

Town of Greenville Planning Board

PO Box 38
Greenville, NY 12083

April 22, 2014

Minutes

Attendees: Bud Bear, Ken Elsbree, Brian Wickes, Mark Wilcox, Tal Rappleyea (Town Attorney), and Mary Carney

Guests: Mark Overbaugh (Code Enforcement Officer); Bill Silk (Code Enforcement Officer); Jack Van Auken; Dan and Taylor Suarez; David Leal (LMC Property Management); George Schmitt (Morris Associates); Andy Howard (Attorney for David Leal); Mark Jacobs; Brian Mulligan; and Clark Pell (Coxsackie Planning Board Member).

6:30 pm Pledge of Allegiance

Jack VanAuken – Altered Lot Line Application #1: 12.04-2-44 & 12.04-2-20.112

Jack VanAuken – Altered Lot Line Application #2: 12.04-2-42 & 12.04-2-20.112

Jack VanAuken presented two altered lot line applications for his properties on Turon Road.

Mr. Van Auken owns the Turon Farm, which is approximately 75 acres and extends from Irving Road to Route 26. He plans to combine the back portions of lots #12.04-2-44 & 12.04-2-42 into the Turon Farm Lot (12.04-2-20.112). As a result of the altered lot lines, parcel #12.04-2-44 would be reduced to 2.371 acres and parcel #12.04-2-42 would be reduced to 3.282 acres; the remaining portions of these lots, approximately 4 acres and 3 acres, respectively, will be combined into the Turon Farm parcel.

Board members reviewed maps and clarified the details of the project. The Board confirmed that the project met the requirements for an altered lot line and complied with the Zoning Law.

The Board Members reviewed the State Environmental Quality Review Assessment Form (SEQRA) and answered the questions. The SEQRA form was completed and signed by Brian Wickes.

Motion to accept the SEQRA Review with negative declaration made by Ken Elsbree.

Seconded by Bud Bear

All in favor: 4, Opposed: 0, Motion Carried

Motion to accept and approve both altered lot line applications by Ken Elsbree.

Seconded by Bud Bear

All in favor: 4, Opposed: 0, Motion carried

Greenville Country Estates: Planned Unit Development (Tax Map # 12.11-4-7 & 12.11-8-7)

Tal Rappleyea, Town Attorney, provided an update on the PUD project. The Town Board considered the modification to the PUD at their meeting on April 16, 2014. The supplemental proof of the Home Owner Association approval of the modification was provided by the applicant. The Town Board set a Public Hearing for May 19th at 7pm; if they so choose, the Planning Board can make this a joint Public Hearing.

Motion to set a Public Hearing for Monday, May 19, 2014 at 7:00pm made by Ken Elsbree.

Seconded by: Bud Bear

All in favor: 4, Opposed: 0, Motion carried.

PUBLIC HEARING: David Leal (LMC Property Management) – Site Plan Review and Special Use Permit (Tax Map #12.02-1-12.1)

Project involves the construction of a Dunkin Donuts on the parcel in front of GNH on SR 32.

Motion to open Public Hearing by Bud Bear

Seconded by Ken Elsbree

All in favor: 4, Opposed: 0, Motion Carried

George Schmitt of Morris Associates presented the Site Plan Review and Special Use Permit Applications for a Dunkin Donuts on Lot# 12.02-1-12. Mr. Schmitt summarized the project and noted the following: the business will be on public water and sewer; the building will be centered on the lot; there will be a drive through around the back of the building; and the entrance will be modified to allow traffic to move more smoothly.

Members of the Public reviewed the plans. The following are particular questions and concerns presented by members of the public, along with the responses from Mr. Schmitt and Mr. Leal.

What are the hours of operation?

Response: The hours of operation will be 5am to midnight.

What are the plans for the business signs?

Response: There will be the main free standing sign (which will incorporate the current GNH sign), building signs and directional signs. There will be internally lit signs; these signs are internally lit for the purpose of illuminating the sign, not providing a light source. The lights will be on timers. They are seeking a total of eighteen sign variances from the ZBA (Public Hearing May 13, 2014).

Will donuts be made on site?

Response: No, donuts will be delivered.

What local businesses will be impacted by the establishment of a Dunkin Donuts?

Response: Stewarts and Cumberland Farms.

Who will operate the establishment?

Response: David Leal and his family operate several Dunkin Donuts in the region. They will be very involved in the day-to-day operations, especially in the beginning. They will be hiring about 15-20 local employees.

What time are deliveries?

Response: Deliveries will be between 1am and 5am.

Concern was noted about the increase in garbage, as well as, what efforts Dunkin Donuts may make to volunteer to help clean up trash.

