

Zoning Board Public Hearing
5-28-2020

Members Present: Harold Wolcott, Mark Connolly, chair, Charity Donnan, Dustin Geiger

Others: Donna Falkner, Carl Peter, Kirk Richenberg, Andrew Kosa (Clark Patterson), M. Layton (Gromark), Chris Richie (Centurion Construction)

7:00 pm – Mr. Connolly called the meeting to order and asked for a motion to approve the January 30 minutes.

Resolution: Mr. Wolcott moved to approve the January 30, 2020 board minutes, Mrs. Donnan seconded, all in favor.

Yes – 4

No - 0

Mr. Connolly stated that Gromark was requesting an area variance:

Town of York Zoning Board of Appeals

Public Hearing

On **Thursday, May 28, 2020**, at 7:30 p.m. at the York Town Hall, the Zoning Board of Appeals will hold a public hearing for a business expansion at Growmark FS on Rte. 20. They are requesting a variance to build closer than the required 100' side setback for the purpose of adding a rail spur to receive product. All are welcome to attend.

Mr. Connolly asked the board if they had any comments or questions about this variance.

Mr. Wolcott asked if anyone had approached the town or Mark regarding this variance and any concerns. Mr. Connolly said that no one had approached him with any questions. Mr. Wolcott asked if Mark had heard anything via Chrissy, Carl, or the G&W. Mr. Connolly said that he spoke with Mr. Peter to get up to speed with what was going on and what the whole thing was about, but nothing else. Mr. Peter said that he assumed that the railroad would already know about this because they would have already had that discussion as part of their planning process. Mr. Wolcott said that's what he figured.

Mr. Richie (Centurion Construction) - Yes, I've been in contact with them and they are aware of the scenario and they do currently service the property. They just asked that whenever we provide building permit drawings for the permit that they received the detail for the rail pit in which the dry fertilizer material is dumped into and loaded into the building so that they can review it and approve it in accordance with their typical details.

Mr. Connolly - When I drove back there this afternoon there doesn't really seem to be any mitigating circumstances or any safety issues or encroachment on ag property or any of that business, that would seem to be a problem, everything looks pretty straightforward.

Andrew Kosa (Clark Patterson) - And this is Andrew was Cpl. We work with Centurion and just try to come up with the best layout of this. So we're going to have to do stormwater management and take care of the truck routing and truck traffic to allow access for the scale but we're working through those issues now and expect to have a full site plan submission with swept grading plan in a couple of weeks to hit that I think it's June 15 is the next deadline for the for the next submission.

Mr. Peter - So the submission he's talking about is the information he would need for the planning board for preliminary site plan approval. So preliminary site plan approval would be in June.

Mr. Connolly - We're talking about something that's already zoned light industrial. With the adult use overlay for those of you playing the home game, but we're light industrial. So, I think we're good there. My computer clock is showing 7:14 so I'm going to, unless anybody has any other concerns with that, to open this up to any public for comments. Again, this is for an area variance to go from 100 feet to 31 feet, basically so that the applicant has access to the proposed rail spur.

Mr. Richenberg - The question that I have Mark, is I don't have a picture or anything in front of me here, but could you tell me just so I get an idea of how wide the property is that we're talking about? Sounds like they got 100 foot to the Barefoot property, 31 feet to the to the rail spur. How big is the building that they're talking about?

Mr. Connolly - you're talking about is roughly 15 thousand square feet with associated gravel driveways. Andrew, could you maybe speak to this?

Mr. Kosa - It helps if you have access to the screen because I can share my screen and put the plan right up on the screen?

Mr. Richenberg - I do not I call in and I don't have that.

Mr. Kosa - I'm just looking for the dimensions here Chris jump if you can, but it's 15,000 square feet.

Mr. Richie (Centurion Construction) - I would call it the length of the building. The long dimension is a little under 200 feet long and the horizontal dimension or the width of the building, depth of the building is around 80 feet long. And then the orientation of the extension to the existing rail spur is what kind of constitutes that we position the building within the hundred-foot setback which is why we're proposing for the setback to be revised from 100 feet to 31 feet on that side.

