. You still meet our code compliance.

Cindy Ramirez: Initially it included Brother Brown, that will no longer be necessary. We will have more now.

Mason Everhart: We are proposing 24 to 30 spaces.

Nicholas Cortese: The existing are going to be removed.

Brian Donnelly: Everybody is good with their questions and what not. We will move ahead with the SEQR form.

Nicholas Cortese: This is also an Unlisted Action under SEQR so, we are going to go through Part II. Obviously, you have Part I with you too with the application you received. I'll forgo the explanation and start in with the questions.

**EAF SHORT FORM PART II**

1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations? Boards response.

Board: No.

2. Will the proposed action result in a change in the use or intensity of use of land? Boards response.

Board: No.

3. Will the proposed action impair the character or quality of the existing community? Boards response.

Board: No.

4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)? Boards response.

Board: - No.

5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking, or walkways? Boards response.

Board: No.

6. Will the proposed action cause an increase in the use of energy, and fail to incorporate reasonably available energy conservation or renewable energy opportunities? Boards response.

Board: No.

7. Will the proposed action impact existing:

a. Public/private water supplies? Boards response.

Board: No.

b. Public/private wastewater treatment utilities? Boards responses.

Board: No.

8. Will the proposed action impair the character or quality of important historic, archaeological, architectural, or aesthetic resources? Boards responses.

Board: No.

9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora, and fauna? Boards response.

Board: No.

10. Will the proposed action result in an increase in the potential for erosion, flooding, or drainage problems? Boards responses.

Board: No.

11. Will the proposed action create a hazard to environmental resources or human health? Boards responses.

Board: No.

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

Thomas Eldridge: I make a motion to adopt a "Negative Declaration" for this Unlisted Action under SEQR.

Jamie Szenher: Second.

Brian Donnelly: We have a motion and a second can we have a vote.

Diane Aurelio	Mr. Boland, Alternate Board Member	Voted: N/A
	Mr. Smith, Board Member	Voted: Aye
	Ms. Cooley, Board Member	Voted: Aye
	Mr. Szenher, Board Member	Voted: Aye
	Mr. Eldridge, Vice Chair	Voted: Aye
	Mr. Donnelly, Chairperson	Voted: Aye

The motion was thereupon declared adopted by roll call of:  
Ayes- 5                      Nays- 0                      Absent- 0

Brian Donnelly: Anyone like to make a motion for site plan approval?

Gerald Smith: I'll make a motion to for site plan approval with aa building and sign permit.

Maura Cooley: Second.

Brian Donnelly: Ms. Aurelio can we have a vote.

Diane Aurelio:	Mr. Boland, Alternate Board Member	Voted: N/A
	Mr. Smith, Board Member	Voted: Aye
	Ms. Cooley, Board Member	Voted: Aye
	Mr. Szenher, Board Member	Voted: Aye
	Mr. Eldridge, Vice Chair	Voted: Aye
	Mr. Donnelly, Chairperson	Voted: Aye

The motion was thereupon declared adopted by roll call of:

Ayes- 5                      Nays- 0                      Absent- 0

Brian Donnelly: So, you have site plan approval you will be getting paperwork from the Ordinance Office, and you will be all set.

Jeff Arnold: I just want to tell you we are going with a more neutral color, would be better than red. It just looks a lot better.

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- **2021-PB21 - AMENDED APPLICATION -Creekside Family of Companies** – Deanna Youells & Brian Gollogly – 356 Kattelville Rd.- TM#078.19-4-5- Application for site plan review & Short EAF located in Neighbor Commercial Zone.

Alex Urda: This is a review for the referenced application for a site plan for home occupation, Creekside Family of Companies Inc., for home décor and cabinetry, seasonal produce, plants, Christmas trees, wreaths in a NC zone. Original application was made in 2021/2022. We reviewed the project in our January 10, 2022, review letter. Our review below reflects the remaining questions. I believe this was held over for them to address these questions.

**Discussion:**

The application package included:	Dated:	Rcvd.:
• Planning Board Special Permit Application	01/07/22	04/20/23
• Applicant’s Letter of Intent	04/20/23	04/21/23
• Site Plan	03/28/22	04/20/23
• Photos of Products for Sale	---	04/20/23
• Short EAF	11/23/21	11/23/21

We offer the following comments:

1. The site sketches are lacking information on the following and should be discussed with the Board:
  - a. Where will outdoor sales take place (seasonal produce, Christmas trees, etc.).
  - b. Where will the ADA van aisle be (see below)?

c. Will there be any outdoor lighting? (Hours are until 8 PM per the SUP documents)

d. Parking: The shop/showroom is approximately 800 SF total and a mix of retail/office. Code required stall will vary at a rate between 1/250 SF and 1/150 SF, or 3 to 5 stalls. This does not include the vehicles associated with house which requires 2. The number of parking stalls should be a minimum of 5, subject to discussion regarding the business is also at the applicant's home. The 'driveway' shall be a 24-foot-wide access drive aisle (plan is not dimensioned).

