

Conklin Planning Board – Monthly Meeting – January 25, 2016

MEMBERS PRESENT: James Hauss, Chairman, Lyle Fassett, Chris Ostrowsky, Dan Smith

ABSENT: Sharon Platt

ALSO PRESENT: Brady Begeal, Attorney – Coughlin & Gerhart
John Rudy, Building Inspector (filled in for Ron Lake, Code Officer)
Dell Boyle – Town Board Liaison
Renee Hauss, Secretary

VISITORS: Domenico Rossi
Brett Barrett
Steven Mattson

7:00 PM Chairman Hauss called the meeting to order.

Agenda Item #1 **Domenico Rossi – Twin Tier Paving, 850 & 852 Conklin Rd., Conklin, New York 13748**
Tax Map # 162.03-1-5 and 162.03-1-6 Preliminary Site Plan Review

Mr. Rossi stated that he cleaned up and cleared 850 and 852 Conklin Road in hopes to sell the property. He has a potential buyer who would like to establish a used car lot business on this property, but has concerns that the Town of Conklin will not allow a used car lot to be placed on this property. Mr. Rossi developed a potential site plan for the buyer to see if Planning Board would approve. Chairman Hauss asked Mr. Rossi if he intends to put in a used car lot himself or is he trying to just turn the property. Mr. Rossi stated that he is not going to put the used car lot in himself, but his potential buyer would like to. Chairman Hauss asked Mr. Rossi if he plans on retaining ownership of the property or will he be leasing the property out. Mr. Rossi stated that he hopes to sell the property but there may be the potential of leasing it. Chairman Hauss asked council if the Planning Board needed to review this case at this time since no business is going in at this time. Would it not be up to the owner of the business to come before the board to submit the site plan for approval? Attorney Begeal stated that what triggered Mr. Rossi to come to the board was a new business use. Once there is a new business use on the property that is what triggers a site plan review. Based on the information reviewed in the meeting, the property is zoned general/commercial so it appears to be a permitted use for this property.

Before reviewing Broome County's extensive comments dated January 4, 2016, Chairman Hauss asked the applicant if he was supplied a list of requirements for site plan review.

Currently the site plan is being submitted for the following:

- Parking for 15-30 vehicles. Spacing needs to be marked on the site plan for the parking of these vehicles.
- There will be no dumpster.
- A possibility of a 10 X 10 portable shed that can be moved quickly in case of flood.
- Drainage – Currently there is gravel on the property. There is a gully in the front. When the water hits, it drains into a culvert. In the back of the property it is owned by DOT Broome County where there is a swale where the water just sits.
- Currently there is a gate on the front entrance of the property to deter any vandalism or dumping of garbage
- Applicant stated that he spoke to Corey Holbert at the Broome County Engineer's group and was told that no permits were required at this time.
- There will be no outdoor storage and no additional lighting.
- Utilities – the electrical is aerial so there will be no plans for electrical. Gas comes in from the main but is stubbed off. Water department was brought out to locate the water main, but they could not identify where the water main was. There will be no sewage hooked up.
- There is no plan to landscape.
- There is an existing pole approximately 50 feet back on the property. If there is going to be a sign we will work with the town on signage requirements.
- Entrance and egress need to be shown on the site plan. Also customer parking needs to be marked.
- Planning Board needs to know hours of operation along with number of employees operating the business.
- Currently no plans for paving the property. There is already gravel located on the property.

At tonight's meeting the applicant was basically looking for approval for the potential buyer of the property to put a used car lot on the property. With the preliminary review of the site plan, the board feels that there is nothing to prevent an individual from putting a used car lot on this property. This is a permitted use the way the property is zoned.

The applicant asked if he could store some of his paving equipment on the property without a site plan review. Attorney Begeal stated that as long as a business is not being operated on the property and it is only going to be used for storing some equipment that it would be permissible to do so.

Chairman Hauss stated that currently it is acceptable to put in a car lot by zone as long as the new owner agrees to work within the guidelines of the codes. The site plan needs to be very specific to that particular business as to how they want to run the business and what they want to commit to. Attorney Begeal stated that it is a permitted use for this property and all the requirements of a site plan review must be met before the board can make a ruling.

The board agreed that this was a preliminary site plan review and considers this plan to be incomplete not acceptable for a final review. The board will wait for supplements from the applicant in order to have a site plan review.

