

York Planning Meeting (Zoom)
February 24, 2021
York Town Hall

Present: Joe McIlroy, Alan Brightman, Chris Wall, David Dermody, Zack Kobylanski (alt)

Others: Donna Falkner, Kirk Richenberg, Carl Peter, Tim Swisher, Greg O'Connell, Joe Bucci, Sean Hopkins, Atty (716-510-4336), Tim Boyle, Dustin Geiger, Preet Baidwan, Gurminder Virk, Lance Brabant, Bruce Carney, Dave Nagel, by zoom Becky Lewis, Heather Nagel, Jim Campbell

7:19 - Due to the public health concerns related to COVID-19 19, the Town of York Planning Board meeting scheduled for February 24, 2021 at 7:30 p.m. will be a hybrid meeting, with both an in-person and virtual.

attendance component using the remote meeting platform ZOOM. The Planning Board respectfully requests that members of the public participate through ZOOM, utilizing the access information provided below. It is preferred that the limited in-person capacity at the Town Hall be preserved for Planning Board members and Applicants. It is respectfully requested that all others attend via ZOOM. All in-person restrictions based on Executive Order of the Governor will be observed and members of the public will be admitted in person after Planning Board members and Applicants and their representatives. Thank you for your anticipated cooperation during these unprecedented times.

Mr. McIlroy opened the public hearing late because of technical difficulties. The internet in hall kept going in and out. Joe read the public notice for the hearing for Tim Swisher.

**TOWN OF YORK PLANNING BOARD
LEGAL NOTICE OF PUBLIC HEARING**

On Wednesday, February 24, 2021, a Planning Board Public Hearing will be held at 7:15 p.m. at the York Town Hall, 2668 Main St., York, N.Y. We will be reviewing Tim Swisher's request for a subdivision at 4082 Main Street in Wadsworth, tax map 70.-1-64. All are welcome to attend. Please call Joe McIlroy, 738-3207, if you wish to be on the agenda.

Mr. McIlroy asked for any public comment. We will hold the public hearing open for 15 minutes for comments.

7:30 pm – Chairman McIlroy opened the meeting with the pledge.

Mr. McIlroy stated that Davies Nagel has resigned as of February 23, 2021 and we need a motion to accept that reservation and forward it to the Town Board for their action.

Resolution:

Mr. Wall moved to accept Mr. Nagel's resignation, Mr. Dermody seconded, carried.

Aye – 4 Nay – 0

Mr. McIlroy asked for a motion to activate Zack Kobylanski (our alternate) to set in the position vacated by Mr. Nagel's resignation.

Resolution:

Mr. Dermody moved to fill in the vacancy with Mr. Kobylanski, Mr. Brightman seconded, carried.

Aye – 4 Nay - 0

Mr. McIlroy asked for a motion to approve the January 27, 2021 minutes, with correction.

Resolution:

Mr. Brightman moved to accept the January 27, 2021 minutes as corrected (not zoom meeting), Mr. Kobylanski seconded, all in favor, carried.

Aye – 5 Nay – 0

Mr. McIlroy said we will now finish the Tim Swisher public hearing. He read the county letter:

We have received Zoning Referral #2021-009 in accordance with the provisions of Section 239-l, m and n of the NYS General Municipal Law.

The Livingston County Planning Department has reviewed this application and has determined that it has no significant Countywide or inter-municipal impact in regard to existing County plans, programs, and activities. Therefore, approval or disapproval of this application is a matter of local option.

Please be aware that a determination of “No Significant Countywide Impact” should not be interpreted as either approval or disapproval by the County Planning Board.

Mr. McIlroy asked again for public comment on the Swisher subdivision. Receiving none he closed the public hearing at 7:37 pm and asked for a motion.

Mr. Dermody moved to approve the Swisher subdivision and Mr. Wall seconded, carried.

Aye – 5 Nay – 0

Mr. McIlroy stated with the Travel Agency’s approval we would continue with Bruce Carney sketch plan application which would be short.

Mr. Carney wants to go ahead with his storage unit at the corner of 20 and 36. 33 ft from the line. He has a driveway permit. Mr. McIlroy said they would need a copy of it, and we should have a map of the whole property. Mr. Carney said it would only be one storage unit at this time. Mr. Kobylanski asked if it would be heated and Mr. Carney said no.

Mr. Wall asked if the total acreage of action was backwards. Mr. Carney said it should be 4.67 and disturbing .60. Mr. Wall also asked if it would be open 24/7. Mr. Carney said yes with key access and no fencing yet. Mr. Wall asked if it would include the old silo and foundation and Mr. Carney answered no.

Mr. McIlroy said the board would need the driveway permit and full site plan. He asked if there was other comments or questions?

Mr. Brabant – need to do site plan and go to Google EAF Mapper and complete short EAF, part 1 – will help identify other things. Important because sometimes there are triggers you won’t know about.

