

TOWN OF ERWIN PLANNING BOARD MEETING

MONDAY, FEBRUARY 1, 2016

7 P.M. ERWIN TOWN HALL

310 TOWN CENTER ROAD

Present: Chairman John Gargano, Brian Harpster, Patricia Thiel, Ted Metarko, James McCarthy, Doug Porter, Wayne Kennedy, Joseph Reilly

Absent: Matt Maslyn

Guests: Mike Manzari, Brian Jones, Scott Drake, Jim Sirianni, Gary Roush, Nathan Simmons, Jody Allen, Robert Drew, Rita McCarthy, Barb Lucas

CHAIRMAN JOHN GARGANO OPENS THE MEETING AT 7:00 PM.

In accordance with the Planning Board’s established procedure, the Board will hear all matters up until 9 PM. Any matters not completed by that time will be held over to the next regular meeting. As is 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 DEFER THE MINUTES OF THE DECEMBER 7, 2015 MEETING UNTIL THE MARCH PLANNING BOARD MEETING.

MOTION BY: JAMES McCARTHY

SECONDED BY: PATRICIA THIEL

DISPOSITION: 8-0

1. APPLICATION FOR A 5 LOT SUBDIVISION FROM MANISH PATEL AT 125 VICTORY HIGHWAY.

Applicant seeks to subdivide a 9.1 acre lot into 5 parcels to allow for a 2,200 sq ft restaurant and future commercial development on the remaining lots.

POINTS TO CONSIDER:

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

There will need to be easements to each of the 4 remaining parcels for access, utilities and drainage.

NYS DOT, DEC and DOH are involved agencies under SEQR.

Criteria:	Required:	Proposed:
Lot size	10,000 sq ft	??????????????????
Lot width	50’ max	??????????????????

Required elements to be submitted:

- Signed, stamped plat including all easements.
- Letter of agency
- Building envelope and other data to demonstrate that the remaining 3 lots meet zoning requirements for development
- Aerial map depicting proposed driveway entrance and adjacent properties
- Flood Plain development Permit

The application was presented by Robert Drew of Hunt Engineers, Architects & Land Surveyors, as engineer for the applicant. Engineer Drew noted that the applicant would like to divide the 9.1 acre parcel into 5 lots. The plan is to develop lot #3 at this time and offer the remaining lots for sale. Each lot meets the minimum size required in the zone.

An access road, maintained and owned by the applicant, would provide access to the individual lots. The access road was designed based on a traffic study completed for the worst case scenario. Lot #1 extends to State Route 415 however it will not have direct access to State Route 415. A strip of land, owned by Corning Inc., existing between Lot #1 and Robert Dann Drive, prevents direct access from Lot # 1 to Robert Dann Drive.

Member Patricia Thiel asked if there exists an overall plan for the location of buildings and parking on the individual lots. Engineer Drew noted that the exact type of development on all lots excepting #3 is an unknown and defining any design restrictions effectively limits the possibilities for development.

Jody Allen of LaBella Associates, engineer for the Town for this application, noted that the owner of each individual lot would be required to submit plans to the Planning Board prior to development.

Member Patricia Thiel questioned whether anything exists in the plan to prevent cars from driving outside of the designated access road creating potential safety and liability problems.

Engineer Drew noted that the possibility had not been considered but that signs or other means of notice can be added to the final design to act as end-of-road delimiters.

Engineer Drew noted that easements for water and sewer for each parcel are being provided at the rear of the parcels along an area to be dedicated to the Town of Erwin which allows for separate connections to each parcel.

Drainage for the individual lots is designed to flow to the rear of each lot and then to a drainage pond at the back of lot # 4.

The undivided 9.12 acre parcel is subject to net-zero fill conditions and the individual lots created after subdivision will also be subject to this condition. Portions of the undivided parcel are below 948' above sea level, the 100 year flood elevation. Town of Erwin code requires construction areas to be 2' above that elevation. This will be achieved by moving fill from the floodway toward the front of individual parcels and moving fill from lot #4 to areas where needed. It was noted that lot #4 may become unbuildable as a result.

THE PLANNING BOARD DECLARES THE APPLICATION TO BE INCOMPLETE.

RESOLUTION TO CLASSIFY THIS AS AN UNLISTED ACTION SINCE IT IS A NON-RESIDENTIAL DEVELOPMENT OF LESS THAN 10 ACRES AND TO DECLARE THE INTENT OF THE PLANNING BOARD TO BECOME LEAD AGENCY.