Agenda Item #2 Brett Barrett – Proposed Commercial Truck and Trailer Repair Shop, 24 Terrace Drive, Conklin, NY Tax Map # 162.03-1-40 Site Plan Review

Brett Barrett presented to the board that he would like to open a commercial truck and trailer repair shop at the above location. Hours of operation for repair work will be Monday – Friday 7:00 a.m. to 5:00 p.m. and Saturday 7:00 a.m. to 12:00 p.m. We will be a 24/7 service for service calls. After 5:00 p.m., the applicant's business is as a roadside service for repairs. No trucks will be brought back to the facility after hours of operation for repairs. Presently, there are two employees with the potential of hiring a third employee. An auto repair shop was once located at this location and was dissolved two years ago.

There will be no structural modifications to the building inside or out. At a maximum there could be 10 trucks parked on site waiting for repair. There are 5 designated parking spots for customers and employees. Trucks will not be parked for long periods of time because as long as parts are available truck repairs are completed as soon as possible, typically within hours. Maines told the applicant that if needed, additional trucks can be parked in an empty lot on the side of the building. The site plan was updated to reflect a total of 10 parking spots for trucks that would accommodate 8 cabs and 2 trucks with trailers in the back. In addition the building can accommodate 4 cabs without trailers, 2 cabs with trailers or a combination of both on the inside. Storage of the service vehicle will be outside. The applicant will be utilizing the existing sign location on the building. The applicant will have to see Ron Lake for a permit for the sign. There will be no change to the existing lighting. All utilities are noted on the site plan. There is a center drain on the inside of the building. Mats will be placed under the trucks to catch any leakage that may occur during repair. The applicant will also use catch pans placed under the trucks to catch any oil. The oil is placed into a barrel and we have a service come in to pump the oil out of the barrels for proper disposal. A dumpster was updated on the site plan. There will be no outside storage on the property. There is a new furnace that was put into the building. Entrance and egress were updated on the site plan. There will be no change to landscaping and there is one man door at front of the building. There will be no washing of the vehicles. The only fluids that will be kept on the premises are oil, grease, window washer fluid, antifreeze and red and green coolant.

Chairman Hauss read into record county comments dated January 12, 2016 and Broome County Health Dept. comments dated December 22, 2015.

EAF was reviewed by the board and updated. It was determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts. Completed EAF was given to John Rudy to be filed with site plan.

Lyle Fasset motioned The Planning Board as lead agency in this Unlisted Action to declare a negative declaration for the purpose of SEQR, since based on the review of the short form EAF the proposed action, with the updates to the site plan, will not result in any significant adverse environmental impact in the Town of Conklin. Chris Ostrowsky second. All present board members approved.

Chris Ostrowsky motioned to accept the site plan as submitted with the following conditions. **Dan Smith second.** All present board members approved.

Conditions for approval:

1. The inside drain requires investigation of where it drains. It may need a separator or it needs to be filled in. Ron Lake to work with applicant to determine the status of drain and recommend required updates as necessary.
2. A letter from Maines is required stating that they approve the operation of this business in this facility according to the approved site plan. The letter is to be given to Ron Lake.
3. There will be no outside storage for tires, chemicals or petroleum products.
4. There are new electrical requirements for commercial property/business so the electric will need to be inspected to determine if it meets the new electrical code. Required updates need to implemented prior to a Certificate of Occupancy is issued.
5. An acceptable Spill Prevention Plan will have to be provided to Ron Lake for both inside and out.
6. There will be no change to the inside structure or the outside of the building.
7. There will be no change to the grading on the property.
8. There needs to be a NYS fire inspection performed. Required updates need to implemented prior to a Certificate of Occupancy is issued.
9. Entrance and Exit signs need to be placed on the property.
10. A copy of NWI wetland map for the property needs to be added to site plan.
11. Investigate the need of a permit for the site plan relative to the wellhead protection law.
12. No outdoor vehicle repair is to be performed.
13. Update site plan to reflect where the business will be operating on this tax map.

Chris Ostrowsky motioned to approve November 16, 2015 meeting minutes and Lyle Fassett second. All present board members approved.

Chris Ostrowsky motioned to adjourn meeting Lyle Fassett second. All present board members approved. Meeting Closed 8:50 PM.

Next Planning Board Meeting is scheduled for Monday, February 22, 2016

Respectfully Submitted
Renee Hauss