

Conklin Planning Board Meeting – July 20, 2020

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

ABSENT: Dan Smith

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 –
Metal Storage Facility
650 Conklin Forks Rd.
Tx Map 210.02-3-17.11**

Chairperson Platt explained that this meeting was to discuss an existing metal storage facility.

She asked the applicant Chris Ostrowsky to explain why he was in front of the board tonight.

Chris Ostrowsky stated that he would like to keep an existing storage facility that has been on his property at 650 Conklin Forks Rd. for about 10 years. He explained that Bob Jones, the code officer then said it was ok to have it on the property.

Chairperson Sharon Platt read into record the following documents:

1. Application dated June 16, 2020
2. Broome County 239 comments dated July 20, 2020
3. Broome County DPW Engineering Review Comments dated June 25, 2020
4. NYS DOT comments dated May 7, 2020
5. Broome County Health Dept. June 25, 2020

Attorney Graves added that there was another letter from Brenda Gow DPW stating that there were no comments on the LP tanks on the property.

Attorney Graves commented that he felt the County was making comments with the belief that these two buildings were being done together. After a discussion with Nick Pappas the code officer, Nick feels this is an accessory structure to the main building.

Attorney Graves wanted it on record that this was being considered as an accessory structure.

Mr. Graves stated for the purpose of avoiding segmentation under SEQR, he ask that they keep in mind that the building that is currently there along with the new building are being looked at together.

Paul Deeley asked about the ROW. Chris explained that it was for the main entrance to the property. Paul asked if the driveway is in compliance/specifications for DOT. Chris said it is a gravel driveway. Not an actual road. Paul

asked if there would be floor drains. Chris said no. The floodplain the county speaks of is on the back side of the property nowhere near where these structures are located. Is there a need for a drainage plan? Chris said there is a culvert that runs the full length of the property along Conklin Rd. Attorney Graves commented that the board can require a drainage plan and have the applicant update the site plan and come back at the next meeting.

Dawn Shafer commented that she has never seen any issue in that area with drainage. Chris said there hasn't been and that his drawings do show a couple of swales. Paul said that he is fine with the plans showing the swales.

Paul Deeley asked if there was a spill plan. Chris said he could provide one. It really was no different than if it was someones garage.

Bill Graves explained that if the board requested a spill plan, they could put it as a condition and have the applicant provide one with 30 days or whatever they saw fit.

Paul Deeley suggested we make a spill plan as part of the conditions.

Attorney Bill Graves asked for clarification on the disturbed acreage on the SEQR. The two buildings combined are $\frac{3}{4}$ of an acre. Total acreage is 73.69.

During review of SEQR Bill Graves asked if question #9 "Does the proposed action meet or exceed the state energy code requirements". Will there be any electricity to the storage facility. Chris said no.

#10 of the SEQR asks "Will the proposed action connect to an existing public/private water supply". Chris said there is no public water supply, but that there were no plans for water to the storage facility. Bill Graves suggested that the "yes" be changed to "no" and initialed by Chris Ostrowsky.

Attorney Graves asked about the size of the structure. It appears in the diagram the containers are 8' each with 30' in between each container. Then 10' additional on one side. The building is 40' long. Chris stated the building was 40' x 56'.

Chairperson Platt asked if when the project was complete, will it be seen from the road. Chris said that the trees cover the area most of the time. Only a small part is visible from Fall Brook Rd. in the winter and spring.

Attorney Graves wanted to go on record stating that this building was put up without approval from the planning board and he wants it on record that the Town does not allow this and all commercial structures need site plan review. He also wants to make sure the building meets the National Fire & Prevention codes.

Chairperson Platt read the Short Form SEQR into record.

The following changes were initialed.

#10 "Will the proposed action connect to an existing public/private water supply" Yes was changed to No.

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.

Dawn Shafer second motion.

- Dawn Shafer yes
- Paul Deeley yes
- Sharon Platt yes

No opposed.

Attorney Graves suggested the following conditions be considered.

- 1) A spill prevention plan in place within 30 days.
- 2) Code to inspect. NYS Fire Prevention Inspection.
- 3) Clarification on building height. If height of roof is over 18 ft. an Area Variance will be required.

Paul Deeley agreed with all three conditions.

Chris Ostrowsky asked where the measurement would be taken. All sides are different because of the grade.

Bill Graves suggested that they hold their decision until they know what the height is and if it needs an area variance.

Paul Deeley made a motion that the Planning Board, after considering the application and supporting documents, the county's 239 response, 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) A spill prevention plan in place within 30 days.
- 2) Code to inspect. NYS Fire Prevention Inspection.
- 3) Clarification on building height. If height of roof is over 18 ft. an Area Variance will be required.

Dawn Shafer second. Planning Board members voted the following:

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

Paul Deeley made a motion to approve the Planning Board Meeting Minutes of June 15, 2020. Dawn Shafer second. All present members approved.

Paul Deeley 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, August 17th at 7:00 PM.

Respectfully Submitted,
Mary Plonski