

Planning Board Meeting

February 21, 2008

Present: John Metzger, Shirley Jones, Rebecca Watson, Jerry Kirker, Roger Crouse, Mike Kraus.

Absent: Steve Williams, Harry Penoyer

Guests: Jeff Pfeiffer, Terry Pfeiffer and Ray Pfeiffer – Midlakes Communication. Matt & Jackie Lauber – Matt's Motors

Call to order at 7:00 by Chairman John Metzger and pledge to the flag.

Midlakes Communication presented plans to replace the cable tower. Mr. Pfeiffer presented photos showing twisted and cracked welds on the existing tower. Proposal was presented to replace the tower with self supporting structure totally on village land. Time Warner owns the tower. There will be a 32 sq ft foundation and 7 feet deep. Tower will be the same height but will have more capacity to go higher on the tower.

Mr. Metzger inquired as to how much will be seen from the road and Mr. Pfeiffer indicated that there would be no additional exposure than already present. There will be no wires. Proposal has engineering design.

Mr. Kirker inquired as to the longevity of the new tower.

Mr. Pfeiffer indicated that the tower design is done by engineers and others have been done with the same specifications.

Mr. Metzger stated that the planning board is to make any recommendations and send to the village board. The planning board has no decision on this

Mr. Pfeiffer stated that Time Warner inspects the tower every two years. Inspections and reinforcements have been done for safety, but the decision has been made by Time Warner to address the replacement of this tower this year. Time Warner rents space on the tower to others.

The time frame to replace the tower is approximately four months. Gertrude Drive will be used for access to the site. Time Warner may require another small shed be erected on the property, but there are no plans at this time to do so according to Mr. Pfeiffer.

Mr. Metzger made a motion to send Midlakes Communication to the Village Board for their consideration of the tower replacement. The height of the tower to be no more than existing structure. Motion seconded by Roger Crouse. Motion carried.

Mr. Kraus stated that the Village Board will probably be required to hold a public hearing on this item.

Matt Lauber of Matt's Motors came before the board as his used car business discussion was tabled at the January meeting.

Mr. Metzger asked for clarification on the current use of the property, and Mr. Kraus confirmed that it is commercial use.

The parcel is part of Summerhill which is commercial. Mobile homes are allowed in commercial areas, but not in industrial. Allowing the mobile homes was part of the original proposal in that this would be the only place that the mobiles would be allowed.

Mr. Kirker asked if any site plan review had been done for the red Citizen's outlet structure. An original site plan was done, but a new site plan review is needed as the use of the property would change. No buffer is required because all the property is commercial, but a public hearing would be required due to change in use.

There was discussion as to whether the building was a temporary building and was to have been moved when the Citizen's Outlet vacated. Mr. Kraus will check into the site plan approval for clarification. However, he stated that the rules must still conform to the code book. Used cars are allowed on commercial lots. However, the new comprehensive plan in place needs to be considered.

Mr. Lauber stated there is no need to use the bowling alley driveway because of the other available options. However, Ms. Watson stated that there is no way to control that traffic to be sure it is using the appropriate roads and driveways.

Mr. Kraus presented a map from 1994 where the property was zoned commercial. There were no approvals from the planning board but survey attached to the building shown on the lot. In November 2002 planning board minutes show original use was for an office – driveway was specified as the bowling alley driveway. The appropriate driveway for this location is the road by McDonalds. When asked if Mr. Lauber had any discussions with the bowling alley owner, he indicated he had not. Mr. Metzger stated that the owner of the bowling alley may want a division of property, traffic may be a concern and he certainly has the right to limit that traffic on his property. No other driveway can be added to that location either.

Mr. Metzger stated that assuming the map is correct; the business is in compliance with the codes.

Mr. Kraus stated that SEQR would need to be addressed. Current use vs. new use and SEQR. Snow removal may also be a concern.

Mr. Metzger suggested Mr. Lauber talk to the owner of the bowling alley for his concerns.

Mr. Kraus stated that a notice of the public hearing will also be sent to all adjacent property owners.

Mr. Crouse inquired as to the number of cars that will be on the site, and Mr. Lauber indicated 5-8 as stated on the application.

Mr. Metzger reviewed what needed to be done. Environmental questionnaire to determine any adverse effects on property and will it affect anyone directly due to the changes – long for SEQR to be done. Mr. Lauber must obtain written approval from the bowling alley to address the ingress and egress, plus snow removal. How will Mr. Lauber plan for/account for where vehicles will be placed during snow removal.

Ms. Watson added that since there is no use for any ingress or egress, only for the building, property boundaries are also a concern.

Mr. Metzger stated if accepted, there needs to be conditions set. Mr. Metzger read from the Comprehensive Plan (pg 22) Any new developments ...

Mr. Kirker asked – Since the code book allows for used car dealers, does the code book need to be changed to be able to deny this business at this site.

Ms. Watson indicated that there was no tax benefit to the village for this particular plan.

Mr. Kraus stated the SEQR will demonstrate any impact on village resources and that certain conditions need to be met, even if it meets the codes. That is the reason for the site plan.

Mr. Metzger indicated because the codes are not specific enough, we have the comprehensive plan that can be referenced when making decisions.

Mr. Kirker also indicated his concern for this to be done in a timely manner to allow Mr. Lauber to move forward with his car business.

Mr. Kraus stated that a decision could be made next month if all answers are obtained.

Motion by Shirley Jones to meet on March 13th due to holy week holiday on regular meeting date. Seconded by Rebecca Watson. Motion carried..

Motion by John Metzger to schedule a public hearing on March 13 at 7:00 PM to be held prior to the planning board meeting. Seconded by Shirley Jones. Motion carried.

Mr. Kirker feels the code book should be changed prior to the next application being made so as to have a stronger foundation to decline such business in the village.

Discussion was held regarding corrections to the minutes of 1/17/08. Guests who arrived after the beginning of the meeting were not noted in attendance. Those people are Matt Lauber, Atty Scott Chatfield, Mayor Murphy.

Motion was made by John Metzger to accept the minutes of the 1/17/08 meeting with noted changes. Seconded by Shirley Jones. Motion carried.

Motion was made by John Metzger to adjourn. Seconded by Roger Crouse. Motion carried. Meeting adjourned at 8:50 PM.