

**Conklin Planning Board – Monthly Meeting – March 20, 2017**

**MEMBERS PRESENT:** James Hauss, Chairman, Sharon Platt, Dan Smith

**ABSENT:** Chris Ostrowsky, Lyle Fassett

**ALSO PRESENT:** Brady Begeal, Attorney – Coughlin & Gerhart  
Nick Vascello, Code Officer  
Bill Farley – Town Board Liaison  
John Mastronardi – Griffiths Engineering  
Renee Hauss, Secretary

**VISITORS:** William Graves – Attorney – Coughlin & Gerhart  
Stephen Vukas – Bohler Engineering  
Chris Boyea – Bohler Engineering

**7:03 PM** Chairman Hauss called the meeting to order.

**Agenda Item #1 Planning Board’s review and recommendation of Rezoning property at 1941 Coleman Rd. Tax Map #177.04-1-1.1 from R-15 District to Agricultural-Rural District**

Planning Board reviewed the local law amending the Town of Conklin Zoning Map for rezoning property at 1941 Coleman Road. **Sharon Platt made motion** for Planning Board to make recommendation to Town Board to rezone this property from R-15 District to Agricultural-Rural District. **Dan Smith second** and all present board members approved.

Planning Board suggests to the Town Board that they should consider rezoning all property from Coleman Road to Powers Road to the Town of Binghamton line to be an Agricultural-Rural District which would be approximately 75 acres of land.

**Agenda Item #2 Conklin DNYP, LLC c/o Bohler Engineering, 1538 Conklin Rd., Conklin, NY Tax Map# 211.17-1-2 Draft Review**

Representing the applicant Conklin DNYP, LLC Dollar General, Chris Boyea and Stephen Vukas of Bohler Engineering, presented to the board that they would like to build a 9,100 square foot retail store at 1538 Conklin Road. This is considered a dry goods store and there will be no food preparation in this store. This site would consist of 38 parking spots and a variance was approved from the requirement of 61 parking spots. Hours of operation will generally be 8:00 a.m. to 10:00 p.m. Monday-Sunday but they would like to request Monday – Sunday 7:00 a.m. to 10:00 p.m. to accommodate special events. There will be an average of 10-15 employees with each shift consisting of 2-3 employees plus a shift manager. New drawings were submitted to include ingress and egress access from Route 7. This is under DOT jurisdiction and they have approved the one way in and one way out that is shown on the drawings. The lighting plan has been submitted for this site. The parking lot will have LED lighting with full cutoff. Attorney Brady Begeal asked that they explain the handicap parking in the front of the building that seem to be slightly more narrow than the other spaces. Stephen explained that New York State Department of Justice requires an 8’ wide parking space for handicap parking and this is what they are proposing. In between these spaces there will be a 10’ striped area to accommodate handicap van access. Landscaping and storm water drainage has been added to the drawing. Also there will be a 6’ privacy fence located along the rear of the site. At least once a week maybe twice a week there will be deliveries by a full size 67’ trailer. Full turn around plans for the truck has been accepted by DOT. There will be smaller trucks delivering merchandise during the week. A well and septic will be located on this site and required separation distances have been met. There are no wetlands on this site. Dan Smith asked if the size of the septic tank is deemed correct for this size of a building. Chris stated that this septic meets and exceeds all requirements. A house uses approximately 400 gallons of water a day where this site will only be using 60-80 gallons a day because of no dishes or food prep. Broome County Health has been given plans and approved the septic and water approval is still waiting.

7:20 p.m. Chairman Hauss opened for Public Hearing. There were no comments or questions so the Public Hearing was closed at 7:23 p.m.

The lighting plan was reviewed and explained by Chris. Chairman Hauss asked if the lighting will have any impact on drivers coming down Route 7. Chris responded that they are holding their lot line lumens low enough so not to cause what is called a "hot spot" and DOT has approved their lighting plan. Attorney Begeal asked if they could go through the plan for signage. A permit for the sign has been submitted for a wall sign and a free standing sign. The free standing sign will be 10' back meeting set-back requirements. This sign will be internally laminated and there are restrictions for boarding residential areas. This sign will not be lit 11:00 p.m. through 7:00 a.m. to meet code. The wall sign is not raised letters but inside the box. There will be an average of 10 cars per hour with peak time handling approximately 23 cars.

John Mastronardi stated that he reviewed the SWPP and issued comments and all comments were addressed in a correspondence dated March 3, 2017 by Bohler Engineering. John issued the applicant a letter of acceptance to be added to their file to the DEC. John stated that he wanted to make note that part of the SWPP is the long term consolidation of storm water practice it will have to be written into a deed covenant when terminated. A condition for approval is that we need a stamped drawing on SWPP and filed with the code office. John has to sign off on the notice of termination as town engineer. When he does this it will show that the applicant will know that the long term maintenance plan will be added to the deed covenant.

Chairman Hauss asked John if he reviewed County's comments on the 239. The applicant stated yes and was concerned with the comment about accommodating pedestrian and bicycle traffic. Personally he does not think that we should encourage this activity because there are no sidewalks but there are wide shoulders. This area is not contiguous to this type of activity because this is a rural setting and not an urban setting.

Chairman Hauss then read into record Broome County comments dated February 17, 2017. The applicant was notified that they were in a FEMA Special Flood Hazard Area. Chris stated that they were proposing no fill in the flood area but would be applying for a grading permit so they can move dirt in the building area. This would be part of the construction permit. Also pedestrian connections from the building to Route 7 are not included in the drawing because a safe pathway cannot be determined. Planning Board feels that this is appropriate for this area. Broome County suggested moving the building closer to the road and move parking to the side and rear of the building. Chris stated that they did not do this because there is a flood zone in the rear of the property so the layout proposed here does not allow any permanent structures in the flood zone. Snow storage was questioned and Chris stated that this property has plenty of room for this. Planning Board addressed all issues that were identified by Broome County.

EAF was reviewed by all board members and corrections were made and paperwork was submitted to Code Officer Nick Vascello. Chairman Hauss 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. Completed EAF was given to Nick Vascello to be filed with the updated site plan.

**Sharon Platt motioned** The Planning Board as lead agency in this Unlisted Action to declare a negative declaration for the purpose of SEQRA, 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. **Dan Smith second.** All present board members approved.

**Sharon Platt motioned** to accept the amended site plan with the following conditions:

**Conditions for approval:**

1. Broome County health permits for well and septic need to be obtained along with highway permits, building permits and construction permits.
2. Signage lighting will not be permitted to operate from 11:00 p.m. to 7:00 a.m. each day to be consistent with code.
3. SWPP and plan need to be signed off by a PE within 30 days of this meeting. If there are any changes the Town Engineer and Code Office need to be notified.
4. When you file your Notice of Termination you also need to submit a deed covenant of the long term maintenance plan required by storm water practice.
5. A Historical Preservation letter is required stating that there is no impact from this project and it is to be on file in the Code Office. This is a requirement of the EAF.
6. Prior to the issuance of the Certificate of Occupancy there needs to be a walk around and drive-by to make sure there are no lighting issues.

**Dan Smith second.** All present board members approved

**Sharon Platt motioned to approve February 21, 2016 meeting minutes and Dan Smith second.** All present board members approved.

**Dan Smith motioned to adjourn meeting Sharon Platt second.** All present board members approved. Meeting Closed 8:07 PM.

**Next Planning Board Meeting is scheduled for Monday, April 17, 2017 at 7:00 PM.**

Respectfully Submitted  
Renee Hauss