
Planning Board Minutes
August 1, 2019

Planning Board Members Present: Fred Fink, Daniel Compton, Matt Rogers, Fran Overmoyer, Michael Donohoe, Steve Lester, Michael Woodruff.

Pellett arrived 7:45, after the first item on agenda and before the second agenda item

Others Present: Kimberly Rayburn (Secretary), James Kier (Building & Zoning), Brian Hemminger (Agent, Marks Engineering), Larry Graves (Owner), Scott Davenport (Agent for FJM Development), Nathan Davenport, Bryan Marianacci.

Fink opened the meeting at 7:33 pm, and read the public hearing notice.

I. TS3-19 1 Lot Subdivision Graves (Owner) Marks Engineering (Agent) Vacant property located on Brace Rd tax map # 54.00-1-20.120 Parent parcel of 28.112 acres, removing 5 acres for a single-family home leaving 23.112 of parent parcel.

The Board reviewed the final maps, Woodruff pointed out that the new maps show the driveway and right of way access to the back lot has been changed from forty (40) feet to 60 (feet) as suggested by the Board.

Fink asked if there were any further comments from the public or the Board, there were none. Compton made a motion and Woodruff seconded the motion to close the public hearing, all Board members voted Aye.

Woodruff made a motion and Rogers seconded the motion to approve the Preliminary/Final for TS3-19 1 Lot Subdivision Graves (Owner) Marks Engineering (Agent) Vacant property located on Brace Rd tax map # 54.00-1-20.120 Parent parcel of 28.112 acres, removing 5 acres for a single-family home leaving 23.112 of parent parcel.

Whereas:

1. New maps for final are accepted.

Record of Vote:

Fink Aye Compton Aye Overmoyer Aye Rogers Aye Lester Aye Donohoe Aye Woodruff Aye
All Board members present voted Aye, Vote was carried unanimously.

II. TV8-19 2442 Whalen Rd request to utilize an existing accessory structure larger than 500 sq ft for a home occupation

Fink asked Davenport to explain his request. Davenport stated he would like to purchase the Whalen Rd property, the home with its existing barn to use as his home occupation. He will bring in raw material/ingredients, have a mixer and an oven for baking, cooling racks and a small bagger for his organic granola. He only needs approximately five hundred (500) square feet to bake and bag the granola, however he will need space for pallets of raw and finished product. He is requesting to use the entire existing garage for his home occupation instead of the allowed five hundred (500) sq ft.

Lester asked how large the current space is that Davenport rents now, Davenport stated that it's about the same size. Woodruff stated that the septic is connected to the house and asked if it would support this, Davenport stated that it would, all he needs is a sink to wash dishes. Woodruff stated that he doesn't have any issues as a neighbor as home occupation will be inside the structure and will be a lesser use than it was before.

Rogers asked about retail sales or a store front, Davenport stated that there will not be a store front, nor any retail. He bakes the granola and then it is bagged put on pallets and picked up every few weeks. That is why he needs the extra space for storage of both raw and finished product.

Compton asked what would happen if the business grows. Davenport stated that the current space could handle way more than what they are doing now, if they grew it would be a matter of purchasing better equipment to automate the process, they would not need more space. They could triple the business and still not require more space. Overmoyer stated it then would require more pick up or deliveries, Davenport stated that the trucks can handle approximately twenty-five (25) pallets and they are currently only picking up or dropping off four to five (4/5) pallets, therefore that would not be an issue either. Davenport stated he is asking for use of the entire existing structure to be used for storage and in case of growth but for now we will not be utilizing all of the space.

Compton made a motion and Donohoe seconded the motion to forward the application to the ZBA with the advisory opinion that this request will be a reduction in the magnitude of the existing use variance and will have less impact on the property therefore they feel that the existing structure even though larger than the allowed square footage for a home occupation should be able to be utilized.

Record of Vote:

**Fink Aye Pellett Aye Compton Aye Overmoyer Aye Rogers Aye Lester Aye Donohoe Aye
All Board members present voted Aye, Vote was carried unanimously.**

II. Discussion:

1. Speed reduction: A discussion was held on asking the Town Board to send a formal request to the County which would then send it to the State to ask for a speed reduction from 55 mph to 45 mph on State Rts 5&20 between mud creek westbound to the Village line by Hillcrest drive covering approximately 2.2 miles. Lester and Overmoyer commented on the traffic study that the Board obtained. The information is difficult to read as its raw data but it looks like the traffic stayed the same and the speed has gone down. Compton stated that he feels its due to more congestion and more business. He would like the Town Board to ask the specialist such as the New York State DOT to look at the data and review the possibility of reducing the speed limit. Some Board members feel that it would help with ingress and egress for the all the businesses and help with safety. Woodruff discussed when the data was obtained, as there are congestion issues when the grape festival in Naples is being held, and winter skiers heading to Bristol Mountain, Fink mentioned Veterans Park. Kier stated that he has spoken to Kevin Wyand and Supervisor Wille about continuing talks of purchasing land from Wyand to make an entrance/exit to Veterans Park off of St Rt 444. Compton mentioned the additional business.

Overmoyer stated he is concerned about unintended consequences, for example people could choose to travel a different route. He stated there is no more traffic today than in 2008 per the data. A discussion was held that they would like wording added that opens the door for other solutions as well, Pellett suggested turning lanes.

Compton made a motion Pellett seconded the motion to send the request to the Town Board with the addition of the link to the data received from the State, and additional wording to open the door to another solution in addition to or instead of a speed reduction to improve the traffic flow and safety through this area.

Record of Vote:

**Fink Aye Pellett Aye Compton Aye Overmoyer Nay Rogers Aye Lester Nay Donohoe Nay
All Board members present voted Aye, with the exception of Overmoyer, Lester and Donohoe. Vote was carried.**

2. Signage: At a previous meeting Fink handed out verbiage for addition to the sign code. This covers signage in the Commercial and Industrial districts that are serviced by an internal access road. Rayburn made the changes to the document the Board requested.

A few more changes to the document were discussed, Rayburn will make these changes and send to the Board for review.

3. Aging in place: Woodruff took a course given by the NYS Department of State (DOS), it outlined the need for communities to look at ways to allow our older residents to remain in the community other than having to move out of the community where they can no longer contribute or enjoy their independence. We are losing their experience and volunteerism.

He stated they suggested looking into allowing regulations for an accessory structure or even a mobile home to be placed on a parcel where a home already exist. We currently only have regulations for in-law apartments, which are inside of and part of the existing home. However, some would like more independence and would like their own space. These units would still be tied into the utilities for the home and would be shared. The structures (granny pods) could be as small as a 960 sq ft as long as they meet the NYS building and energy code. They also discussed upgrades to the lighting and sidewalks to benefit the aging. This topic will be an ongoing discussion.

3. Northern Supply: Rayburn informed the Board that Robert Condello came to her with maps from previous building permits/site plans as they are looking to erect another storage pole barn structure. The Board stated that they would need a map drawn to scale with meets & bounds, utilities, contours and water run-off. Rayburn will inform the applicant.

III. Minutes:

Minutes of July 18, 2019

**Overmoyer made a motion and Lester seconded the motion to approve the minutes 7/18/2019
All board members present voted Aye, Vote was carried unanimously.**

IV. Meeting Adjourned:

**Lester made a motion and Donohoe seconded the motion to close the meeting @ 9:06 pm.
All Board members present voted Aye, Vote was carried unanimously.**

Respectfully submitted,

Kimberly Rayburn
Planning & Zoning Board Secretary