

# Town of Greenville Planning Board

PO Box 38  
Greenville, NY 12083

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September 23, 2014

## Minutes

**Attendees:** Bud Bear, Ken Elsbree, Don Teator, Brian Wickes, Mark Wilcox, and Mary Carney.

**Guests:** Paul Macko (Town Supervisor); Jackie Park (Town Clerk); Mark Overbaugh (Code Enforcement Officer); Tal Rappleyea (Town Attorney); Nicole & Tom Ambrosio; Michael Maxwell; Deborah Smith; Linda & Alfred DeFrancesco; Todd Dunican; John Wiley; Jim Brockett; Shannon Rutherford (representing Greenville Associates); Ken Simon (Greenville Associates LLC); Micah Ferring (Greenville Associates LLC); Charles Schembri; David & Jennifer Heinze; and Audrey Matott (Daily Mail).

**6:35 pm** Pledge of Allegiance

### **Public Hearing: DeFrancesco – Site Plan Review & Special Use Permit: Butcher Shop**

*Motion to open Public Hearing by Don Teator.*

*Seconded by Ken Elsbree, All in favor: 5, Opposed: 0, Motion Carried.*

Mr. DeFrancesco presented his Site Plan Review and Special Use Permit applications for a butcher shop in the building located at 10996 State Route 32 (Tax Map #24.02-4-27). The property, owned by Edwin Brockett, was a Sunoco Station in the past and is zoned as Hamlet Residential. Mr. DeFrancesco plans to paint the office and put up sanitary board; aside from that, there will be no significant construction. The shop will be approximately 490 square feet.

Brian Wickes opened the hearing to the public for comment. The following are questions presented by members of the public, along with the responses from Mr. DeFrancesco and Mr. Brockett.

How will scraps and food waste be disposed of?

Scraps will go out for rendering (this will not be a slaughter house). The outdoor dumpster will be for cardboard, not scraps. Mr. DeFrancesco plans to butcher deer. Greenville Packing will come and take the renderings and hides.

Where will the water waste go? What arrangements are being made for a grease trap?

Waste water will go into the existing septic. Mr. Brockett provided information on the septic system. There is a 1000 gallon septic tank with a leach field (consisting of approximately three rows of biochambers bedded in bluestone, sand, and Tyvek paper. The septic has been pumped in recent years and will be more than sufficient to handle the wastewater from the shop. Mr. DeFrancesco noted that Ag and Markets will require him to install a grease trap. The grease trap will be inside, under the sink.

How many employees?

The only people working in the shop will be Mr. DeFrancesco and his wife.

*Motion to close the Public Hearing by Don Teator.  
Seconded by Mark Wilcox, All in favor: 5, Opposed: 0, Motion Carried.*

*Motion to declare the Planning Board the lead agency for the project made by Ken Elsbree.  
Seconded by Mark Wilcox, All in favor: 5, Opposed: 0, Motion Carried.*

Board Members reviewed the general considerations outlined in the Zoning Law. The Board then reviewed the State Environmental Quality Review Assessment Form (SEQRA) and answered the questions. The SEQRA form was completed by Don Teator 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: 5, Opposed: 0, Motion Carried.*

The Board further discussed the need for further information and plans on the septic.

*Motion made by Mark Wilcox to accept and approve the site plan review and special use permit for the butcher shop at 10996 State Route 32 (Tax Map #24.02-4-27) with the following conditions: there will be no outdoor storage of organic waste; the applicant will provide engineer approved septic plans; and the applicant will provide the specifications for the grease trap being installed.  
2nd by Ken Elsbree, All in favor: 5, Opposed: 0, Motion carried*

**Public Hearing: Bryant's (Tops) Shopping Center Project: Site Plan Review & Special Use Permit, Tax Map #12.02-1-2.1 & 12.02-1-2.2**

*Motion to open Public Hearing by Don Teator.  
Seconded by Ken Elsbree, All in favor: 5, Opposed: 0, Motion Carried.*

Shannon Rutherford, Director of Land Development at Vanasse Hangen Brustlin, explained that she was representing Greenville Center Associates, LLC in the matter of their proposed plan to construct a Mavis Tire Center in the Tops Shopping Plaza. Thus far they have provided the following: Site Plan Review application, Special Use Permit application; traffic memo, and a drainage memo. In addition, they have submitted a parcel combination request to the County to combine lots 12.02-1-2.1 and 12.02-1-2.2. The County has informed them that before they can consolidate the lots they will need to complete an abandonment of the subdivision, which they are in the process of completing.