2. The applicant shall assure that they, or the owner, provide and maintain exterior ADA 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.

3. The project is within an Aquifer Protection District Zone 2 – Aquifer Recharge Area (§73-56). The plan is in compliance with this zone and shall continue to be.

4. Lighting is mounted.

5. Coordinate with the code office for a signage permit.

6. Coordinate with the code office for any necessary inspections/building permits.

7. Coordinate with the code office for any possible requirements to provide restroom facilities for employees and/or patrons.

8. Project is subject to 239 review within 500 feet of a state/county road.

9. No parking shall be developed under an existing onsite septic system.

We have no engineering objections.

Thomas Eldridge: I've been there once; the shop is just on the right-hand side? The garage /barn is your personal garage/ barn or the shop is only.

Mr. Gollogly: The shop is 300 square feet with additional office in the back.

Gerald Smith: Is that attached to the house?

Mr. Gollogly: There is a breeze way that is attaches the 2.

Thomas Eldridge: So, would the parking be based on the 300 square foot building.

Alex Urda: It's based off of the shop and storage plus show room I had 29' x 27' then I can't read the other one is it another 19' x 19'?

Thomas Eldridge: Showroom is 15.7 x 19' or 15.7 ½.

Gerald Smith: So, it's supposed to be 400 square feet.

Thomas Eldridge: That is 300. for the front area.

Alex Urda: 29' x 27' is 783 square feet.

Thomas Eldridge: I think that's 23'

Mr. Gollogly: It says right on the site plan 132 square feet of floor space, office area 296 and showroom. It's 328.

Alex Urda: I was just looking for 800' of functional space, it can be something less. And the 2 stalls per residential. If you have a residential business, we don't make you have 2 stalls for the office in your house. We don't make you add 1. So, the 2 for the house you drop 1 of those down make it 4.

Mr. Gollogly: How much is it for one parking space or how many square feet.

Alex Urda: It depends how you look at it. There is 1 for every 250 and 1 for 150. that's for the shop or showroom or retail office. If I look at it, one way it's 3 the other way it's 5.

Mr. Gollogly: Which is it?

Nicholas Cortese: Say it's 400 square feet how many parking spaces would that generate?

Alex Urda: Three spots. If you divide it by 150 it's three.

Gerald Smith: Would one of those have to be handicap parking?

Alex Urda: Yes, Then the question is do you need another one for the house itself. How many do you have out there currently four?

Mr. Gollogly: Three or four, we delineated three spots.

Alex Urda: One should be striped for ADA accessibility. They have three, with room for more. I don't have a problem with it.

Nicholas Cortese: It looks like on the opposite side of the lot area can be spaced apart. Where you have the parking spaces delineated. Looks like on the opposite side of the lot area there would be car space for your home. No, where you have your parking spots delineated their room either behind it. So, there is room for two cars to go with the house for your own cars.

Alex Urda: I don't have a problem with the way it is currently as long as they are ADA compliance.

Gerald Smith: So, your parcel is at the intersection of River Road and Kattelville. So, you own the first strip by whatever that road behind you is called.

Mr. Gollogly: Correct.

Thomas Eldridge: I believe that's Marion.

Gerald Smith: By that little creek right there. Are some of the sales inside your home. All that we are talking about is contained in that building connected to your house by that breezeway.

Mr. Gollogly: Correct.

Gerald Smith: If you did Christmas tree sales that would be outside in the gravel area.

Mr. Gollogly: Yes, towards the lawn area adjacent to the building because we have lighting on that wall.

Thomas Eldridge: Yes, that nice white barn that my wife wants to take home every time she drives by. That's why I've been there once.

Deanna Youells: Husbands don't like my shop, but the wives love it.

Inaudible discussion

Brian Donnelly: Any other questions ok we begin the environmental assessment.

Nicholas Cortese: Ok, so round three of the SEQR review. This is again an Unlisted Action under SEQR. And you have Part I of the SEQR available to you in the application. So, we will start with Part II.

**EAF SHORT FORM PART II**

1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations? Boards response.

Board: No.

2. Will the proposed action result in a change in the use or intensity of use of land? Boards response.

Board: No.

3. Will the proposed action impair the character or quality of the existing community? Boards response.

Board: No.

4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)? Boards response.

Board: - No.

5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking, or walkways? Boards response.

Board: No.

6. Will the proposed action cause an increase in the use of energy, and fail to incorporate reasonably available energy conservation or renewable energy opportunities? Boards response.

Board: No.

7. Will the proposed action impact existing:

a. Public/private water supplies? Boards response.

Board: No.

b. Public/private wastewater treatment utilities? Boards response.

Board: No.

