

**PLANNING BOARD MINUTES**

Roll call  
Minutes  
Sign review  
Update on pending items

Miscellaneous  
Agenda items  
Communications

**March 20, 2002**

**AGENDA 8:00 p.m.**

**ITEM I**

Larry & Wendy Merkle  
Major Arterial/Agricultural

REQUESTS SPECIAL EXCEPTION USE PERMIT,  
DEVELOPMENT PLAN APPROVAL AND RE-ZONING  
REAR OF PROPERTY FROM AGRICULTURAL TO MAJOR  
ARTERIAL, FOR ADDITION TO EXISTING SELF STORAGE  
FACILITY AT 7565 TRANSIT ROAD.

**ITEM II**

Tim Lavocat  
PURD

REQUESTS AMENDMENT TO EXISTING PURD  
ZONE TO ADD THREE MORE DUPLEX BUILDINGS  
AT VINECROFT SENIOR LIVING CENTER LOCATED AT  
6015 NEWHOUSE ROAD.

**ITEM III**

Angelo Natale  
Commercial/Agricultural

REQUESTS CONCEPT PLAN APPROVAL FOR  
CONSTRUCTION OF A 7000 SQUARE FOOT OFFICE  
AND 2400 SQUARE FOOT UTILITY BUILDING. REQUESTS  
RE-ZONING OF REAR PROPERTY FROM AGRICULTURAL  
TO COMMERCIAL AT 9280 MAIN STREET.

**ITEM IV**

Rob Scofield  
Commercial

REQUESTS CHANGE IN USE FROM FORMER MAZIA  
PIZZERIA TO A CAFÉ - COFFEE SHOP LOCATED AT  
10837 MAIN STREET.

**ITEM V**

Crown Atlantic  
Major Arterial/Agricultural

REQUESTS SITE PLAN APPROVAL AND SPECIAL  
EXCEPTION USE PERMIT TO CONSTRUCT A 95'  
TELECOMMUNICATIONS TOWER AT 8005 SHERIDAN  
DRIVE.

**ITEM VI**  
Wireless Solutions  
Commercial

REQUESTS SITE PLAN APPROVAL AND SPECIAL  
EXCEPTION USE PERMIT TO CONSTRUCT AN 80'  
TELECOMMUNICATIONS TOWER AT 8200 MAIN ST.

ATTENDING:

Harold K. Frey  
Joseph Floss  
Patricia Powers  
Reas Graber  
Roy McCready

INTERESTED  
PERSONS:

Larry Merkle  
Wendy Merkle  
Rob Schofield  
Jeff Karron  
Gerry Brophy

MINUTES

Motion by Reas Graber, seconded by Joseph Floss to approve the minutes of the meeting held on March 6, 2002 as written.

ALL VOTING AYE. MOTION CARRIED.

ITEM I

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Requests Special Exception Use permit,

Larry & Wendy Merkle  
Major Arterial/Agricultural

Development plan approval, and re-zoning rear of property from Agricultural to Major Arterial, for addition to existing self storage facility at 7565 Transit Road.

DISCUSSION:

Joseph Floss recused himself from Item I. Chairman Frey said the Merkle's have met all the requests of the board, and he asked for a motion.

ACTION:

Motion by Patricia Powers, seconded by Roy McCready. The Planning Board recommends to the Town Board approval of a Special Exception Use permit, re-zoning the rear of the property from Agricultural to Major Arterial, and Development plan approval for an addition to the existing self storage facility at 7565 Transit Road with the following conditions:

1. They have a negative declaration, and they have an Engineering approval with conditions:

A) A Flood Plain development permit prior to start of construction.

B) A P.I.P. required from the Engineering Department prior to construction.

C) An Army Corp of Engineer sign off on the wetlands.

D) They have an approved landscape plan.

E) The Fire Advisory Committee has recommended that they would like breaks of forty feet on the two interior buildings for emergency vehicles, and they strongly recommended smoke detectors, at least in the main office.

F) The facility is going to be gated, and the hours of operation will be 7 a.m. to 10 p.m. with the lights on until 10 p.m.

G) The buildings will be beige and blue with false columns every 75 feet.

H) Subject to open space fees of fifteen cents per square foot.

On the Question?

Roy McCready said that the landscape committee wants the detention pond to be landscaped.

ALL VOTING AYE. MOTION CARRIED.

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ITEM II  
Tim Lavocat  
PURD

Requests amendment to existing PURD zone to add three more duplex buildings at Vincroft Senior Living Center located at 6015 Newhouse Road.

This item was removed from the agenda at the applicants request.

ITEM III  
Angelo Natale  
Commercial/Agricultural

Requests concept plan approval for construction of a 7000 square foot office and 2400 square foot utility building. Requests re-zoning of rear property from Agricultural to Commercial at 9280 Main St.

DISCUSSION:

Joseph Floss recused himself from Item III. Chairman Frey said this project has a negative declaration from the Municipal Review Committee. A report has been given from the Traffic Safety Committee, but not from Fire Advisory. That must be in place before development plan approval is granted.

ACTION:

Motion by Roy McCready, seconded by Reas Graber. The Planning Board recommends concept plan approval and re-zoning for an office and utility building at 9280 Main Street to the Town Board.

