

Town of Erwin Planning Board Meeting
JULY 1, 2013
7 PM Erwin Town Hall

Present: Chairman Wayne Kennedy, Vice Chairman Joe Banach, Doug Porter, Matt Maslyn, Patricia Thiel, Ted Metarko, James McCarthy

Absent: John Gargano, Doug Cole

Guests: Kurt Charland, Nicole Cleary, Michael O'Connell, Blaine Westervelt, Kayshup Shah, Rita McCarthy

Chairman Wayne Kennedy opened the Meeting at 7:00 PM

Planning Board members introduced themselves.

In accordance with the Planning Board's established procedure, the Board will hear all matters up until 9 PM. Any matters not initiated by that time will be held over to the next regular meeting. As in the usual practice, the Board's consultants have met with the applicants prior to this meeting and have gone over the applications to ensure that they are as complete as possible and to point out any errors or omissions that can delay approval.

MOTION TO APPROVE THE MINUTES OF THE JUNE 3, 2013 MEETING.

MOTION BY: JAMES MC CARTHY

SECONDED BY: PATRICIA THIEL

DISPOSITION: 4-0-3 (BANACH, PORTER, MASLYN)

- 1. SITE PLAN AMENDMENT APPLICATION FROM KRISTEN M. KLEMENZ, D/B/A- B & W TOWING FOR A 14' X 60' ADDITION, A 34' X 40' ADDITION AND TO RAISE CURRENT ROOF 5' OVER ENTIRE BUILDING AT 701 ADDISON ROAD. WITH PUBLIC HEARING.**

POINTS TO CONSIDER:

Blaine Westervelt represented the application.

The project is located in a B-3 Neighborhood Services District.

On March 5, 2012, the Planning Board granted a site plan for this property for a repair, towing and storage business for the existing buildings and addition of a gravel road and parking area. On July 2, 2012, the Planning Board approved a site plan amendment to add a 12' X 20' mobile shed for retail sales of agricultural produce and as additional storage in the winter. The present application seeks two additions and raising the roof. The applicant stated the addition is actually 14' X 64' would be along the side of the existing garage to allow a walk through from one building to the other; and the 34' X 40' addition would be on the back. The applicant stated that the towing business is doing well and they need to expand. The back room will be added for general repairs; the side room for parts. Currently the roof is flat and the applicant wants to create a 4 to 12 pitch.

No new impervious surface is anticipated. The internal driveway would be moved to accommodate the 14' X 16' addition.

There would be new security lights on the additions as shown on the plan. The applicant was requested to provide cut sheets for the lights including wattage, shape and type of light (e.g. halogen). The lights will be on a photoeye.

All new siding will be placed on the front and additions; hunter green; corrugated metal. The right side towards the trailer will not be sided at this time as the applicant is trying to purchase the trailer from probate.

Criteria:	Required:	Proposed:
Setbacks		
Rear	30 ft	36 ft
Height	Max 2 stories, 1½ stories not allowed	2 stories

The Planning Board declared the application to be complete.

The Planning Board reviewed the EAF.

THE PLANNING BOARD CLASSIFIES THIS AS AN UNLISTED ACTION SINCE IT IS A NON-RESIDENTIAL DEVELOPMENT OF LESS THAN 10 ACRES, DECLARES ITSELF LEAD AGENCY AND MAKES A NEGATIVE DECLARATION OF ENVIRONMENTAL SIGNIFICANCE.

**MOTION BY: DOUG PORTER
DISPOSITION: 7-0**

SECONDED BY: TED METARKO

The Chairman opened the public hearing at 7:13 PM.

No one from the public wishing to be heard, the Chairman closed the public hearing at 7:14 PM.

UPON HEARING NO APPLICABLE ADVERSE COMMENT FROM THE PUBLIC, THE PLANNING BOARD APPROVES THE SITE PLAN AMENDMENT CONTINGENT UPON SUBMITTAL OF THE MANUFACTURER, SHAPE AND WATTAGE OF THE NEW LIGHTS.

**MOTION BY: MATT MASLYN
DISPOSITION: 7-0**

SECONDED BY: JOE BANACH

2. SITE PLAN AMENDMENT FROM SHAASHWAT, LLC TO ALLOW 6' X 11 ½' CANOPY OVER TACO BELL'S ORDER CONFIRMATION BOARD, INCLUDING UP-LIGHTING AT SILVERBACK LANE. WITH PUBLIC HEARING.