**MOTION BY: JAMES McCARTHY
DISPOSITION: 7-0**

SECONDED BY: PATRICIA THIEL

2. SITE PLAN APPLICATION FROM MANISH PATEL FOR A 2,200 SQ FT RESTAURANT AT 125 VICTORY HIGHWAY.

Applicant seeks to construct a 2,200 SQ FT Dunkin Donuts.

POINTS TO CONSIDER:

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

Criteria:	Required:	Proposed:
Setbacks		
Front	18'	????????????????
	5' Planting strip, 8' sidewalk, 5' building setback	
Side	10'	????????????????
Rear	10'	????????????????
Parking	Rear or side	Side
	1 space /50 sq ft customer area	????????????????
Height	Max 2 stories; 1½ stories not permitted	????????????????
Size	30,000 GSF max	2,200 sf
Roof	Pitched or flat	????????????????
Fenestration	1 st floor 50% glass, 2 nd 30%	????????????????
Specialty Equipment	Screened from view	????????????????
Material and Color	Earth Tone	????????????????
Outdoor Café	Strongly encourage	Provided

Required elements:

- CPLA Fire Chief sign off
- Setbacks
- Lot coverage
- Photometric plan
- One monument sign for all 5 lots – need dimensions
- Façade, building elevation and color
- Building/wall signs if any
- Dimension of parking spaces and parking lot road
- Answer EAF #13b is “no”
- Sidewalk connection to Rte 415 shown, need sidewalk along interior access road

Additional requirements:

- Letter of agency
- End-of-road treatment for both ends of the access road

THE PLANNING BOARD DECLARES THE APPLICATION TO BE INCOMPLETE.

3. SPECIAL USE PERMIT APPLICATION FROM MONOLITH SOLAR ASSOCIATES LLC TO ESTABLISH A 2.8 ACRE, 200 KW SOLAR GARDEN ON INDIAN HILLS ROAD. WITH PUBLIC HEARING.

The applicant seeks to install 60 solar panels to produce 200 KW of electricity together with a transformer pad and gravel access road on a 5 acre site on Indian Hills Road.

POINTS TO CONSIDER:

The project is located in an RD Rural District. Solar equipment is allowed in RD with a Special Use Permit.

The project falls under the category Solar Energy Systems and Solar Access and is governed by Section 130-82.

Setback of units from the property line must be indicated on the drawings.

Correct address? 2041 Indian Hills Rd, Tax Map Parcel no. is 351.00-01-009.120 is listed as 2.14 acres.

Tax Map Parcel No 351.00-01-009.110 is listed as 5.12 acres. 2041 includes a house

Need survey of land and location of solar units

Need letter of agency

The gravel access road will require a Town of Erwin Highway Work Permit. Need to be at more of a 90° angle to the road

EAFF Corrections:

#2 DEC is an Involved Agency

#12 a is "yes"

#15 is "yes" need response from DEC

#16 is "yes"

Nathan Simmons, an installer for Monolith Solar, presented the application.

Robert Drew, engineer for the Town, questioned if there would be any excavation required. Mr. Simmons noted that each solar panel table is installed on 4 metal posts which are pounded into the ground. No excavation is necessary.

Member Patricia Thiel questioned how the property and installation are maintained.

Mr. Simmons noted that maintenance is limited to mowing in the summer. The installation is monitored remotely and repairs are made when indicated.

Member Patricia Thiel noted that the Tax Map Parcel number and street address given in the application do not agree. The owner of the property, Scott Drake, was in attendance and it was determined that a subdivision which had occurred several years earlier was not reflected on the Tax Map. As the current owner of the property, Mr. Drake noted that there is a signed purchase offer from Monolith Solar Associates which gives them permission to submit an application to the Planning Board.

Member Doug Porter asked whether Monolith Solar plans to increase from 200 to 600 KW in the future. It was noted that 200 KW is the maximum planned for the site.

THE PLANNING BOARD DECLARES THE APPLICATION TO BE INCOMPLETE.

THE PLANNING BOARD CLASSIFIES THIS AS AN UNLISTED ACTION BECAUSE IT IS A NONRESIDENTIAL DEVELOPMENT DISTURBING LESS THAN TEN ACRES AND DECLARES ITS INTENT TO BECOME LEAD AGENCY

**MOTION BY: WAYNE KENNEDY
DISPOSITION: 7-0**

SECONDED BY: DOUG PORTER

RESOLUTION TO ADJOURN THE MEETING AT 8:20 PM.

**MOTION BY: PATRICIA THIEL
DISPOSITION: 7-0**

SECONDED BY: BRIAN HARPSTER