
**Planning Board Minutes
July 2, 2020**

Planning Board Members Present: Fred Fink, Julie Pellett, Daniel Compton, Steve Lester, Michael Donohoe, Michael Woodruff

Absent: Matt Rogers

Others Present: Kimberly Rayburn (Secretary), James Kier (Building & Zoning), John Wadsworth (Applicant) Vance Hagen (Applicant).

Fink opened the meeting at 7:30 pm.

I. Review TV5-20 for an Area Variance, Owner John Wadsworth, property located at 2244 St Rt 444 tax map #54.03-1-43.000 has applied for relief of the 275 ft road frontage requirement for a future subdivision. He is requesting that both parcels maintain 189 ft of road frontage to maintain the 2-acre minimum lot size in the AR-2 district.

Wadsworth explained that he currently has a 4.3 +/- acre parcel that has his existing home sits on. He would like to cut the parcel in half straight down the middle so his son can build a home and be close by. He is aware of the two hundred and seventy-five (275) foot front lot width regulation and he is questing the logic behind it. The Board stated that it was part of Town Code when Zoning was established. He then stated that there are multiple lots on Rt 444 that are not 275 ft in width. The Board stated they would be considered pre-existing non-conforming. Wadsworth explained that he has looked at other ways to separate the parcel but in doing so he would create a non-conforming lot of less than two (2) acres when a minimum of two (2) is required as you cannot count the acreage in the flag portion of a flag lot. and his preference is to not have another house directly behind him. Also, with cutting the parcel in half the driveway would be shorter. He has spoken to his neighbors behind him and they have no concerns. The neighbor to the South is a field owned by Happy Acres Farm.

Woodruff questioned making two non-conforming lot. He stated that Wadsworth could request a variance for the width of the panhandle to be thirty (30) feet instead of sixty (60) feet as the requirement for 60 ft is due to further land subdivisions and they do not have enough land to be subdivided further. This would make the request one (1) variance vs two (2).

Wadsworth again explained that 12,680 sq ft cannot be used in the two (2) acre minimum due to the flag portion. In order to make the lot the required two (2) acres the flag would need to be eighteen (18) feet in width not thirty (30). Woodruff stated he could ask for a variance for the pole acreage to be part of the required two (2) acres).

Wadsworth stated that has had discussions with Brennan Marks his Surveyor regarding the division and this is the request he would like to make. Woodruff stated he was just looking at other options for Wadsworth.

Compton would like to point out that this is a self-created difficulty.

Compton made a motion made a motion and Woodruff seconded the motion to forward the application onto the Zoning Board of Appeals with the comments made by Woodruff in the minutes.

Record of Vote:

Fink Aye Compton Aye Lester Aye Donohoe Aye Pellet Aye Woodruff Aye

All Board members present voted Aye, Vote was carried unanimously.

II. TSP2-20, Special Use Permit (SUP) Owner JJ Saxby, Applicant Vance Hagen. Property located at 6981 St Rts 5&20 tax map # 80.00-1-47.000. existing SUP for Auto repair shop and sales. Property being sold, new owner requires a review with new SUP.

The Board discussed the need for a public hearing, Woodruff stated that the use of the property will not change and he believes the property will be cleaned up.

Woodruff made a motion and Compton seconded the motion to waive a public hearing for this review. All Board members present voted Aye, Vote was carried unanimously.

Woodruff stated that he knows the applicant and believes this will be a betterment for the property. Compton stated that the new owner will focus more on auto sales than repair. Hagen stated that in order to maintain a profit he will need to have thirty-five (35) cars on the lot. He stated the property is in chaos currently and there are fifty-seven (57) vehicles in various stages of disrepair along with junk tires and other junk. He plans on cleaning up the property and making it presentable and something he can be proud of. He stated that he will have 10-15 cars waiting for repair at any given time and they will be behind the building and inside the building. He provided a map showing the layout of the vehicles for sale which will be in the front of the building the side of the building and up to the property line of Ashman Rd.

Woodruff stated that the map shows up to four (4) vehicles inside the building for sale out of the thirty-five (35). Hagen stated he would like to have a showroom so that would be correct. Hagen stated there are four (4) bays in the main building, and two (2) bays in the rear building.

Compton stated he is confident it will be an improvement. He also asked if this proposal is in conflict with the one-thousand-foot (1,000) separation regulation of another repair shop, Rayburn stated it was not. Toomey has a Use Variance. Compton asked Hagen if thirty-five (35) was enough and what type of vehicles would he be selling, Hagen stated that he feels that number is enough and that would make him profitable, and he only plans on selling passenger vehicles, a one (1) ton pickup would be the largest vehicle he would sell. A discussion was held on the parking lot and the code as it calls for a hard-packed surface, it was decided that gravel will be sufficient and crusher run will be considered a hard-packed surface. Lighting was discussed and there is existing overhead lighting that will remain, however there is a pole light located between Rtes. 5&20 and Ashman Rd. that Hagen would like to be relit. Signage was also discussed; the signs will be of the same size and scope with a logo change. Rayburn informed Hagen he will need sign permits per Town Code. Fink asked if the size of the property and lot coverage were a concern based on square footage, Woodruff does not feel it is.

Woodruff made a motion to declare SEQR an unlisted action with a negative declaration, Donahoe seconded the motion. All Board members present voted Aye, vote was carried unanimously.

Woodruff made a motion and Compton seconded the motion to approve the Special Use Permit as presented.

Whereas:

1. Signage and lighting will be the same.

Record of Vote:

Fink Aye Compton Aye Lester Aye Donahoe Aye Pellet Aye Woodruff Aye

All Board members present voted Aye, Vote was carried unanimously.

III. Minutes:

Minutes of June 18, 2020

Donahoe made a motion and Woodruff seconded the motion to approve the minutes 6/18/2020

All board members present at the 6/18/2020 meeting voted aye; Vote was carried.

IV. Meeting Adjourned:

Lester made a motion and Fink seconded the motion to close the meeting @ 8:45 pm.

All Board members present voted Aye, Vote was carried unanimously.

Respectfully submitted,

Kimberly Rayburn

Planning & Zoning Board Secretary