

TOWN OF ERWIN PLANNING BOARD MEETING

MONDAY, OCTOBER 6, 2014

7 P.M. ERWIN TOWN HALL

310 TOWN CENTER ROAD

Present: Chairman Wayne Kennedy, John Gargano, Ted Metarko, Patricia Thiel, James McCarthy, Doug Cole, Doug Porter

Absent: Matt Maslyn

Guests: Ron Panosian, Ron Mosher, David Uschock, Gary Roush, Tom Stage, Sherry Quackenbush, Tom Dobrydney, Dr. Maria Marzo, Robert Drew, Rita McCarthy, Barb Lucas

Chairman Wayne Kennedy opened 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 APPROVE THE MINUTES OF THE SEPTEMBER 3, 2014 MEETING.

MOTION BY: PATRICIA THIEL

SECONDED BY: DOUG PORTER

DISPOSITION: 7-0

1. APPLICATION FROM DR. MARIA E. MARZO TO DEMOLISH THE EXISTING STRUCTURE AND CONSTRUCT A 4,200 SQ FT MEDICAL OFFICE AT 275 S HAMILTON ST.

POINTS TO CONSIDER:

The project is located in a B-1 Business Commercial zone.

The applicant seeks to demolish the existing structure and build a new, 4,200 sq ft medical office building.

Criteria:	Required:	Proposed:
Lot Size	12,500 sq ft	33,280
Lot width	100'	232
Lot Coverage	60% max	65% Variance granted.
Setbacks		
Side	20'	55'
Front	0'	0 - 26' Variance granted.
Rear	25'	68'
Parking	Side or rear	Side and Rear
No. of spaces	17	34
Lighting	10'-12', no spillover light	12', Need cut sheet If wall-pack proposed, need cut sheet
Sidewalk	8' & connect to area system	5' & connect to area system
	Property does not extend to road ROW, substitute perpendicular 5' sidewalk along driveway and side of building to provide connectivity per Town Engineer and Planning Board determination	
Height	Min 2 stories	2 stories; 22'1½"
Roof	Pitched/flat, screen equipment	Flat, Need depiction of equip
Fenestration	façade, windows	Elevation view shown
Materials and Color	earth tone	???????

DOH approval is required for medical offices, therefore DOH is an Involved Agency. Since there are no major changes to the parking lot and no permits required from any other agency, there are no other involved agencies.

Elements needed:

Roof with mechanicals

Color and material

Signage

Lighting cut sheets and illumination

Fire Chief sign off

The application was presented by Tom Dobrydney of Fagan Engineers. Dr. Marzo was present. Engineer Dobrydney noted that the Town of Erwin Zoning Board of Appeals had granted two variances related to the project; a variance to allow a variable setback from the property line and a lot coverage variance. The variable setback variance includes consideration for a utility easement, owned by NYSEG, which is between the Marzo property and South Hamilton Street. Engineer Dobrydney noted that there is enough room in the current design of the building on the property to accommodate the NYSEG easement by simply sliding the building in the design. There would be no other changes necessary to the existing design.

Research on the property uncovered a 30 ft wide easement from Frant Corp (owners of Arby's Restaurant) to Stage Motors to allow for ingress, egress and utilities. The easement is located between the front of Dr. Marzo's property and South Hamilton Street. Dr. Marzo is seeking an additional easement from Frant Corp to cover the entire width of the parcel. It was hoped to have a letter of intent from Frant Corp prior to the ZBA meeting, however there was not sufficient time. In the event that an easement cannot be obtained, the current application would be void.

Robert Drew, engineer for the Town of Erwin, noted that most of his concerns regarding the design have been addressed. There are minor issues, which can be addressed as contingencies of approval. One of the contingencies is receipt of an acceptable cut sheet for the lighting or a revised photometric drawing. The information provided does not make sense because identical light fixtures, at identical heights, should have identical light patterns.

Engineer Dobrydney noted the locations for wall mounted light fixtures, however no photos or details of the fixtures were available for the meeting. Details on the wall fixtures would be a contingency for approval.

Details regarding elevations, facades and colors were discussed. New sketches of three facades were shown and supplied for the record. Dr. Marzo noted the color scheme would be earth tones similar to the Hampton Inn with the addition of small blue accents to coordinate with her logo. Portions of the building would be faced with stone.

Engineer Dobrydney noted that the location of the mechanicals had not been determined and was dependent on the NYSEG easement. The width of the easement had not been confirmed. If the intended ground location remained large enough after accommodating the utility easement, then the mechanicals would be on the ground and hidden from view by landscaping. If necessary, the mechanicals could be put on the roof and would be hidden by the roof structure.

Details of signage were not available. It was noted that Dr. Marzo plans to have a monument sign on the land under the Town of Erwin's authority and the design would meet all applicable codes.

Engineer Dobrydney noted that they had not yet received Fire Chief sign-off. The truck turn analysis of the parking area used a fire truck for analysis, and the design passed, although it was not known if the fire truck used in the analysis was similar to the trucks used by Erwin's fire company. The location of fire hydrants was not shown on the drawings, however it was believed that a hydrant was located on a nearby property.