POINTS TO CONSIDER:

Kurt Charland of Bergman and Associates, and owner Kayshup Shah represented the application.

The applicant seeks to add an 11½ ft high, 6 ft wide canopy structure with uplighting over the menu board included in the March 4, 2013 approved site plan for a 4000 sq ft building consisting of a 2,000 sq ft Taco Bell with drive-through window and a 2,000 restaurant/retail space on the frontage outparcel of the ALDI development on Silverback Lane.

The applicant stated that the canopy will shelter the customer as they place their order, and protect the order equipment, which is a digital display.

The property is located in R-S Regional Services District.

The building as approved is 17' with a parapet of 20' to screen rooftop units. Applicant has submitted a new photometric plan. The applicant stated that the lighting does not have much of an effect. The uplight is into the canopy which reflects the light down. The logos as originally depicted have been removed from the canopy, but there will still be a shroud.

Dedication of water line from the dedicated portion on Applebee's property to hydrant along shared ALDI access road has not yet occurred, and is a requirement of the site plan.

The Planning Board reviewed the EAF.

THE PLANNING BOARD CLASSIFIES THIS AS AN UNLISTED ACTION SINCE IT IS A NON-RESIDENTIAL DEVELOPMENT OF LESS THAN 10 ACRES, DECLARES ITSELF LEAD AGENCY AND MAKES A NEGATIVE DECLARATION OF ENVIRONMENTAL SIGNIFICANCE.

**MOTION BY: TED METARKO
DISPOSITION: 7-0**

SECONDED BY: DOUG PORTER

The Chairman opened the public hearing at 7:29 PM.

Matt Maslyn stated that his nephew was disappointed the development does not include a Kentucky Fried Chicken.

All members of the public wishing to be heard, the Chairman closed the public hearing at 7:30 PM.

UPON HEARING NO APPLICABLE ADVERSE COMMENT FROM THE PUBLIC, THE PLANNING BOARD APPROVES THE SITE PLAN AMENDMENT.

**MOTION BY: MATT MASLYN
DISPOSITION: 7-0**

SECONDED BY: JOE BANACH

MATT MASLYN RECUSED HIMSELF FROM THE MEETING.

- 3. SITE PLAN AMENDMENT APPLICATION FROM CORNING INC. FOR A 4,600 SQ FT. ADDITION AND 900 SQ FT DUST COLLECTOR PAD AT THE CMS FACILITY, RTE. 417, PAINTED POST, NY. WITH PUBLIC HEARING.**

POINTS TO CONSIDER:

The application was represented by Mike O'Connell of Larson Design Group and Nicole Cleary from Corning Inc.

Applicant seeks to construct a 4600 sq ft building addition and a 900 sq ft concrete pad for equipment. There is no additional parking, vehicular access points or other modifications requiring additional permits. There are no other Involved Agencies. The impact on drainage is de minimus and can be handled within the existing storm water management system. The Town's engineer stated he had no issues or concerns.

The property is located in an I-2 Industrial District.

The applicant stated the disturbance is under 1 acre. There is no traffic impact; no change to entrances and no work in DOT ROW. No new lighting is proposed. The existing lights will be moved out. No new chemicals; no change in use.

The Planning Board reviewed the EAF.

THE PLANNING BOARD CLASSIFIES THIS AS AN UNLISTED ACTION SINCE IT IS A NON-RESIDENTIAL DEVELOPMENT OF LESS THAN 10 ACRES, DECLARES ITSELF LEAD AGENCY AND MAKES A NEGATIVE DECLARATION OF ENVIRONMENTAL SIGNIFICANCE.

**MOTION BY: PATRICIA THIEL
DISPOSITION: 6-0**

SECONDED BY: DOUG PORTER

The Chairman opened the public hearing at 7:38 PM.

No one from the public wishing to be heard, the Chairman closed the public hearing at 7:38 PM.

UPON HEARING NO APPLICABLE ADVERSE COMMENT FROM THE PUBLIC, THE PLANNING BOARD APPROVES THE SITE PLAN AMENDMENT.

**MOTION BY: DOUG PORTER
DISPOSITION: 6-0**

SECONDED BY: JAMES MC CARTHY

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RESOLUTION TO ADJOURN THE MEETING at 7:40 PM.

MOTION BY: PATRICIA THIEL

SECONDED BY: DOUG PORTER

DISPOSITION: 7-0

Submitted by:

Rita Y. McCarthy
Acting Planning Board Secretary