

**AGENDA
PLANNING BOARD
REGULAR ZOOM MEETING
MONDAY, FEBRUARY 14, 2022
7:00 P.M. – TOWN HALL – 1529 NYS RTE 12
BINGHAMTON – NY – 13901**

Approval of the January 10, 2022 Regular Planning Board Zoom Meeting

PRESENT: Brian Donnelly, Planning Board Vice Chair
Messer: Worden, Szenher, Eldridge & Boland

ALSO, PRESENT: Alex Urda P.E. - Town Engineer
Nicholas Cortese - Planning / Zoning Atty
Gavin Stiles – Building/Code Inspector
Michael Boland – Planning Board Alternate

Brian Donnelly: I would like a roll call of the members in attendance.

Michael Boland: aye
Thomas Eldridge: aye
James. Szenher: aye
Kevin Worden: aye
Brian Donnelly aye

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

Brian Donnelly: Next on the agenda to approval of the minutes from January 10, 2022 Planning Board Zoom meeting.

Kevin Worden: Motion to approve the January 10, 2022 Planning Board minutes.

Jamie Szenher: Second

Brian Donnelly: Motion and second to approve the minutes from January 10, 2022, can we have a roll call:

Michael Boland: aye
Thomas Eldridge: aye
James. Szenher: aye
Kevin Worden: aye
Brian Donnelly aye

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

NEW BUSINESS

2022-PB23- Kimberly & Kevin McLean – 9 Deborah Dr. – TM#079.17-3-15- Application for a special permit to allow a home occupation to sharpen drill bits in a residential zone & Short EAF.

Alex Urda: The referenced application is for a special permit for a home occupation to sharpen drill bits in a residential zone.

The application package included:

- Planning Board Application with Permissions
- Letter from Applicant
- Broome County Parcel Mapper
- Short EAF

Dated:	Rcvd.:
12/30/21	12/30/21
12/30/21	1/3/22
-----	12/30/21
12/30/21	12/30/21

We have no engineering objections to the application.

Mr. Stiles: The Ordinance Office has no concerns or objections with this special permit

Brian Donnelly: I like to read the public hearing notice:

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

TAKE NOTICE that a public hearing will be held by the Planning Board of the Town of Chenango on February 14, 2022 at 7:00 p.m. upon the application of Kimberly & Kevin McLean regarding property located at 9 Deborah Drive in the Town of Chenango, Tax Map No. 079.17-3-15, and located in a Residential District. The application is for a Special Use Permit to allow a home occupation to be conducted at said property. The environmental significance of the requested permit, if any, will be reviewed by the Board at said hearing.

TAKE FURTHER NOTICE that, as authorized by N.Y. Laws of 2021, chapter 417, part E, as amended, the Planning Board **will not be meeting in-person**. Rather, said public hearing will be held via Zoom virtual meeting software, and will be recorded and transcribed at a later date.

INSTRUCTIONS FOR ACCESS TO THE VIRTUAL PUBLIC HEARING: All persons wishing to appear at the hearing may do so via computer, tablet or smartphone by utilizing the following **Link: <https://us02web.zoom.us/j/89033467210>, Meeting ID: 890 3346 7210, and Password 634758.** Members of the public may also call in to the Zoom meeting by dialing **1-646-558-8656** and entering the Meeting ID and Password above, when prompted.

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

Dated: February 8, 2022

I would like to open the public hearing to the public. Does anyone have any comments regarding this application?

Frederick Allabaugh: Resident of 7 Deborah Drive I live next door and I have no objections with the

applicants request.

Brian Donnelly: No others wish to be heard I will close the public hearing.

Nick Cortese: Before we close the public hearing, we should ask the applicant the scope of this project.

Mr. McLean: I was a machinist and noticed the need for drill bit sharpening. So, I asked my former facility if they would be interested in having their drill bits sharpened instead of buying new. They are sharper and better than the new bits. So, the next step is to go into other services.

Brian Donnelly: :Where are you getting the drill bits.

Mr. McClean: Regular people wood, metal workers, hobbyist would use my services. The sharpen drill bits are better than new this is for everyday use bits, ¼ to 16of an inch.

Brian Donnelly: What about the noise?

Mr. McLean: About the same noise from a vacuum cleaner.

Brian Donnelly: Any more questions for the applicant? There being none I will close this portion of the public hearing.

Thomas Eldridge: I don't have any problem with the applicant not having a site plan.

Kevin Worden: I agree no site plan be required, there is no signage or customers coming to the home.

Jamie Szenher: I agree.

Brian Donnelly: Can we have a motion?

Nick Cortese: Before we make that motion we should go through the SEQR questions Part II and III. I will ask the questions you answer yes or no. Yes, being moderate to large, no meaning small to no impact. So, I will go through the questions.

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

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

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

Jamie Szenher: I make a motion to adopt a "Negative Declaration".

Thomas Eldridge: I'll second that.

Brian Donnelly: Can we have a roll call?

