

York Planning Meeting
February 23, 2022, 7:30 pm
York Town Hall

Present: Joe McIlroy, Chris Wall, Zack Kobylanski, Dave Dermody, Al Brightman, Steve Carroll (alt)

Others: Donna Falkner, Davies Nagel, Heather Nagel, Carl Peter, Kurt Richenburg, Becky Lewis, Sean Hopkins, Esq., Lance Brabant, Richie Brock, Dustin Geiger, Charity Donnan, Martha & Ned Edmonds, Norm Gates, Jerry Deming

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

Resolution:

Mr. Brightman moved to approve the January 26, 2022, minutes, Mr. Kobylanski seconded, carried.

Aye – 5 Nay – 0

Mr. Brabant said he was waiting on the documents for the last time. We have received all the information for this board to move forward.

Mr. Campbell clarified the submission date (2 Fridays before a meeting) that was questioned by Mr. McIlroy regarding the Travel Center information. The information was emailed at 10 pm that Friday instead of by 5 pm. According to code 1106 that deals with final site plan material, any other information from other agencies needs to be shown to the board. Legally it was appropriate because the variance was for Zoning Board of Appeals. Zoning Board cannot make a decision on a variance until SEQR is done by Planning Board. Final approval is done by the Planning Board after the variance is decided on by Zoning Board. SEQR as a review process has to be part of the site plan with Planning Board as the lead agency.

Mr. Brabant – Planning Board decision on entire site.

Mr. Wall – asked if the way we answer SEQR questions would have a difference on variance.

Mr. Campbell said it may.

Mr. McIlroy asked if it was all good with timing issue. All set. Fuel canopy variance is not needed.

Mr. Peter – everything he's seen requires a canopy for a fuel island.

Mr. Campbell – 605 g in code – fuel canopy fuel pumps have a 30 ft setback because the canopy is part of the fuel island it was determined it did not need a variance

Mr. Brabant – 36 ft. from property line (edge of canopy)

Mr. McIlroy – next step is to send all to the county

Resolution:

Mr. Kobylanski moved to send all Travel Center information to the county, Mr. Wall seconded, all in favor, carried.

Aye – 5 Nay – 0

Mr. McIlroy would like the board to read all the letters that have come in regarding the travel center and asked Donna to compile dates and letters. (All letters received are in a PDF on the town website in order they were received under Travel Center Comments to Town Board).

Mr. Brabant – unlisted action

- provided full EAF for review
- coordinated with other involved agencies
- provided a statement declaring Planning Board as lead agency
- minimum of 30 days
- list of involved agencies (first list)
- interested agencies to seek opinions from (second list)
- school – no permit or application required so moved from involved agency list to interested
- no official approvals or findings during the 30-day period

Mr. Brabant read the SEQR declaring intent to become lead agency:

WHEREAS, the Town of York Planning Board (hereinafter referred to as Planning Board), is also considering Special Use Permit & Site Plan approval for the construction of an approximately 6,600 square foot convenience store with a drive-thru and fueling facility, and parking for cars and tractor trailers, and includes pedestrian access improvements, lighting, and stormwater mitigation located on the approximately 11.7-acre parcel 61.-1-53.22 in the Town of York, Livingston County, New York, as described in the Site Plans dated May 12, 2021 last revise January 24, 2022 prepared by Carmina, Wood, Morris DPC and all other relevant information submitted as of February 23, 2022 (the current application); and

WHEREAS, the Planning Board has reviewed the completed State Environmental Quality Review (SEQR) Full Environmental Assessment Form (EAF), Part 1 prepared by the applicant on the above referenced York Travel Center Project (hereinafter referred to as the Action); and

WHEREAS the Planning Board determines that said Action is classified as Unlisted Action under the SEQR Regulations; and

WHEREAS the Planning Board determines that said Action is also subject to a coordinated review and approval by other involved agencies under SEQR Regulations; and

WHEREAS the Planning Board determines that it may be the most appropriate agency to ensure the coordination of this Action and will provide written notifications to the involved and interested

agencies, for the purposes of conducting a coordinated review and making the determination of significance thereon under the SEQR Regulations.

NOW, THEREFORE BE IT RESOLVED that the Planning Board does hereby declare its intent to be designated as the lead agency for the Action.

BE IT FURTHER RESOLVED that the Town Consulting Engineer (MRB Group) is directed to provide notice hereof to the involved and interested agencies, seeking their agreement (or objection thereto) in writing.

The above Resolution was offered by Mr. Kobylanski and seconded by Mr. Dermody at a regular scheduled Planning Board meeting held on Wednesday, February 23, 2022. Following discussion, a voice vote was recorded:

Alan Brightman	<u>AYE</u>
Chris Wall	<u>AYE</u>
David Dermody	<u>AYE</u>
Zach Kobylanski	<u>AYE</u>
Joe McIlroy	<u>AYE</u>

Alt – Steven Carroll

I, Donna Falkner, Clerk of the Board, do hereby attest to the accuracy of the above resolution being acted upon and recorded in the minutes of the Town of York Planning Board for the February 23, 2022, meeting.

Donna K Falkner

Donna Falkner, Clerk of the Board

Mr. McIlroy – cannot act until after 30-day period. Next meeting will be preliminary site plan March 23.

Mr. Brabant – will start reviewing all material and email to involved agencies.

Mr. McIlroy – Next up is the Brock subdivision – permissions given in 2006. Richie can tell us what he wants to do.

Mr. Brock – want to sell one lot down by the road on the opposite side of subdivision, lot twenty-eight in phase 3

Mr. McIlroy – he has to redo the whole subdivision, not valid after 10 years.

Mr. Brock – why can't I sell a lot

Mr. Campbell – lots are marked off and taxed individually and driveway was never done which has to be finished – conditions of that approval.

Mr. Peter – road does not exist.

Mr. Campbell – need turn-a-round for snow removal and emergency services – existing road will have to serve other lots. Cannot have a stand-alone driveway. Road needs to meet town and county specs. Mr. Brock would have to produce a surety bond to finish the road if Mr. Brock doesn't. Water & sewer is dedicated and within right of way, just needs inspection.
Mr. Brabant – tested and certified after completion.

Mr. McIlroy – if he does not it will have to be a major subdivision

Mr. Campbell – Welch & Donohue can just redate the original and show where turn around will be, sign and stamp it.

Mr. Brightman – didn't lot lines change?

Mr. Peter – not from when the maps were done

Mr. McIlroy – asked if packet has everything for him to give to Richie to submit by March 11 for us to look at

Mr. McIlroy handed out training hours needed by committee members.

Mr. Wall – asked if there is a process in place for real life views of projects going on

Mr. Campbell – it is hard to go back if you see something not quite as you saw on the map.

Mr. Wall – it would help with other similar projects going forward

Mr. Campbell – can ask developer to have a look at mid stage of project. When you stand firm, they will change landscaping on a project. We are learning as we go along on solar arrays.

Mr. Brabant – have them put visual 5 years, 10 years out – up to them to provide.

Resolution:

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

Aye – 5 Nay – 0

Respectfully submitted,
Donna Falkner
Clerk