

PLANNING BOARD MINUTES

Wednesday June 16, 2004

WORK SESSION 6:30 P.M.

Roll call Miscellaneous
Minutes Agenda items
Sign review Communications
Update on pending items
Committee reports
Zoning law

AGENDA ITEMS 7:30 P.M.

ITEM I

Towne Buick
Major Arterial

REQUESTS SPECIAL EXCEPTION USE PERMIT AND
CONCEPT PLAN APPROVAL FOR CONSTRUCTION
OF A NEW BUILDING FOR A HUMMER
DEALERSHIP LOCATED AT 5411 TRANSIT ROAD.

ITEM II

Jack Wilcox
Restricted Business

REQUESTS CONCEPT PLAN APPROVAL FOR A
THREE LOT OPEN DEVELOPMENT AREA LOCATED
AT 10352 MAIN STREET.

ITEM III

Calvin Caruso
Major Arterial/Residential B

REQUESTS CONCEPT PLAN APPROVAL AND A
SPECIAL EXCEPTION USE PERMIT FOR THE
CONSTRUCTION OF A CAR WASH FACILITY AT
6705 TRANSIT ROAD.

ATTENDING: Patricia Powers
Christine Schnneegold
Reas Graber
Roy McCready
Joseph Floss
Jeff Grenzebach
Wendy Salvati
Tim Pazda

INTERESTED
PERSONS: Jack Wilcox
Councilman Bylewski
Supervisor Hallock
Mel Kazmierczak
Carol Territo
Genevieve & John DeCarlo
Tim & Josephine Cooley
Brian & Janet Dermont
Rene Desai
Anthony Glieco
Marvin Collins
George Grasser
James Bammel
Calvin Caruso
Phil Silvestri
James Callahan
James Hartz
Kathryn Tiffany

Minutes

Motion by Jeff Grenzebach, seconded by Reas Graber to approve the minutes of the meeting held on June 2, 2004 as written.

ALL VOTING AYE. MOTION CARRIED.

ITEM I
Towne Buick
Major Arterial

REQUESTS SPECIAL EXCEPTION USE PERMIT AND
CONCEPT PLAN APPROVAL FOR CONSTRUCTION
OF A NEW BUILDING FOR A HUMMER
DEALERSHIP LOCATED AT 5411 TRANSIT ROAD.

DISCUSSION:

Jim Callahan gave a brief history of this project. It is located on the east side of Transit road north of Greiner Road, and consists of approximately 7.21 acres, in the Major Arterial zoning classification. This application was introduced to the Town Board on January 21, 2004, and was reviewed by the Planning Board on February 4, 2004, April 21, 2004, May 19, 2004, and several Planning Board Executive sessions. It is here again tonight seeking a recommendation for concept plan approval, as well as a recommendation for a special exception use permit. Chairman Powers asked Mr. Bammel to update the residents on the changes from the last two sessions. The demonstration area has been moved further away from the residents, the dumpster has been eliminated, and the Hummer dealership will use the existing dumpster. There will be gates across the front of the demonstration area. They have added additional trees along the bermed area both deciduous and evergreens. They have added some additional islands along the back row of the multi-family, locating them in areas for the best visible protection from the parking area. They are also adding a fence around the demonstration area six to eight feet tall. They have directional lights along the back property that are aimed toward the building. They have altered the retention area to have as much green space as they can, and placed the parking further inland. They have 23.1% of green space. Chairman Powers said one of the concerns of the residents is car carriers idling for an hour or so. Couldn't those trucks be turned off? Or could they unload their vehicles near Transit Road? Traffic Safety did review this project, and they had no comments. We have not heard from Fire Advisory. Joe Floss asked how the retention area will be maintained. Mr. Bammel said it will be a seeded area, they have to move it and completely reshape it. Joe Floss said he is concerned about maintenance of the berm and the retention area. Mr. Bammel

