

## Conklin Planning Board Meeting – June 15, 2020

**MEMBERS PRESENT:** Chair – Sharon Platt, Dan Smith, Dawn Shafer, Paul Deeley

**ABSENT:** none

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

**VISITORS:** Chris Ostrowsky  
Robert Heary – Coughlin & Gerhart

**7:00 PM** Chairperson Platt called the meeting to order.

**Agenda Item #1** **Chris Ostrowsky – Modification of Site Plan approved 2007  
90'x90' Metal Building  
650 Conklin Forks Rd.  
Tx Map 210.02-3-17.11**

Attorney Bill Graves explained to the board that this was concerning a site plan that had been approved back in 2007.

Chris Ostrowsky stated that he would like to put a building up on his property at 650 Conklin Forks Rd. He explained that he had been approved by the Planning Board back in 2006-2007. The approval was conditioned that he was approved for rezoning from R-15 One and Two-Family Residence to Neighborhood Commercial. The Town Board did approve the rezoning.

Attorney Bill Graves explained that this was a modification to a site plan that was approved back in 2007. The modification was needed due to the following changes.

- The location of the building on the property.
- The square footage of the building. This building is 8,100 sq. ft. where the previous building was 4,800 sq. ft.

Chairperson Platt asked if there was an issue because it was more than 2 years. Attorney Graves explained that our town code states that if a site plan is not completed after 2 years, the board could ask that they come back for a site plan review. The site plan was approved back in 2007. This is a modification to that site plan.

Dan Smith asked if the zoning had been changed. Chris Ostrowsky said it had been changed to Neighborhood Commercial.

Chairperson Platt asked if any board members had questions.

Dawn Shafer asked if there were buildings on the site now that hadn't been back in 2007. Chris Ostrowsky explained that there is a temporary storage building on site now. It is made up of two sea containers with a roof over top. He explained that he spoke with the code officer at that time (Bob Jones) about a building permit and was told that it was portable and wouldn't need a permit.

Mr. Ostrowsky stated that the location was really the same as the original site plan. The building is just turned on the site. He explained that the square footage was because he had an opportunity to tear a building down and this would allow him to repurpose it.

Paul Deeley commented that there was plenty of room on the property and he didn't feel the size of the building had any impact on the original approval.

Mr. Graves asked the height of the building. Chris Ostrowsky replied it was 20'.

Mr. Graves also asked about any signs. Chris said there were no signs.

Chairperson Platt asked about lighting. Chris said he didn't plan on having it all lite up. He would have wall paks on it but they wouldn't be on all the time. They would be security lights on a motion sensor so they wouldn't be on all the time.

Chairperson Platt asked if he was going to have an office. Chris said he would have an office, but it would be more of a workshop. It wouldn't be an office where he would meet with people. His appointments are done at the person's home.

Chris stated that the driveway will stay as it is now, gravel.

Bill Graves asked if there would be any employees. Chris replied that he had 2-3 employees right now.

Chairperson Platt commented that the plans show a buried LP Tank. Is that something that you are going to have? Mr. Ostrowsky said he hasn't decided yet. The plans also show two LP tanks at the back of the building. He wasn't sure which he would do. There was a discussion as to whether they were allowed to be buried.

Chairperson Sharon Platt read into record the following documents:

1. Application dated April 13, 2020
2. Broome County 239 comments dated May 12, 2020
3. Broome County DPW Engineering Review Comments dated April 28, 2020
4. NYS DOT comments dated May 7, 2020
5. Broome County Health Dept. no comments

Chairperson Platt reviewed Short Form EAF Part 1. No questions from the board. Attorney Bill Graves commented that # 5 of the short form was left blank. Mr. Ostrowsky stated it should be "yes". Mr. Ostrowsky checked yes and initialed original document.

Short Form EAF Part 2 & 3 was reviewed and completed.

**Paul Deeley made a motion.** I make a motion 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.

**Dan Smith second motion.**

- Dawn Shafer      yes
- Dan Smith        yes
- Paul Smith        yes
- Sharon Platt      yes

Attorney Graves suggested the following conditions be added.

1. The temporary storage building is removed. Nick Pappas the code officer can make sure that this is done.
2. The second condition would be per Zoning Section 140-153 Reimbursement costs. Consultation fees or extraordinary expenses in the connection with the review of site plan be charged.

Mr. Ostrowsky asked if he wanted to keep the storage building what would he have to do. Chris asked if Nick Pappas could ok that. Nick Pappas said it would need to go before the Planning Board. Chris said in his original plans back in 2007 he showed a storage building. Dawn asked if he was referring to 3 storage containers on the property. He said no. Those 3 storage trailers are where he has the supplies to build the building he is putting up. They will be gone once the building is up.

Paul Deeley asked what the storage was used for. Chris said it is where he stores his equipment. Backhoe and other large equipment to keep out to the elements. It is 2 sea containers with a roof over top.

Attorney Graves stated that Chris would need to complete a new application for the storage facility.

Paul Deeley asked if because it is an accessory structure does it fall under code to approve it. Nick Pappas (code officer) said it is on commercial property so it needs site plan review.

Chris asked if the planning board could vote on the storage building. Bill Graves said that he didn't have enough information on the building or the particulars of the property for a vote to be made tonight.

There was a discussion on what the sea containers were. Chris commented that Bob Jones (prior code officer) said it was ok. He knew he was using it to store supplies until the building was put up.

Dawn Shafer asked if the board could approve the storage building tonight. Attorney Graves said he had no information on the building and that tonight's meeting was a modification on a site plan back in 2007 where the only thing approved back then was the main structure. I suggest we either postpone a decision tonight and have Chris modify this site plan or we make a decision on this site plan and have Chris supply a new application for the storage building.

Chairperson Platt asked for clarification. The storage building is being called temporary but now you are asking for it to be permanent and a part of this site plan? Chris commented that originally it was temporary. It is not on a concrete foundation. Bob Jones back then felt it was temporary and didn't require a permit. It has been 10 years and now I would like to keep the storage building.

Attorney Bill Graves commented that he didn't feel the board had enough information to vote on this. Paul Deeley and Sharon Platt agreed. Paul Deeley suggested Chris make up a new site plan and come back to the board next month.

After discussion by the Planning Board members the following motion was made:

**Paul Deeley made a motion** that the Planning Board, after considering the modification to the site plan review application that was approved back in 2007 for a 90' x 90' x 21' engineered metal building to be used as an office/warehouse storage space and supporting documents, the county's 239 response, the short form EAF, the applicant's presentation, and the factors set forth in the Town of Conklin Code section 140-76, recommend that the Planning Board approve the application with the following conditions:

1. The applicant will within 45 days either remove the temporary storage building on the property or within 45 days have a new site plan review to planning board for the temporary storage building to remain on the property with approval from the Planning Board.
2. The second condition would be per Zoning Section 140-153 Reimbursement costs. Consultation fees or extraordinary expenses in the connection with the review of site plan are charged to the applicant.

Dan Smith **second**. Planning Board members voted the following:

- Dan Smith                YES
- Dawn Shafer            YES
- Paul Deeley            YES
- Sharon Platt            YES

**Dan Smith motioned** to adjourn meeting **Dawn Shafer second**. All present board members approved. Meeting Closed 8:06 p.m.

**Next Planning Board Meeting is scheduled for Monday, July 20<sup>th</sup> at 7:00 PM.**

Respectfully Submitted,  
Mary Plonski