Concern that the application was not complete due to the number of contingencies, the Board noted the list as follows: an easement from Frant Corp, placement of mechanicals compliance, fire chief sign off, monument sign compliance and wall mounted lights dark-sky compliant. It was determined that the application could be considered complete with the contingencies.

THE PLANNING BOARD DECLARES THE APPLICATION TO BE COMPLETE.

PLANNING BOARD REVIEWS THE EAF:

ENVIRONMENTAL ASSESSMENT FORM (EAF) – Part 2 – Impact Assessment

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| 1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations? | NO |
| 2. Will the proposed action result in a change in use or intensity of use of land? | NO |
| 3. Will the proposed action impair the character or quality of the existing community? | NO |
| 4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)? | 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 walkway? | 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? | NO |
| 7. Will the proposed action impact existing: | |
| a. public / private water supplies? | NO |
| b. public / private wastewater treatment utilities? | NO |
| 8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources? | NO |
| 9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)? | NO |
| 10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems? | NO |
| 11. Will the proposed action create a hazard to environmental resources or human health? | NO |

THE PLANNING BOARD DECLARES ITSELF LEAD AGENCY AND MAKES AND PROPERLY FILES A NEGATIVE DECLARATION OF ENVIRONMENTAL SIGNIFICANCE.

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

SECONDED BY: JOHN GARGANO

CHAIRMAN OPENS THE PUBLIC HEARING AT 7:49 PM.

NO ONE FROM THE PUBLIC WISHING TO BE HEARD, THE CHAIRMAN CLOSSES THE PUBLIC HEARING AT 7:50 PM.

UPON HEARING NO APPLICABLE ADVERSE COMMENT FROM THE PUBLIC, THE PLANNING BOARD APPROVES THE SITE PLAN WITH CONTINGENCIES FOR AN EASEMENT FROM FRANT CORP, MECHANICALS COMPLIANCE, FIRE CHIEF SIGN-OFF, MONUMENT SIGN COMPLIANCE, WALL MOUNT LIGHTS DARK-SKY COMPLIANT AND ENGINEER REVIEW.

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

SECONDED BY: JAMES McCARTHY

2. SITE PLAN AMENDMENT APPLICATION FROM PAINTED POST FIELD & STREAM TO CONSTRUCT A 23 FT HIGH ARCHERY SHOOTING STAND. WITH PUBLIC HEARING.

POINTS TO CONSIDER:

The project is located in an R12.5 zone.

The applicant seeks to construct a 23 ft high, wooden archery shooting stand approximately 250' up the entrance drive facing the berm to the east.

Criteria:	Required:	Proposed:
Setbacks		
Side	20'	154'
Front	35'	250'

The application was presented by Ron Mosher. Mr. Mosher noted that there is a large interest in archery in the area and Field & Stream received a grant funding from NYS to build a raised platform for practice archery.

A sketch of the site plan topography was reviewed by Robert Drew, Engineer for the Town of Erwin. The site is currently used as temporary parking. The layout was acceptable to Engineer Drew.

Concern for the potential for harm to bystanders on a road on the property was addressed. It was noted that shooting from the platform would be aimed in a downward direction and there is a barrier of approximately 100 wooded yards between the road and proposed platform site. It was also noted that there is a single entrance/exit to the property and the property is completely fenced.

Mr. Mosher noted that crossbows would not be used from the platform. They are only used on the rifle range.

Regarding lighting, Mr. Mosher stated that there are no plans for lighting at this time.

THE PLANNING BOARD DECLARES THE APPLICATION TO BE COMPLETE.

PLANNING BOARD REVIEWS THE EAF:

ENVIRONMENTAL ASSESSMENT FORM (EAF) – Part 2 – Impact Assessment

1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	NO
2. Will the proposed action result in a change in use or intensity of use of land?	NO
3. Will the proposed action impair the character or quality of the existing community?	NO
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	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 walkway?	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?	NO
7. Will the proposed action impact existing: a. public / private water supplies? b. public / private wastewater treatment utilities?	NO NO
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	NO
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	NO
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	NO
11. Will the proposed action create a hazard to environmental resources or human health?	NO

THE PLANNING BOARD DECLARES ITSELF LEAD AGENCY AND MAKES AND PROPERLY FILES A NEGATIVE DECLARATION OF ENVIRONMENTAL SIGNIFICANCE.

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

SECONDED BY: JOHN GARGANO

CHAIRMAN OPENS THE PUBLIC HEARING AT 8:03 PM.

NO ONE FROM THE PUBLIC WISHING TO BE HEARD, THE CHAIRMAN CLOSSES THE PUBLIC HEARING AT 8:04 PM.

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

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

SECONDED BY: JAMES McCARTHY

RESOLUTION TO ADJOURN THE MEETING at 8:07PM.

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

SECONDED BY: JAMES McCARTHY