
Planning Board Minutes

March 7, 2024

Planning Board Members Present: Julie Pellett, Daniel Compton, Dan Morley, Michelle Rhoda, Kimberly Gebo, Brian Westlake.

Absent: Kimberly Duvall, Michael Woodruff

Others Present: Kim Rayburn (Building & Zoning), Christel Daggett (Planning & Zoning Secretary) John Robinson & Tom Lankheet (Upstate Action Park), Paul Singer (Owner), Richard Williams II (Agent for Northern Supply) Paul Zelter (Saxby's Collision)

I. P/H Special Use Permit, TSP1-234 Owner Paul Singer, (Agent John Robinson & Tom Lankheet) 6654 Routes 5 & 20. Tax Map #81.00-1-25.210 for Upstate Action Park (Paintball court for experienced players.

Pellett opened the Public Hearing at 7:30 Gebo motioned Compton seconded to waive the reading of the Public Hearing all in favor voted Aye.

Pellett asked if there was anyone from the public that would like to speak. Steve Lester stated that after reading over their proposed intentions and talking to Code Enforcement, he is in favor of it. As the neighboring business (Turnbull Restoration) his only initial concerns were not knowing the location of where it was going since they test fire and shoot next door. Once understanding that it is a controlled space and the hours of, he is good with what they want to do.

Compton motioned to close the Public Hearing Rhoda Seconded

Recap to Upstate Action Park from 2.15.2024 meeting:

John Robinson and Tom Lankheet were present at the 2.15.2024 meeting. At that time, they met with the Planning Board and discussed their intent to obtain a Special Use Permit for a premier paintball court for experienced players. In their proposal letter they plan on the occupancy to range from 20 to 50 people with vehicles between 15 to 40. To accommodate their guests, they have allocated parking space for up to 70 cars, as outlined on the Site Plan. They will provide a portable restroom. Their hours of operation would be Thursdays and Fridays 4:30 PM to dusk Saturday and Sundays 9:00 AM to dusk

Lankheet stated that he brought what the Board asked for at the last meeting. They supplied an updated Site Plan, MSDS sheet and a report from USIC that shows the gas line from National Fuel is dormant and is not a concern.

Westlake asked about parking since they stated at the last meeting that they have parking available for 70 parking spaces and he didn't see where they could hold that many. Lankheet stated that if they have an event they would not all come and go at the same time.

Rhoda asked what the difference was between the Airball field and Hyperball field from the map that they brought. Lankheet stated it is the method of construction. The Airball field is made out of inflatables and the Hyperball field is made out of culvert pipe.

Compton asked if people come and watch other people play? Lankheet stated if a player wants to watch another player they can.

Gebo asked how far the parking lot is from the proposed buried electric line? Lankheet stated about 12 ft. and that it would be off the parking area.

It is all underground except over by the creek. Compton stated that would be RG&E. The infrastructure contractor will decide the way it will run.

Rhoda asked if the paintballs were environmentally safe? Lankheet supplied a MSDS sheet that shows the paint balls are a soft gelatin capsule and are non-corrosive. They are filled with all natural dyes and are biodegradable and environmentally safe. Gebo asked if they were going to require that players only use their paintballs? Lankheet stated yes, it is for safety reasons so that they can control that the paint is biodegradable.

There was a brief discussion on the environment. The netting will stay up year round and the inflatables will come down. There were no further comments.

Pellett reviewed SEQR Compton motioned Westlake seconded to declare SEQR an unlisted action based on no or small impact with a negative declaration.

Compton motioned Morley seconded to approve the Special Use Permit as presented

Record of Vote:

**Pellett Aye Compton Aye Morley Aye Rhoda Aye Gebo Aye Westlake Aye
Vote was carried unanimously.**

II. Parcel Lot Line Adjustment, PLA2-24 Owner Northern Supply Properties LLC, 2959 Ashman Rd (Agent Richard T Williams II) Attorney for Northern Supply, taking .890+/- acres fronting State Rt. 5&20 and Ashman & .520+/- acres fronting on State Rt. 5&20 merging them with existing parcel of 1.14 of 6945 State Rt. 5& 20 leaving 8.42 +/- acres of parent parcel.

Richard William II spoke on behalf of Northern Supply stating that it is pretty straight forward. Northern Supply will transfer property on both east and west sides of Saxby's for potential future expansion. Paul Zelter, owner of Saxby's Collision stated that he maintains the property and made an offer to Northern supply and is now buying the property.

Pellett motioned Rhoda seconded to declare SEQR a type II with no further action required.

Compton motioned Morley seconded to accept maps for a parcel lot line adjustment land transfer only.

Record of Vote:

**Pellett Aye Compton Aye Morley Aye Rhoda Aye Gebo Aye Westlake Aye
Vote was carried unanimously.**

III. Discussion:

There was a brief discussion about Solar. Rayburn stated that at the next meeting (Agent Mark Potter) for Labella /Abundant Solar will be coming in to talk to the Board for a proposed future project of a 5 MW solar project at 6882 Rice Road, Owner Jacob Arner and would like to discuss the current Mega watt allowance for solar farms.

Topics for review 2024

- 1.** Continued review of the Comprehensive Plan's suggested updates for zoning districts changes.
- 2.** 5 G placement of antenna's
- 3.** Battery Storage
- 4.** More research and code considerations for cannabis in the future
- 5.** Look into code for event centers vs current code that allows for a SUP for each event on 50 acres or more.
- 6.** Look at the schedules for any items that need to be updated or clarified.

Minutes of January 4, 2024

**Rhoda motioned Compton seconded to approve the minutes of 1.4.2024
Gebo, & Westlake abstained. All other board members present voted aye; vote was carried.**

Minutes of February 15, 2024

**Gebo motioned Westlake seconded to approve the minutes of 2.15.2024
All other board members present voted aye; vote was carried.**

III. Meeting Adjourned

**Pellett motioned and Rhoda seconded to adjourn @ 8:15 pm.
All Board members present voted Aye, Vote was carried.**

Respectfully submitted,

Christel Daggett
Planning & Zoning Board Secretary