The project would involve the demolition of the house on lot 12.02-1-2.2 as well as the office space at the northeast corner of the plaza (currently the Coldwell Banker Office). The Mavis will be constructed and face Route 32. The Mavis will be 6770 sq. ft. and will have eight service bays (facing Route 32). The services provided will include tire services, oil changes, and general mechanical services. Fourteen new parking spaces will be created. Parking is not an issue as the plaza already exceeds the minimum requirements for parking. The current plans are zoning compliant in relation to setbacks. A new driveway to the Mavis will be created by converting the old residential driveway on Route 32 into a commercial driveway. Through traffic will be permitted from the plaza to the new driveway. The applicant has agreed to include sidewalks across the frontage of the Mavis.

Ms. Rutherford reviewed the provisions for the dumpster and used tire enclosure, noting that the used tires would be removed on a regular basis. The enclosure will be a block enclosure with a chain link

fence to screen the view for the abutting neighbor. She added that there will be new loading docks added to the back of two of the existing plaza businesses nearest the Mavis.

With regards to drainage, they plan to add new catch basins and tie into the existing catch basin, in addition to adding a water quality unit. The Town Engineer (Alan Tavenner – Delaware Engineering) has reviewed the drainage plans and offered the following suggestions:

1. The area is under 1-acre in total disturbance and no other environmental permits are required, therefore a site specific SWPP is required.
2. Water from the site drains behind the plaza via existing drainage pipe. The plans should indicate the size and condition of the pipe the 12” drain leads to verify they will not back up on site.
3. Due to the proximity of construction to the State road, it is recommended that a crushed stone entrance pad be built to prevent tracking of mud onto Rt. 32.

The Board discussed the possibility that there might be an error and in the recommendation, as they do not believe a SWPP is required. Ms. Rutherford will follow up on this point, as well as the size and condition of the pipe. She added that there are no floor drains; therefore an internal grease trap may not be required, she will follow up the Town Engineer on this point too. With regards to the sewer, they intend to connect to the existing sewer stub. The sewer line running to the residence will be abandoned and capped. There is already a restroom in the Coldwell Banker Office and they don’t anticipate any significant increase in use due to the Mavis. The gas service will be propane and the tanks will be underground. There is an existing oil tank, but there are tentative plans to convert the plaza to a propane system.

There is an existing water suppression system in the building and Ms. Rutherford is in contact with Leroy Bear (Maintenance / Water Supervisor) to review the use of water. The existing water supply will go around the Mavis to the existing tenants and new pipes will be run in for the Mavis water supply and fire suppression. There are existing electrical lines running on the north edge of the property. They are currently discussing the final configuration for the relocation of the three poles with Central Hudson.

Anticipated traffic for the Mavis will be as follows: 19 weekday morning peak and 24 weekday evening peak. Mavis has provided additional information on this matter, noting that a well performing center will have 30 customers a day.

The County Planning Board and DOT have reviewed the project and given favorable recommendations.

They are still in the process of developing a lighting plan for the site.

Brian Wickes opened the hearing to the public for comment. The following are questions presented by members of the public, along with the responses from Ms. Rutherford and Mr. Simon.

What are the hours of operation?

- Normal business hours – approximately 8am to 6pm, Monday through Saturday.

The increased noise is a significant concern for the residents living near the Mavis. What will be done to minimize the impact of the noise? Will they keep the bay doors closed? Will the hours of operation be restricted in the evening?

- Whether or not the doors are open usually depends on the weather; however, Ms. Rutherford will confirm the hours of operation and the procedure for operating with the doors open.

Concern was raised about the odors that will result from the Mavis.

- The tires are stored inside, and the tires being disposed of will be picked up at night.

Will the site drain away from or towards Route 32?

- The site will drain away from Route 32.

Mr. Schembri noted that he owns the adjacent property and had future plans to construct a senior center. He believes that the construction of the Mavis will impede his ability to develop the senior center, and future development in general. He added that the sewer and water should be extended to the end of the plaza parcel so that future development can connect to the system. Concern was raised about the proximity of the propane tanks, dumpster and parking; there is no significant buffer on the property line. Overall, Mr. Schembri believes that the construction of the Mavis, as laid out in the current plans, will prohibit future development; the Board should focus on smart growth and planning.

- The Board explained that the plans for the Senior Center are hypothetical, thus it cannot be considered in their determination on the Mavis. Regarding the sewer and water, Mavis does not have the authority to extend these systems. Currently the districts end with the Greenville Associates property. Extending the systems would require an additional sewer and water district, which would need to be created by the Town Board. The current Mavis plans would not prevent the extension of the water and sewer systems in the future. Regarding the buffer on the property line, the dumpster is not a structure, therefore the setback requirements do not apply. The applicant agreed to provide additional trees on the property line to enhance the buffer.

Can the location of the Mavis be changed to another site on the plaza property?

- The Board explained that legally they cannot tell the applicant where to construct the business, so long as it is in compliance with the Zoning Law.

Can the bays be placed on the back of the building?

- The applicant noted that this would not be possible.

