

Conklin Planning Board Meeting – October 21, 2019

MEMBERS PRESENT: Acting Chairman – Chris Ostrowsky, Dan Smith, Lyle Fassett, Sharon Platt, Paul Deeley

ABSENT: none

ALSO PRESENT: William Graves, Attorney – Coughlin & Gerhart
Bill Farley, Town Board Liaison
Nick Pappas, Code Officer
Mary Plonski, Acting Secretary

VISITORS: Robert Heary, 4 Livingston St. Binghamton NY 13904
Jerry Campbell, 404 Roosevelt Ave. Endicott NY 13760
Carol Armstrong, 48 Stewart Rd. Conklin NY 13748
Jim Finch, 48 Stewart Rd. Conklin NY 13748
Evelyn Deeley, 1070 Conklin Rd. Conklin NY 13748

William Graves (attorney) explained that the Chairperson resigned and no one has been appointed yet. A motion can be made to appoint someone as acting Chairperson for this meeting.

Lyle Fassett made a motion: to appoint Chris Ostrowsky as acting chairperson for this meeting.

Dan Smith second motion. All members agreed.

7:00 PM Acting Chairman Chris Ostrowsky called the meeting to order.

**Agenda Item #1 Crooked Mouth Brewery and Taproom
1094 Conklin Rd, Conklin NY 13748
Tax Map # 178.15-1-40**

Attorney Bill Graver stated that he will be standing down for the discussion with Crooked Mouth Brewery as he has a conflict of interest and he will be in the audience to answer any procedural questions the board may have.

Josh Olson and Sean Campbell stated that they are looking to purchase the property at 1094 Conklin Rd. with the intention of opening a craft brewery and taproom.

Acting Chairman Chris Ostrowsky asked the board if they had reviewed the application and Broome County comments. He asked if there were any questions the board would like to ask the applicants.

Acting Chairman Chris Ostrowsky read into record the following documents:

1. Application dated August 19, 2019
2. Broome County 239 comments dated October 21, 2019
3. NYSDOT Comments dated October 18, 2019

Sharon Platt asked if there was adequate parking. Mr. Olson said that to meet their projections, there were estimating 9 cars per day. They would be open 6 days a week from 12:00pm to 9 pm Tuesday thru Sunday.

Chris Ostrowsky asked if there was lighting on the outside of the building now. Mr. Campbell stated that there was one on the front and one on the side of the building. There were no plans to add additional lighting.

Sharon asked if there was a dumpster. Mr. Campbell responded that one would be near the addition that was going on. He added the dumpster location to the site plan.

Paul Deeley asked if there would be any outside seating. There were no plans for it at this time.

Paul also asked about signage. Mr. Campbell stated that there would be a wall sign just above the front windows.

Lyle Fassett asked if it was public water and sewer. Josh said both were public.

Chris Ostrowsky asked if they received the report from the Dept. of Transportation. They said that they had spoken with DOT and the existing ingress and egress were fine the way they were.

Sharon Platt asked if there would be signs for ingress and egress. They said there would not be signs but they were painting arrows on them. Signs could be added if it became a problem.

Sharon asked if they would be serving food. There will be commercial kitchen. They plan to have a food truck.

Chris Ostrowsky stated that this was an allowable usage for the property zoned Neighborhood Commercial.

Chris also asked how many employees they were planning on having. Mr. Campbell responded that the two of them and three servers were their only employees at this time.

Chris asked if there would be any delivery trucks. There will be a van type delivery truck a couple times a month. No plans for any large semi delivery trucks.

There will be no outside storage.

Chris Ostrowsky asked how many restrooms were in the building. There is one public restroom and one employee restroom.

Lyle Fassett asked if the Taproom was going to be the tasting room. Both gentlemen said yes that there would be bar area for tastings and a couple of high top tables and chairs.

Chris Ostrowsky asked if they had applied for their license yet. They said no, they had to own the property before they can submit the application for the license. They were also waiting for the loan to be approved.

Planning Board reviewed the 239 Short EAF Part 1 dated September 24, 2019.

EAF was reviewed by all board members. Acting Chairman Ostrowsky read Part 2 of the EAF form to board members for each question to be addressed. It was determined by all board members, based on the information and analysis above, and any supporting documentation that the proposed action will not result in any significant adverse environmental impacts.

Sharon Platt motioned that the Planning Board as lead agency in this Unlisted Action declare a negative declaration for the purpose of SEQR based on the review of the short form EAF and site plan that the proposed action will not result in any significant adverse environmental impact to the Town of Conklin. **Dan Smith second.** All present board members approved.

Lyle Fassett motioned to accept the site plan with the following conditions.

