

York Planning Meeting
October 27, 2021, 7:30 pm
York Town Hall

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

Others: Donna Falkner, Kirk Richenberg, , Davies Nagel, Heather Nagel, Blaine VanRy, Martha Edmonds, Jim Campbell, Donna Walker, Carl Peter, Jerry Deming, David Rose, Molly Cummings, Becky Lewis

Chairman McIlroy opened the meeting at 7:30 with pledge to flag.

There were 3 corrections to August 25 minutes.

Resolution: Mr. Kobylanski moved to approve the corrected August 25 minutes, Mr. Dermody seconded, all in favor, carried.

Aye – 5 Nay – 0

Mr. McIlroy asked if all the members had their new emails. All did. The new emails are on the town website.

Mr. McIlroy said we will be discussing the Local Law that would amend 607.C of the Town of York Zoning Code and asked Mr. Campbell, the Town Attorney, to explain.

Mr. Campbell read the following amendment:

“C. Drive-thru facilities with an amplified audio/visual system shall be setback a minimum of 30 feet from the property line. Drive-thru facilities that are located on property contiguous to residential uses or contiguous to residential districts shall have a minimum setback of 50 feet from contiguous residential uses or contiguous residential districts and such drive-thru facilities shall include features such that the noise generated by the ordering system is adjustable to background noise levels.”

- County planning board provided some data on the amount of feet for the setback.

Mr. Brightman questioned the setback. 50 feet seems odd when front setback on state road is 60 feet.

Mr. Campbell said the Town Board would be interested in hearing your concerns.

Mr. Wall – it’s a 30 ft. setback right now from drive through speaker.

Mr. Campbell – prior code says you can’t do it but contiguous to residences need different setbacks.

Mrs. Nagel commented several setbacks are on the maps provided by Heather Ferraro.

Mr. McIlroy stated that no privileges of the floor were given so there won’t be any public comments.

Mr. McIlroy – minimum of 50 feet so we could say more if we wanted to increase the setback.

Mr. Campbell – true, could also say there would be some kind of buffering

Mr. Dermody – we're talking about a linear measurement

Mr. Campbell – how do you determine other things, i.e., solar arrays by looking at different options.

Mr. Dermody – if dealing with linear measurement, we need some kind of conditions, etc.

Mr. Campbell – you can make certain decisions regarding each project.

Mr. Dermody – what mitigates 50 versus 75?

Mr. Campbell – let Town Board know you want a certain measurement.

Mr. McIlroy – feels 50 ft minimum near a residence is not enough, 75-80 would be better.

Mr. Brightman – feels 50 ft not enough, 75-100 would be better

Mr. Wall – is the speaker defined somewhere as an automatic type system?

Mr. Campbell – technology today is such that it should adjust to background noise.

Mr. Wall – Can we see data on decibels?

Mr. McIlroy – they did have that at a Town Board meeting.

Mr. Kobylanski – What are the facts for us to decide. Landscape screening might change the decibels.

Mr. Campbell – We can try to facilitate the type of system to be provided. Potential of amplified drive through. May have to get independent answers not from the applicant.

Mr. Wall – would like it to be independent.

Mr. McIlroy – I did take a ride through Geneseo to look at all the drive-throughs.

Mr. Campbell – I will ask Lance if that can be provided to the board.

Mr. Kobylanski – maybe applicant could speak to this at the public hearing

Mr. Wall – think drive throughs worth another conversation because since Covid more may pop up.

Mr. Campbell – Applicant has asked for 150 ft setback. Town Board would like feedback before Public Hearing November 16. I will ask Lance for some data on what drive throughs sound like, so many feet, decibels.

Mr. Dermody – Wendy’s and McDonalds must have had studies.

Mr. Campbell – Sure and Lance should be able to get some material. Communicate your thoughts to the Town Board

Mr. Wall – We need to be precise , no to audio visual device

Mr. Campbell – number based off the speaker

Mr. McIlroy – need to schedule meeting to continue discussion

Mr. Peter – Do we need public meeting or just submit individual comments.

Mr. Campbell – could submit individual but better for public meeting

Public Meeting – November 10, at 7:30 for further discussion of Local Law re. 607C

Resolution:

Mr. Dermody moved to adjourn at 8:05 pm, Mr. Wall seconded, all in favor, carried.

Aye – 5 Nay – 0

Respectfully submitted,
Donna Falkner
Clerk