8. Will the proposed action impair the character or quality of important historic, archaeological, architectural, or aesthetic resources? Boards response.

Board: No.

9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora, and fauna)? Boards response.

Board: No.

10. Will the proposed action result in an increase in the potential for erosion, flooding, or drainage problems? Boards response.

Board: No.

11. Will the proposed action create a hazard to environmental resources or human health? Boards response.

Board: No.

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

Thomas Eldridge: I make a motion to adopt a “Negative Declaration” for this Unlisted Action under SEQR.

Jamie Szenher: Second.

Brian Donnelly: We have a motion and a second can we have a vote.

Diane Aurelio	Mr. Boland, Alternate Board Member	Voted: N/A
	Mr. Smith, Board Member	Voted: Aye
	Ms. Cooley, Board Member	Voted: Aye
	Mr. Szenher, Board Member	Voted: Aye
	Mr. Eldridge, Vice Chair	Voted: Aye
	Mr. Donnelly, Chairperson	Voted: Aye

The motion was thereupon declared adopted by roll call of:

Ayes- 5                      Nays- 0                      Absent- 0

Gavin Stiles: The area outside the building be used be included in this site plan? Where the Christmas trees be located or don't bother. Should that be delineated?

Thomas Eldridge: Just label it on their site plan.

Gavin Stiles: Yes, we want to put up Christmas trees or sell geraniums or whatever.

Alex Urda: That's not designated on the drawing anyway.

Gavin Stiles: Don't know if it needs to be addressed. Label where they will sell Christmas trees on the property.

Alex Urda: You don't designate it can be anywhere on the property.

Gavin Stiles: Maybe you don't care where they put it. I'm just curious.

Alex Urda: Where do you intend to put them?

Deanna Youells: We didn't even do them last year. When we initially opened, we put them in a temporary sweet little structure up that he built. It was right outside of the barn with lights by the breezeway area.

Gavin Stiles: There were lights, and everything looked sweet.

Deanna Youells: Common sense we would put them somewhere accessible for customers to shop and for us to help the customers. It would be right outside where the barn stops, and the yard begins.

Brian Donnelly: Keep in mind nothing too close to the road as far as blocking the road.

Deanna Youells: We had them laying down by the edge of the creek. We didn't even do them last year. It is a lot of work, and we have a small staff.

Nicholas Cortese: Can I make a suggestion. So, I would recommend that we place a condition on the site plan's approval that basically says any proposed outdoor sales the location of it would be subject to Code Enforcement Office approval. That allows you to do it. When you are ready to do it make sure that Gavin approves of where it is at because he knows all the necessary site lines for roads and setbacks. Make sure you are meeting those requirements and allow you to do everything you want to do without causing any hassles.

Gavin Stiles: That would fall under a seasonal operating permit, like the people that sell fireworks and Christmas trees. I don't know.

Nicholas Cortese: Is that something you do inhouse right?

Thomas Eldridge: As long as they're not on the road and they meet all the other criteria they're fine.

Gavin Stiles: So, every year come down and we will talk about it.

Brian Donnelly: That gives the Ordinance Office something to look at to see if there is too much on the site or setbacks that you need to adhere to. Talk about how much stuff you intend on having out there and the location, that seems reasonable. Show how much stuff and the location.

Nicholas Cortese: Procedurally what needs to happen now is to rescind the site plan approval without conditions. Someone makes a motion to rescind the approval and make a subsequent motion to approve with the conditions that any proposed outdoor sale, the location must be approved by the code enforcement office.

Gavin Stiles: We didn't actually approve of the site plan I just put a wrench into it before they could make a motion.

Nicholas Cortese: Super good. I thought you just now approved it.

Gavin Stiles: I put the wrench into the clock works.

Nicholas Cortese: Good thing you didn't, no motion was made on the site plan yet, correct? Ok then the only thing left is the motion to approve with the condition.

Brian Donnelly: Would someone like to make a motion?

Gerald Smith: I make a motion to approve the site plan with the condition that any proposed outdoor sales, the location must be approved by the code enforcement office.

Thomas Eldridge: Second.

Brian Donnelly: Ms. Aurelio can we have a vote.

Diane Aurelio	Mr. Boland, Alternate Board Member	Voted: N/A
	Mr. Smith, Board Member	Voted: Aye
	Ms. Cooley, Board Member	Voted: Aye
	Mr. Szenher, Board Member	Voted: Aye
	Mr. Eldridge, Vice Chair	Voted: Aye
	Mr. Donnelly, Chairperson	Voted: Aye

The motion was thereupon declared adopted by roll call of:  
Ayes- 5            Nays- 0            Absent- 0

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Brian Donnelly: There being no further business before the board a motion was made by Mr. Szenher and seconded by Mr. Eldridge to adjourn the meeting at 7:50 p.m.

Respectfully submitted,



Diane Aurelio  
Ordinance Secretary