Michael Boland: aye
 Thomas Eldridge: aye
 James. Szenher: aye
 Kevin Worden: aye
 Brian Donnelly aye

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

Brian Donnelly: Do we need a motion to wave the required site plan?

Nick Cortese: Yes, that would be a good idea.

Kevin Worden: I make a motion to wave the site plan requirement.

Michael Boland: I'll second that.

Brian Donnelly: Can we have a roll call.
 Michael Boland: aye
 Thomas Eldridge: aye

James. Szenher: aye
Kevin Worden: aye
Brian Donnelly: aye

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

Nick Cortese: I sent everyone the resolution on this application with conditions required by the Town Code. Number eight was about the noise that Broome County and Mr. Donnelly brought up. So, if everyone is fine with that I'll read the resolution.

**TOWN OF CHENANGO PLANNING BOARD
A RESOLUTION CONCERNING SPECIAL PERMIT APPLICATION 2021-PB23**

At a regular meeting of the Planning Board of the Town of Chenango, held on February 14, 2022 via Zoom virtual meeting software in accordance with N.Y. Laws of 2021, chapter 417, part E, as amended, the following resolution was offered and seconded:

WHEREAS, on December 30, 2021, Kimberly and Kevin McLean filed an application for a special permit pursuant to Section 73-12 of the Town of Chenango Code to conduct a home occupation (drill bit sharpening services) entirely within a dwelling on property they own within the Residential Zoning District of the Town, located at 9 Deborah Drive and designated as Tax Map No. 079.17-3-15; and

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

WHEREAS, pursuant to Part 617 of the implementing regulations of the State Environmental Quality Review Act ("SEQRA"), the Planning Board determined on February 14, 2022 that the Applicants' 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 February 14, 2022, at which hearing all persons desiring to be heard in regard to said application were so heard; and

WHEREAS, upon review of the Applicants' application and the entire administrative record associated therewith, the Planning Board has found and determined that Applicants' proposed special use will not, in the circumstances of the particular case, constitute a traffic hazard, be injurious to the neighborhood or otherwise detrimental to the public welfare, and complies with the relevant special use permit standards under Sections 15-4 and 73-12 (C) (1) of the Chenango Town Code.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Board of the Town of Chenango hereby approves the Applicants' application 2021-PB23 for a special permit to conduct a home occupation (drill bit sharpening services) entirely within a dwelling on property within the Town of Chenango located at 9 Deborah Drive and designated as Tax Map No. 079.17-3-15, subject to the following condition(s):

1. There shall be no indoor and/or outdoor storage or display of merchandise not produced by such home occupation.
2. There shall be no window displays.
3. The property shall not be used as a drop-off point for merchandise not produced by such home occupation.
4. The sale of merchandise not produced by such home occupation is prohibited.
5. Building alterations and storage of equipment and machinery shall not be visible from off the lot on which the home occupation is located.
6. Storage and display of merchandise produced by such home occupation shall not be visible from off the lot on which the home occupation is located.
7. This special permit shall expire when the home occupation changes ownership, when the real property changes ownership or when the nature of the home occupation changes.
8. All noises, sounds and/or vibrations produced by the drill bit sharpening operation authorized by this special permit shall at all times comply with the performance standards for noise set forth in Section 73-9 (A) of the Town Code of the Town of Chenango.

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

Brian Donnelly: Is everyone fine with that?

Kevin Worden: I say we leave it in.

Brian Donnelly : Sounds like the consensus is to leave it in. Can we have a motion to adopt the resolution.

Thomas Eldridge: I'll make a motion to adopt this resolution.

Michael Boland: I'll second that.

Brian Donnelly: can we have a roll call:

Michael Boland: aye

Thomas Eldridge: aye

James. Szenher: aye

Kevin Worden: aye

Brian Donnelly aye

The motion was thereupon declared adopted by roll call of

Ayes – 5

Nays -0

Absent - 0

Brian Donnelly: Ok Mr. McLean your all set the special permit will be issued go ahead to sharpen the drill bits. If you have any questions you can contact the Ordinance Office. There is nothing else on the agenda, does anyone have anything else they would like discuss?

Nick Cortese: An update on two things from last month. The Youells application if you remember was in a neighborhood commercial. Initially it was thought to be a home occupation turned into a full site plan application. In neighborhood commercial that is allowed by right in that district so special permit will not be necessary. If you recall you made several requests for additional information with a deadline date of January 25th to produce all the materials required on the Town of Chenango site plan check list for commercial properties. We have received no additional information. So, that is why it was not on the agenda this evening. The Tokarz Sandbags Unlimited application I believe he may be contemplating applying for a zone change or some sort with another board that required permission. As far as I know that application will be on hold for the fore seeable future.

There being no further discussion Mr. Worden motioned to adjourn the meeting, seconded by Mr. Eldridge. to adjourn the meeting at 7:25 p.m.

There were 15 participants that attended the Zoom meeting.

Respectfully submitted,



Diane Aurelio
Ordinance Secretary