said he can't speak for the owner but he thinks the owner would take any direction that is given at this point. Pat invited the audience to come forward with new questions. Carol Territo asked about the reports from the MRC, Traffic Safety, and Fire Advisory. Traffic Safety stated they had no comment on the project, Fire Advisory has not sent their comments back at this point, and when we made the motion to send it to MRC, we were unaware of the fact that we had a short form environmental assessment form already in the file completed by the applicant, and as we move forward this evening we will act on addressing that issue. Wendy Salvati said "We did talk about whether to send this to the MRC, their task is really to look at the environmental impacts of this project. We determined that we wanted to focus more on the site design aspects to help us better try to address your concerns, and strike a compromise. The MRC would be looking at a site that is already fully built out, they would not really be able to come back with any information that would be of value to help us as we continue through this review process. So that was our reasoning for not referring it to the MRC. We elected to work with the applicant at the Planning Board Executive sessions, strike compromises, and find ways to address the concerns that have come put of these meetings." Joe Floss said he would find out why Fire Advisory did not respond with a comment, when he meets with them tomorrow night. Mr. Kazpierzak lives in the Village Station and is adjacent to the property. He wanted to know if his property has been addressed. Jeff Grenzebach had recommended at a previous meeting that the jog in the upper right hand corner would be the point where the buffer zone would start from the back of the property line. He doesn't want a parking lot in his backyard. The noise will be terrible when they look for cars, and toot the horns for the cars they are looking for. They are just too close to the property line. Chairman Powers explained that the islands will bring the buffer in that area to 45 feet from the property line. They strategically placed those to address your concern. Tim Cooley of Red Clover said he was out on Saturday, and there were car alarms going off all day. That is totally inconsiderate, and unnecessary. He also said that a 3 to 5 foot berm will only bring up the property to ground level. Also, the Towne Buick sign out front lights up his whole property. That sign should be pushed north and put on a timer. That would be a nice bone to

throw at us. Another resident from Village Station wanted to know if they were going to have the lights on all night in the rear of the property? Mr. Bammel said any lighting in the rear of the property will shine towards the building. Councilman Bylewski said there is a law in the Landscaping Ordinance that requires that landscaping material that dies must be replaced with plantings of a similar nature the next growing season. Joe Floss said that this approval also involves a Special Exception Use permit which can be revoked if the conditions are not met.

ACTION: Motion by Jeffrey Grenzebach, seconded by Joseph Floss to recommend a negative declaration to the Town Board based on the information contained on the short environmental assessment form that this will not result in any significant adverse environmental impacts.

ALL VOTING AYE. MOTION CARRIED.

ACTION: Motion by Joseph Floss, seconded by Reas Graber to recommend a Special Exception Use Permit and concept plan approval to the Town Board with the following conditions:

- 1) The demonstration area formally known as the test track has been moved to the interior of the lot. Demonstration area is to be gated. A maximum height of the test track itself is four feet. The east view of the demonstration area is to be fenced to protect the view of the residents with a fence 6 to 8 feet high.
- 2) The existing dumpster will remain in its present location.
- 3) Lighting has been eliminated in the last row of the expanded storage parking. All remaining lights to be aimed toward the building.
- 4) The color of the rear of the Hummer building will be a flat gray.
- 5) Outside speaker system will be changed to radio wireless version upon completion of this building.
- 6) The display area of the parking lot to be striped. No parking in the right-of-way. All vehicles to be displayed at ground level.
- 7) The existing buffer in the back will be bermed, and the remaining area to be paved for car storage/inventory. The berms are to be maintained on both sides .
- 8) A water truck is to be on site to control dust during

Page 2004-97
construction.

On the Question?

Councilman Bylewski suggested adding to the motion that the

9) Landscaping is to be maintained in accordance with the approved landscaping plan.

On the question?

Wendy Salvati suggested adding to the motion the following:

10) The retention basin be kept free of litter and debris.

11) Any new lighting should be shielded and directed toward the building.

12) No idling of car carrier trucks on the site. If necessary they be allowed to station or wait off site.

Joseph Floss said "I accept those valued comments, and so amend them to the motion . Reas"?

Reas Graber seconded the amendments.

ALL VOTING AYE. MOTION CARRIED.