Conditions for Approval –

- 1) A copy of license once received.

Dan Smith second. All present board members approved.

Acting Chairman Ostrowsky welcomed them to Conklin and wished success in their new endeavour.

**Agenda Item #2 - Evelyn Deeley, PQRS Holding LLC
709 Conklin Rd, Binghamton NY
Tax Map # 161.12-1-5
30'x40' Single Story Addition**

Bill Graves (Attorney) stated for the purpose of record and meeting minutes, Paul Deeley has stepped down as he has a conflict of interest with this case would not be reviewing this site plan, nor taking part in this conversation.

Acting Chairman Chris Ostrowsky asked if everyone had reviewed the documents for this case.

Dan Smith asked if there would be water or sewer in this new addition. Evelyn said there would not be water or sewer. The building will be hooked to the main building so people can use the bathrooms in the existing building.

Chairman Ostrowsky stated this was an allowable use.

Attorney Bill Graves commented that he had a list of review standards he would like to note.

- Adequacy and arrangement of parking spaces. Because the existing structure is classified as Medical Professional Offices, the code requires 1 space for every 150 sq. ft. of building. The new addition based on square footage would require 8 spaces. The updated site plan shows 17 parking spaces.
- The size of the parking spaces are not indicated on the site plan. The code requires that the spaces be at least 9x20. The isle width for diagonal parking needs to be 24 feet. That was not indicated on the site plan.
- Is there a new proposed sign or additional sign for the addition?

Attorney Graves went on to say that per our code 140-151 B Site Plan checklist the following details were missing from the site plan.

- 6) The type of construction, exterior dimensions of addition. (20' x 40' Metal Building)
- 8) The EAF Part 1 8 c. is marked "yes" there are pedestrian or bicycle routes available on or near the site, but the site plan does not show that.
- 10) Construction materials. (Metal Building)
- 13) Fire and emergency zones should be shown.
- 14) Location of all energy distribution facilities, Will the electric come off the existing building? Yes
- 19) Landscaping plans. (n/a)
- 20) An estimated project construction schedule.

Acting Chairman Chris Ostrowsky read into record the following documents:

1. Site Plan Application for Evelyn Deeley, PQRS Holdings LLC dated August 26, 2019
2. Letter of Intent.
3. Broome County Dept. of Planning and Econ. Dev. Comments dated October 9, 2019
4. NYS Dept. of Transportation comments dated September 24, 2019

Chairman Ostrowsky asked if there was going to be a dumpster on site. Evelyn Deeley said no.

Chris also asked about lighting. There is already lighting on the side of the building towards the parking lot. There is also lighting on the back corner of the existing building. They will be putting a new light in the back of the addition for the parking spaces in the back.

Bill Graves referred to code 140-85 F. 5 that requires parking spaces to be at least 5 ft. from the boundary line. Evelyn Deeley said the parking was more than 5 ft. All parking spaces were already there except the new spaces behind the addition.

Bill Graves asked if the employee parking was new. Mrs. Deeley responded that it was added 2 years ago.

Chris Ostrowsky asked what the pitch of the roof was going to be. Mrs. Deeley said 6/12.

Chairman Ostrowsky reviewed Part 1 of the short EAF form.

Chris Ostrowsky asked why number 2 was checked as yes. Mrs. Deeley said she thought because a building permit was required. It was explained that that was for other government agency not the Town of Conklin. Her answer was changed from yes to no and initialed.

Attorney Graves asked her to explain number 9 of the EAF form part 1. She said it was a mistake and should be yes. Chris had her change no to yes and initial next to it.

Acting Chairman Ostrowsky read Part 2 of the EAF form to board members for each questions to be addressed. It was determined by all board members, based on the information and analysis above, and any supporting documentation that the proposed action will not result in any significant environmental impacts.

Sharon Platt motioned that the Planning Board as lead agency in this Unlisted Action declare a negative declaration for the purpose of SEQR based on the review of the short form EAF and updated site plan that the proposed action will not result in any significant adverse environmental impact to the Town of Conklin. **Lyle Fassett second.** All present board members approved.

Dan Smith made a motion to accept the Site Plan. **Lyle Fassett second.** All present board members approved.

Chris Ostrowsky asked for a motion to approve the minutes from August 19, 2019 meeting.

Dan Smith made the motion. **Sharon Platt second.** All present board members approved.

Dan Smith motioned to adjourn meeting **Sharon Platt second.** All present board members approved. Meeting Closed 8:02 p.m.

Next Planning Board Meeting is scheduled for Monday, November 18, 2019 at 7:00 PM.

Respectfully Submitted,
Mary Plonski