Mr. Brightman said we need a set of stamped plans. Mr. Carney didn’t want to put the cart before the horse until he knew what was needed. Also, would need to know about lighting. Mr. Carney said it would be lit all night (sensor).

Mr. Dermody said we need stamped plans for anything over \$20,000.

Mr. McIlroy told Mr. Carney to have preliminary site plan by March meeting if he wants to move forward.

York Travel Center

Sean Hopkins asked Tim Boyle to introduce the owners Joe Bucci & Greg O'Connell and the operators of the facility. Mr. Hopkins went on - had an informational meeting on January 28, with the public, it was a good meeting with useful information. Submitted a SRF traffic study to NYS DOT and waiting for comments back. During the meeting on November 25 an environmental review was requested and submitted part one of a short EAF because the project is an unlisted action, and it doesn't trigger any of the requirements of a full one. Nevertheless, we submitted longer part 1 of a full environmental review, about 15 pages. We are in the process of waiting a full topographic survey but behind because of Covid 19. It will be sent to our project engineer who will in turn submit fully engineered plans to Mr. Brabant. Once this is done this board will send notification seeking lead action pursuant to SEQR and referral to County Planning Board. Will require a public hearing. Mr. Boyle said they hoped to have plans to Mr. Brabant in 3 weeks. Mr. Hopkins also said they had a good discussion with Mr. Campbell.

Mr. McIlroy opened up for Mr. Brabant's questions. Mr. Brabant said good opening up for discussion. Have been working together and they gave an accurate description of what needs to be done. Once deemed complete we can begin the review process. We did get the EAF, part 1 which seems complete. MRB at this time has not done a review of everything here. After we get into the application process, we will review all that has been provided. All the information provided gets referred out to all involved agencies. We ask for a full EAF to give us an overview of all to provide feedback to this board. Once we deem complete, we will generate a list to the applicant. As referenced earlier these are state roads and need DOT approval.

Mr. Hopkins said those agencies have 30 days to comment after the planning board named lead agency.

Mr. Brabant did provide a draft overview to the board of the process. March 24 overview for both applicant and board, thinking April for public hearing.

Mr. McIlroy said there seemed to be some confusion regarding traffic study. DOT may require a more extensive study. Mr. Brabant said SFR good company to do traffic study.

Mr. Wall couldn't follow the numbers on the traffic study. Mr. Brabant will have a traffic consultant weigh in.

Mr. Brightman said it's one of the major concerns. Mr. Brabant said we would have a contact from SRF, Mr. Hopkins and Mr. Boyle agreed. Mr. Wall asked if DOT comments would be back before public hearing. Mr. Hopkins said yes.

Mr. Dermody said there are going to be crosswalks and traffic signals which is the 800 lb. gorilla in the room. Not too early to start talking about not that its not going to happen but when and how will help.

Mr. Boyle agreed - said it was recommended in comprehensive plan and past zoning. Have talked to IDA and said they don't have the funding. Pre-existing condition in traffic study. Should be done whether or not this project goes on. Mr. McIlroy said big part of what happens depends on D.O.T.

Mr. Boyle said whose responsibility is it. DOT will probably make same condition. We don't have numbers for the cost. cost of these. Improvements should be town, county, and states responsibility. Need to discuss it. The state probably won't and county and town not in position to pay for it. Mr. Dermody – we don't even know where the crossing would be because of the increased traffic from the school. The kids aren't crossing the main road now. Don't think intersection a good place for crosswalk, too many trucks run the light. Preet said that 15-20 kids/day in the afternoon. Maybe if the applicants get a tax break, they might consider the improvements.

Mr. Brabant said the decision does not fall on the planning board but the municipal and county boards.

Mr. Dermody – we need some degree of engineering or sketch for crosswalks.

Mr. Boyle – home in on a good number and get different levels of incentives.

Mr. Hopkins – town will see a dramatic increase in taxes. DOT ultimate approval and discuss more next month.

Mr. Wall asked about the corner section who owned it. Mr. Bucci said he did.

Mr. McIlroy asked Mr. Campbell if he had any questions.

Mr. Campbell – on board with everything, need to be careful about discussions about potential pilots. Wasn't aware this would be an IDA project before. Any incentives that might occur, I would strongly recommend the developers have their engineers and traffic study people come up with a reasonable proposal of which it would look like. That discussion would have to be with the Town Board.

Mr. McIlroy said that Heather Nagel had two letters which are in front of all of you. Some of her questions will be coming up later. Mr. Hopkins would like a copy of those letters.

Resolution:

8:30 pm – Mr. Dermody moved to adjourn, Mr. McIlroy seconded, all in favor, carried.

Aye – 5 Nay - 0

Respectfully submitted,
Donna K Falkner
Clerk