Pat Powers told the audience there would be a public hearing for the Special Exception Use permit sometime in July.

Chairman Powers told Mr. Bammel to submit a completed Attachment II - it is a development plan approval checklist.

Carol Territo asked about the berm. Mr. Bammel said the height of the berm will be 3 to 5 feet. The evergreen trees will be 5 to 6 feet in height. The deciduous trees will be 12 feet tall.

ITEM II
Jack Wilcox
Restricted Business

REQUESTS CONCEPT PLAN APPROVAL FOR A
THREE LOT OPEN DEVELOPMENT AREA LOCATED
AT 10352 MAIN STREET.

DISCUSSION:

Jim Callahan said the property is on the north side of Main Street between Strickler and Hillcrest. It consists of approximately 7.67 acres and is zoned Restricted Business. The project was introduced to the Town Board on May 26,

2004 and referred to the Planning Board. The applicant is present to introduce a three lot open development, which currently exists as a one lot open development. Mr. Wilcox said he has submitted a couple of drawings, and believes that his property fits all the parameters of the open development requirements. Wendy Salvati asked if Mr. Wilcox had a well for his water supply. Mr. Wilcox said he currently has a well. Mr. Wilcox owns the driveway which is 62 feet wide, all the way to Main Street. Mr. Wilcox has granted an easement to use the driveway to the properties on either side of his roadway. The road will be brought up to the standards of the statute. He has started on the process to bring public water to the property. Reas Graber asked if these lots would have sewers or septic systems. Mr. Wilcox said he understands the Town is intending to bring the sewer line across his property. He is in the process of working with the Town to get an easement across his property, but the exact location has not been finalized. Pat Powers asked Mr. Wilcox if he has decided on how he will provide fire protection to these homes. Would he have a hydrant or sprinkler system? Mr. Wilcox said he understands he has two options. I can either bring in a two inch service, and then the homes would have to have sprinkler systems, or else bring in an eight inch service for the hydrant. I am trying to evaluate which is most cost effective. It is my understanding that he will be able to hook in to the sewer. Chairman Powers asked if there was anyone in the audience who cared to comment. No one had any questions or comments.

ACTION:

Motion by Jeff Grenzebach, seconded by Roy McCready to refer this project to the Municipal Review Committee, Fire Advisory, and Traffic Safety for review and comment.

ALL VOTING AYE. MOTION CARRIED.

ITEM III
Calvin Caruso
Major Arterial/Residential B

REQUESTS CONCEPT PLAN APPROVAL AND A
SPECIAL EXCEPTION USE PERMIT FOR THE
CONSTRUCTION OF A CAR WASH FACILITY AT
6705 TRANSIT ROAD.

DISCUSSION:

Jim Callahan said the property is located on the east side of Transit Road south of County Road. It consists of 3.33 acres, it is zoned Major Arterial in the front of the property, and Residential B in the rear. This was introduced to the Town Board on May 26, 2004 and referred to the Planning Board. The applicant is here tonight to introduce the concept project, and consideration for a Special Exception Use permit for a car wash. Phil Silvestri is the architect for the project. They are proposing a 4600 square foot car wash building that will be located on the north side of the property. They are proposing a new driveway that will provide access to that car wash. There is an existing house and garage that will remain on the property, with an existing driveway they will maintain as it exists. The new drive will be to a single lane stacking area that will accommodate 31 cars, and the cars will exit out the same driveway to Transit Road. As you can see there is no conflict between the cars entering and exiting. They have provided a parking area that will accommodate 12 cars. They have spaces for vacuuming, and they have an enclosed dumpster. The site consists of 3.33 acres, 2.6 acres is green space. The building will be constructed of exterior masonry walls which will be split faced concrete block that will have texture to it, and different colors to add interest to the building. It will have a pitched roof with architectural asphalt shingles. It will have glass overhead doors at each end, with windows on the south side of the building. Jeff Grenzebach asked if the existing home was on sewer. Yes, it is on sewer. Jeff asked if the car wash would have fresh water rinse, or reclaimed water? It will have the fresh water rinse. Mr. Caruso said the reclaimed water that comes off of that, is going to be in the holding tanks. We will have two tanks, the oil will be filtered in the second tank, and will be pumped out. Reas Graber asked what kind of landscaping will be between the building and the adjoining property? It is all wooded. Joe Floss said he had a few concerns he would like to address now. He is concerned about the curb cut being so close to the residential curb cut. The residence is in poor condition - are you going to rent it out?