Response: There will be sufficient garbage cans placed on the site and they will have a routine for ensuring that the site is clean. Generally, they will clean the site daily and check the site approximately every 30 minutes to ensure that it remains as tidy as possible. The Board Members noted that the plans provide adequate provisions to handle trash. Furthermore, the business is not responsible for the actions of the customers; the Board can only ask that they be a good partner with the community and keep their site as clean as possible.

There were no further questions or comments from the public.

Motion to close the Public Hearing by Ken Elsbree.

Seconded by Bud Bear

All in favor: 4, Opposed: 0, Motion Carried

Board Members noted concern about the entrance and asked if the plans were submitted the Department of Transportation.

Mr. Schmitt explained that the plans were submitted to DOT and they are waiting on local approval before they give a determination. Mr. Leal made a correction to his previous statement regarding the traffic flow. At the last Planning Board meeting he stated that the estimated traffic flow would be 8,000; upon reviewing this, the actual estimate is 4,000-5,000.

The Board Members reviewed the State Environmental Quality Review Assessment Form (SEQRA) and answered the questions. The SEQRA form was completed and signed by Brian Wickes.

Motion to accept the SEQRA Review with negative declaration made by Ken Elsbree.

Seconded by Mark Wilcox

All in favor: 4, Opposed: 0, Motion Carried

Board members reviewed the Site Plan Review Application requirements as specified in Article IV of the Zoning Law. It was determined that all requirements were met, except for the approval from the DOT, as an approval letter was not received yet. This exception could be made a condition of approval.

Ken Elsbree motioned to accept and approve the Site Plan Review Application, conditional upon the letter of approval from the Department of Transportation.

2nd by Bud Bear

All in favor: 4, Opposed: 0, Motion carried

Board members confirmed that the Special Use Permit application met all requirements as specified in Article V of the Zoning Law.

Mark Wilcox motioned to accept and approve the Special Use Permit.

2nd by Ken Elsbree

All in favor: 4, Opposed: 0, Motion carried

Dan and Taylor Suarez – Preliminary Discussion on Potential Brewery on Cedar Lane

Dan and Taylor Suarez summarized their potential farm brewery project on Cedar Lane. They are before the Board today to gather information on the procedures for the project and inform the Board of their intentions. They are looking for a site on which they can live and operate a small farm brewery. They intend to apply for the Farm Brewery License and establish a 15 to 20 barrel system, which would produce 500 gallon batches several times a week. The size of the facility would never be greater than 4,000 to 5,000 square feet. They are interested in finding a parcel with existing buildings that they could retrofit for the purposes of the brewery. The brewery would be a packaging brewery, as the primary business would be wholesale, mainly in the form of kegs. However, there would be a tasting room on-site, which would be supplemental. They are interested in the rural character of the region and would be invested in preserving the natural setting. They are interested in using local ingredients and working with local growers. They plan to run the brewery themselves, yet at full capacity they would require 3-4 full time employees and 4-5 part time employees.

Tal Rapplelea noted that the first step in the process would be contacting the Building Department and applying for a building permit, either to construct new buildings or to retrofit existing buildings.

Jacobs & Poole – Altered Lot Line, Vly Road (Tax Map # 52.00-2-16 & 52.00-2-17)

The Jacobs and Mrs. Poole appeared before the Zoning Board of Appeals on April 8, 2014. At this meeting the ZBA Board Members set a Public Hearing for May 13th to consider the area variances on the parcels. In addition, the ZBA Board Members noted that the tax map did not correspond with the surveyed map provided by the applicant. The applicant's map does not show the boundary line between the Poole's two properties. In addition, there appear to be inaccuracies in relation to the borders of the two properties being altered.

At this meeting, Mr. Jacobs presented his updated map and asked if the Planning Board could approve the application for the altered lot line. Planning Board Members reviewed the map and noted that they could not proceed until the ZBA made a determination on the area variance applications. However, the Planning Board could make a decision about the need to hold an additional Public Hearing if the applications are approved by the ZBA and the altered lot line application is returned to the Planning Board. Discussion followed regarding the duplication of the Public Hearing. It was noted that the neighbors were already informed of the project by the ZBA Public Hearing.

Bud Bear made a motion to waive the Public Hearing.

Seconded by: Mark Wilcox.

All in favor: 4, Opposed: 0, Motion carried.

Minutes – March 25, 2014

Motion to accept the minutes of the March 25, 2014 meeting made by Bud Bear.

Seconded by: Mark Wilcox.

All in favor: 4, Opposed: 0, Motion carried

Motion to adjourn the meeting made by Ken Elsbree at 8:20pm.

Seconded by: Mark Wilcox

All in favor: 4, Opposed: 0, Motion carried