Concern was raised about the additional entrance on the north end of the lot. Would it be possible to consolidate the entrances to avoid issues with traffic? Could it be a delivery entrance only?

- The applicant noted that the entrance will be used mainly for Mavis deliveries and access to the other service bays behind the plaza. They will look into the possibility of making it a delivery entrance only.

Could a speed bump be used to prohibit general traffic from using the entrance?

- The applicant noted that this would be a problem for maintenance, particularly snow removal and drainage.

What time and what types of trucks will be making deliveries?

- Mavis deliveries will be done by tractor trailer and will once or twice a week.

Has any consideration been given to how the increase in noise will impact the adjacent neighbors and tenants?

- The applicant noted that all of the tenants are enthusiastic about the Mavis. The walls are insulated block walls and there will not be a consistent elevated noise level.

Currently there are water lines coming into the facility. Where will these lines come in once the Mavis is constructed?

- Ms. Rutherford reviewed the location of the multiple water lines and noted that there will be a pipe for fire trucks and a fire pump behind the Mavis.

The Board noted concern about Mavis washing down the bays, or putting anything down the drains that could adversely affect the system.

The Board emphasized that the only issues they can address relate to whether or not the project is in compliance. They agreed to keep the public hearing open for further review and exploration of concerns.

In summary, there are a number of elements that need further review or action.

- A sound study (noise levels at distances, with the doors open, unless they plan to operate with the doors closed at all times)
- Information on the hours of operation and procedures (particularly operating with the bay doors open)
- A summary of the exact services provided by Mavis
- Review the north entrance and the possibility of making it a delivery entrance only
- Follow up on the Town Engineer's recommendations: check if there is an error in the recommendation (as they do not believe a SWPP is required); the size and condition of the pipe; and whether an internal grease trap is required if there are no floor drains.
- Industrial discharge application
- Relocation of electrical lines
- Plans for lighting
- Plans for signs and variance for the internally lit signs

**Thomas & Nicole Ambrosio – Subdivision: King Hill Earlton Road, Tax Map #38.00-6-13**

Mr. & Mrs. Ambrosio summarized their proposed plans for a subdivision at the property located on King Hill Earlton Road (Tax Map #38.00-6-13). The property is 77 acres and is zoned as Rural Residential. They plan to create one new lot, which would be at least five acres. The new lot would be accessed by a right of way that is noted in their current deed. At the previous meeting the Board requested further information on the right-of-way. Although the right-of-way is referenced in the Ambrosio's deed, the complete information about the right-of-way is recorded in a separate deed (Book 436 of Deeds page 742). Before they proceeded, the Board wanted further information on the right-of-way. Subsequently, Mr. and Mrs. Ambrosio found additional information on the right-of-way and provided a copy of the deed to the Planning Board. The Ambrosio's own the right-of-way on their property, along with the right to travel on the right-of-way over the other parcels. As such, the newly created parcel will not be land locked because there is sufficient evidence of the right-of-way. The Board informed the Ambrosio's that a new road maintenance agreement would be required for final approval of the subdivision.

**Deborah Smith – Altered Lot Line: 586 Cedar Lane, Tax Map #13.00-3-17.2 & 13.00-3-2.2**

Mrs. Smith summarized her proposed plans for an altered lot line at her properties located on Cedar Lane (Tax Map #13.00-3-17.2 & 13.00-3-2.2). The properties are each approximately 40 acres and are zoned as Rural Residential. They plan to adjust the boundary line so that the resulting lots will be 5 acres and 75 acres.

Board members reviewed the maps and conducted a preliminary review of the project; no significant concerns were noted.

**Michael Maxwell – Subdivision: 9395 SR 32, Tax Map #51.03-1-16**

Mr. Maxwell summarized his proposed plans for a subdivision at his property located in the hamlet of Freehold (Tax Map #51.03-1-16). The property is approximately .77 acres and is zoned as Hamlet Business. There are currently two residences on the parcel with a shared well.

As the minimum lot size in the Hamlet Business zoning district is .5 acres, any attempt to subdivide this property will create substandard lots and will therefore require a variance for lot size. Given this, along with the issue of the shared well, the Board determined that the project would require, at the minimum, a variance for the lot size.

*Motion to refer the application to the Zoning Board of Appeals made by Ken Elsbree.  
Seconded by Mark Wilcox, All in favor: 5, Opposed: 0, Motion Carried.*

**Camp Malka: Water and Fire Suppression Update**

No additional information provided since the last meeting.

**Minutes – August 26, 2014**

*Motion to accept the minutes of the August 26, 2014 meeting made by Ken Elsbree.  
Seconded by: Bud Bear. All in favor: 5, Opposed: 0, Motion carried.*

*Motion to close the meeting made by Ken Elsbree at 8:50.  
Seconded by: Bud Bear. All in favor: 5, Opposed: 0, Motion carried.*