Mr. Caruso said it is rented, and the inside is immaculate. Joe Floss said you are right up against the dentist, what is the side yard setback? It is ten feet. Councilman Bylewski asked if there would be attendants outside the building drying the cars down with towels? Mr. Caruso said there would be one or two people. He made the tunnel long enough so that most of the drying is done inside the building, and added extra dryers.

Jeff Grenzebach said he was concerned about the people pulling over to vacuum or to have their cars hand dried, getting in the way of the exit line. Mr. Caruso said there is over thirty feet, there is plenty of room to pull over while people pass by. The hours of operation will be approximately 8 a.m. until 8 p.m. during the week and 8 a.m. until 6 p.m. on the weekends. There will not be a store. The building setback is 250 feet from Transit Road. Wendy Salvati asked if they had room to expand in the future. If they do a really great business, we don't want cars stacked on Transit Road. They would have a basically dry pond for detention purposes.

Dr. Philip Young of 6715 is the neighbor to the north of the proposed car wash. He is concerned about the proximity of the new driveway, and how close the building is to his treatment rooms. There isn't much room, and it seems with what little space there is, there will be cars right on top of the property line. I am wondering how close they are to the property line with the building, and what kind of noise and congestion. We will be looking at a line of cars. There has already been some tree removal from the front of the building, and one of the trees came down about three feet from my building. When that happened, I was drilling on a patient who jumped, and the drill went into their lip. I had to do stitches. Thankfully they understood it wasn't my fault. I am afraid the next person might not be so understanding. The other concern I have is the east lane on Transit is already striped, with the intention of cars merging when they cross County Road, it merges into one lane. It is already sort of an issue with people treating it as a turning lane, and cruising right down that striped line and turning right on County Road. I have seen a fair share of accidents outside my office because of that. I am concerned about the congestion and people getting in and out of our office, and any problems it might cause. I am concerned about the noise, and the aesthetics of what we are going to be looking out at. Mr.

Caruso said that the building will be ten feet away from the property line, and the cars in line will be not be going fast. Pat Powers asked Mr. Caruso if he had any plans for landscaping the ten feet between the building and the property line. Mr. Caruso said eventually he would like to it to look nice. Pat said further along in this process a landscape plan would have to be submitted to the Landscaping Committee for approval. It is part of the process. Reas Graber suggested utilizing the south side of the property and using the existing driveway they have for the house. The more curb cuts you have, the more possibility of accidents you have, the D.O.T wants the number of curb cuts reduced. Is there a reason you didn't go to the south of the property. Mr. Silvestri said the house is being maintained as a separate entity on its own. Mr. Silvestri said the driveway is going to be thirty feet wide, and you could basically have three lanes of traffic in reality. Reas Graber said he had concern for the the street, there will be people who will want to make a left hand turn on to Transit Road. Trying to make a left hand turn could make the cars stack up behind them, it would be safety issue. Calvin Caruso said the car count for Delta Sonic is almost double on Transit Road. We will have busy days on those nice days, but we are going to be a car wash, we aren't going to have gas station services, or a convenience store for milk and cigarettes. Joe Floss asked where they were going to put the snow. Mr. Caruso said there is plenty of land to push the snow around.

ACTION:

Motion by Christine Schneegold, seconded by Roy McCready to send this project to Municipal Review Committee, Traffic Safety, and Fire Advisory.

ALL VOTING AYE. MOTION CARRIED.

Pat Powers asked the applicant to provide the board with a completed checklist for a commercial project before they return for concept plan approval.

Meeting adjourned at 8:40 p.m.
Patricia, Powers, Chairman