Mr. Connolly - Let me say this Kirk. This piece of property is very irregularly shaped. Okay, it's not it's not a square, it's not a rectangle, it's a polygon and it's very irregularly shaped. So, it's kind of weird in that regard, it's not really quite straightforward you know, it's not a simple thing to look at. It's almost like a seven or eight-sided, weird piece of property the way it's structured. And, to my knowledge Gromark actually purchased the back property from Barefoot, if I'm not mistaken. That's what the gentleman told me this afternoon when I went down there. So, I don't think that they would have an issue again, I can't speak for them, but they didn't show up.

Mr. Richenberg - One more quick question. Is the 200 feet parallel to the railroad tracks or is the 80 feet parallel to the railroad tracks?

Mr. Kosa - The 200 feet is parallel.

Mr. Richenberg - Okay, thanks. I get an idea then.

Mr. Geiger - Kurt. You know, the tanks and stuff that already back there.

Mr. Richenberg – Yes

Mr. Geiger – It is running a similar line to the hose stretching 200 feet closer towards Route 20. It is in line with the existing structures, tanks that are back there.

Mr. Richenberg – Okay, Thank you.

Mr. Connolly - And everything is nestled in behind Barefoot's. You can't see it from the road.

Mr. Wolcott - And looking at the map Mark, you said nobody said anything anyways right, so Hubert Stein and sons, they're agricultural right up to the tracks on the west side, right? Once again, nobody's coming forward, right?

Mr. Connolly - Not a single person.

Mr. Richenberg - I don't have anything else. I don't know if there's anybody else from the public or not Mark, but I have nothing else. So, if you do what you got to do?

Mr. Connolly - Well, I was just going to say, there isn't. I don't believe there's anybody else. Who is 717-480-0768?

Mrs. Falkner - That's the contractor.

Mr. Connolly - So, in that regard, since there doesn't seem to be anything else from the public,

Mrs. Falkner - I can send Kurt the drawings that I have in the folder.

Mr. Richenberg - No, I'm all set Donna. You answered the questions that I have, and I can get a visual of what it is. I'm somewhat familiar with it over that way. And, you know as long as it meets the variance qualifications.

Mr. Connolly - If there really isn't any more public input, which there doesn't seem to be, I guess I would go ahead and close the public portion of the meeting. And we'll get back to our regular zoning board meeting. And I would ask if anybody has any other any of the zoning board members have any other additional comments any safety concerns from the fire department Dustin or on those lines.

Mr. Geiger - In terms of safety concern, there's plenty of access and there's a good relationship between Fire Department and Gromark as it is. ZBA side - the setback is affecting the existing rail spur more than anything because there's still that land in between the main tracks and the rail spur. It's not like we're putting people right on top of the main tracks near closer to people's property and then it would be closer to Barefoot's. I personally don't see it an issue.

Mr. Connolly - it appears from the drawing at the closest other property as Harold pointed out is the ag property from Hubert Stein. Looking again at the map, I don't see any structures there. It's field and as you mentioned before Barefoot doesn't seem to have an issue.

Mr. Wolcott - If he sold him the land was most likely not an issue.

Mr. Connolly – Exactly. I haven't heard from Charity though. Oh, wait a minute. Let me click over here. There she is. I see her lips are moving, but nothing is coming out. Okay, we got the thumbs up. Alright, so in light of all of this, try to keep this as brief as possible as with anybody care to make a motion.

Mr. Peter - you need to come up with of the meeting first.

Mr. Connolly - Well, okay, so, make a motion do close the meeting.

7:28 pm - **Resolution:** Mr. Geiger made motion to close public hearing? Mr. Connolly seconded, carried.

Yes – 4 No - 0

Mr. Connolly - So we're back into our regular ZBA meeting. Unless there's any additional comments, if somebody would make a motion regarding the variance.

Resolution: Mr. Geiger moved to approve the proposed area variance with the setbacks as provided on the drawing. Mr. Wolcott seconded, carried.

Yes – 4 No - 0

Mr. Connolly - think the last item of business would be to ask Donna to supply an official notice to the applicant. I'll ask for a motion to adjourn the meeting. motion.

Resolution – Mr. Wolcott moved to adjourn the meeting at 7:30 pm. Mr. Connolly seconded, carried.

Yes – 4 No - 0

Mr. Kosa - Great. Thank you, guys really appreciate your time.

Respectfully submitted,
Donna K. Falkner