ALL VOTING AYE. MOTION CARRIED.

ITEM IV  
Rob Schofield  
Commercial

Requests change in use from former Mazia Pizzeria to a café - coffee shop located at 10837 Main Street.

DISCUSSION:

Chairman Frey stated that the former restaurant has been closed for more than one year, creating a problem for the applicant because he has to start over. Chairman Frey asked Rob what he was looking for, an approval or a denial. It is only two feet from the right of way. Rob presented his plans to remodel the existing vacant building to a coffee house/café that would be open from 6 a.m. until 12 p.m. He has plans for seating 24 or 25 people which would require one parking space for every

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three seats in the restaurant. At the present time he has the possibility for eight parking spots. Chairman Frey said those spots will be gone when the State widens the road in front of his location. Rob said he has aware of that, and he has two plans. Plan A is he has an agreement to use five parking spaces across the street. Plan B is to use a proposed driveway going along the east side of the building and into the back, which would give him five possible parking spaces. There is room for this even with his septic, then when the road gets widened he will have the whole back parcel. They have done some work inside, and they could have it open this summer. Roy McCready asked if the D.O.T. has approached him about the taking of his property in the front. He has been in contact with the D.O.T. they have an office right next door to his pizzeria. They plan to have a parallel spot in front, and they plan to have him share a driveway with his next door neighbor. They plan on putting a driveway in, and a grassy area in front. Chairman Frey said the

board cannot approve parking across the street, it presents a traffic and safety factor. Rob showed the board what renovations he would like to make on the existing building. He intends to target morning commuters, Moms coming in for lunch, and dinner time would be a sandwich menu. Weekend nights he would like to have a guitar player in the lounge Joe Floss said "If it does well, you are going to have a real dilemma. Where will you park?" Pat said she was also concerned with the parking, and customers running across Main Street. Roy McCready said "Suppose the State D.O.T said they wanted to buy your whole piece of property, and put in a municipal parking lot?" Rob said he offered that to the Town Board two years ago. Chairman Frey said "The Town isn't the one, this is the State." If the price was right, he would consider it. Joe Floss said "We aren't basing any decision on that idea either, it is all hypothetical. The big concern is what does our code allows. I think the dilemma is that we need parking. If you would have kept the business opened it would have been grand fathered. The other concern is that when

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The road gets ripped open there, the unchartered sewer line or sewage is going to be raw sewage, and will cause a real smell." The sewers will take up to two years to complete. The parking is the major problem, and it was a problem two years ago when you were here. It does not meet the setbacks, or the parking requirements. Maybe, you could come in next Tuesday morning, and we will look at it after hearing from the Town Attorney and the Supervisor and talking to the State.

**ACTION:**

Motion by Joseph Floss, seconded by Roy McCready to table this item.

**ALL VOTING AYE. MOTION CARRIED.**

**ITEM V**

Crown Atlantic  
Major Arterial/Agricultural

Requests site plan approval and Special Exception  
Use permit to construct a 95' telecommunications  
tower located at 8005 Sheridan Drive.

**DISCUSSION:**

Gerry Brophy said they moved from the Reade's property over onto the Sheridan Motel property. Chairman Frey said they have been through all the problems, this has been on the books for a long time. Chairman Frey said "We have another application right behind this one. At this point, we have looked at everything, you have met everything that we can find on this. One of our requirements for approval on this site location is that the others will co-locate on this tower. That is going to be part of our motion to the Town Board, and you have to have our site plan approval to go to the Town

Board. That is our Town Law. This is a Special Exception Use permit and the only way we will give that, is if all three go there - four or whatever it is." Gerry Brophy said "Okay." Chairman Frey said "They meet all our requirements, and we think it is in a great spot, and I would like a motion on this."

**ACTION"**

Motion by Reas Graber, seconded by Joseph Floss. The Planning Board recommends site plan approval and a Special Exception Use permit to construct a 95' telecommunications tower at 8005 Sheridan Dr.

1. Subject to a landscape plan approval before Town

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Board approval.

**On the Question?**

Joseph Floss told Gerry Brophy he has to provide the Town with a demolition bond (not less than \$20,000) and adhere to all the other guidelines given in the law.

**ALL VOTING AYE. MOTION CARRIED.**

**ITEM VI  
Wireless Solutions  
Commercial**

Requests site plan approval and Special Exception Use permit to construct an 80' telecommunications tower at 8200 Main Street.

**DISCUSSION:**

Jeff Karron said there were problems with the original location at the Reade's property, and they didn't know what was going on with this site." They moved to a different landlord at 8005 Sheridan Drive. They have resolved the issues, and essentially we would like to request to table our application, and we would like to go on this site so long as this is all approved. Joe Floss asked Mr. Karron "Would you like to withdraw for the record?" Mr. Karron said "Yes."

**ACTION:**

The applicant withdrew his request, and will co-locate on the tower located at 8005 Sheridan Drive.

Motion by Reas Graber, seconded by Joe Floss to adjourn the meeting.

Meeting adjourned at 8:50 p.m.  
Harold Frey, Chairman