

# Memo

**To:** Town Board Members

**From:** Jonathan Bleuer, Director of Community Development

**cc:** Town Attorney, Town Clerk, Town Engineer, Code Enforcement Officers, Planning Board Members

**Date:** October 22, 2021

**Re:** October 27, 2021 Town Board Meeting - Planning Items

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**The following is a review of the Planning items on the October 27, 2021 Town Board Agenda:**

Public Hearings: None

Formal Agenda Items: Four

**1. Stephen Development - North**

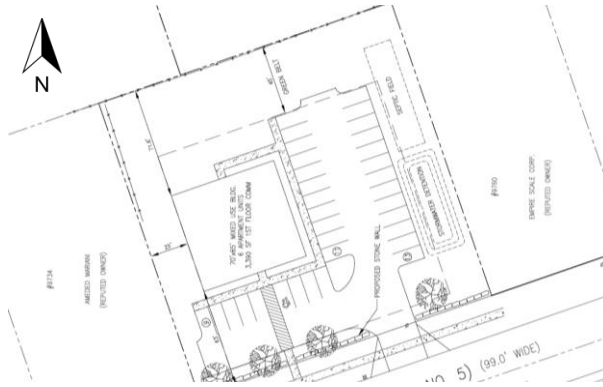
**Location:** 9740 Main Street, north side between 9734 and 9760 Main Street.

**Description:** Existing .92 acre vacant parcel located in the Commercial zone.

**Proposal:** The applicant is requesting a Public Hearing to consider a Special Exception Use Permit for the construction of a multiple family housing mixed use project featuring a single 2-story building containing 3,390 sq. ft. of commercial space and one residential unit on the first floor, and five residential units on the second floor.

**History:** The Planning Board has issued a Negative Declaration under the State Environmental Quality Review Act, Concept Plan Approval and a recommendation of a Special Exception Use Permit.

**Reason for Town Board Action:** The Town Board has the authority to schedule a Public Hearing to consider this request.



Stephen Development North – 9740 Main Street Concept Plan and Concept Render

## 2. Stephen Development - South

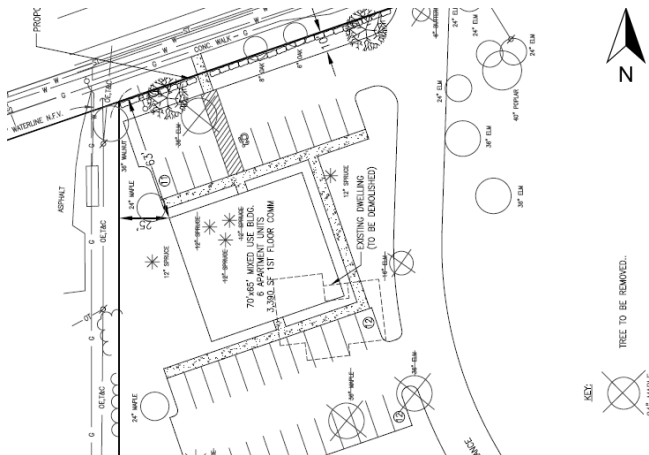
**Location:** 9745 Main Street, south side.

**Description/History:** Existing 6.26 acre parcel located in the Commercial zone, containing an existing principle and accessory structure proposed for demolition as part of this project. The parcel also contains a recently blocked temporary access road to Rock Oak Estates.

**Proposal:** The applicant is requesting a Public Hearing to consider a Special Exception Use Permit for the construction of a multiple family housing mixed use project featuring a single 2-story building containing 3,390 sq. ft. of commercial space and one residential unit on the first floor, and five residential units on the second floor. The proposal also includes a shared access point for the proposed mixed use building and Rock Oak Estates.

**History:** The Planning Board has issued a Negative Declaration under the State Environmental Quality Review Act, Concept Plan Approval and a recommendation of a Special Exception Use Permit.

**Reason for Town Board Action:** The Town Board has the authority to schedule a Public Hearing to consider this request.



Stephen Development South – 9745 Main Street Concept Plan and Concept Render

### 3. George Smilanich

**Location:** 8575 Roll Road.

**Description:** Existing 4.5 acre parcel containing a warehouse, associated parking, greenspace, and cell tower, all located in the Industrial Business Park zone.

**Proposal:** The applicant is requesting consideration of a Temporary Conditional Permit for an automotive sales operation, to include allowance of up to ten (10) vehicles displayed for sale at a given time, within the parking area in front of the existing warehouse building.

**History:** The applicant was previously issued a Temporary Conditional Permit for an automotive sales operation in May of 2015, for one year with conditions. In August of 2016, the Temporary Conditional Permit was renewed for one additional year, with discussion of past violations. In June of 2017, the Temporary Conditional Permit was not renewed due to continuous documented violations.

Currently the Zoning Inspector has alleged Town Code Violations on the property against the applicant, and these matters are in the Justice Court System.

**Reason for Town Board Action:** A referral to the Planning Board would allow for a thorough review of this proposal.

### 4. Shawn Anderson

**Location:** 8091 Westphalinger Road.

**Description:** Existing 28 acre parcel located in the Agricultural Floodzone containing a residence and accessory structure.

**Proposal:** The applicant is requesting approval to construct an approximately 80' by 125' pond on the property.

**History:** The Engineering Department has reviewed the request, provided comments and the applicant has satisfied the comments of the Engineering Department, allowing this item to be placed on a Town Board Agenda.

**Reason for Town Board Action:** The Town Board has the authority to approve this request.

## Work Session Items: Two

### 1. Tarpon Towers II, LLC. Verizon Wireless Cell Tower

**Location:** 6879 Salt Road.

**Description/History:** Existing 75.7 acre parcel located in the Agricultural Rural Residential zone and designated as a Local Historic Landmark, containing a residence, farm operation and wind turbine.

**Proposal:** Applicant is requesting consideration of a 149' tall telecommunication tower to the southeast corner of the property, with access to Hunts Corners Road.

**Reason for Town Board Action:** A full environmental review is required under the State Environmental Quality Review Act. A referral to the Planning Board will allow an environmental review to commence.

**Note:** Within the Agricultural Rural Residential zone, the max allowable height is limited to 100'. A variance would be required by the Zoning Board of Appeals for this proposed 149' tower prior to a Special Exception Use Permit being considered by the Town Board.

The Planning Office is currently conducting a review of the proposal, and the applicant is analyzing the comments provided at the previous Town Board Work Session.



*Tarpon Towers II, LLC. 6879 Salt Road, Site Plan*

## 2. DC Supply Inc.

**Location:** 9220 County Road

**Description:** Existing 12.25 acre parcel located in the Industrial Business Park zone.

**Proposal:** The applicant is requesting approval of a Temporary Conditional Permit for an erosion control manufacturing business operation.

**History:** The Planning Office witnessed the business operation occurring on the property, and contacted the property owner and tenant. After several productive site visits and meetings, the applicant has submitted an application, and has begun to bring the site into better order upon the advisement of the Planning Office.

**Reason for Town Board Action:** A referral to the Planning Board would allow for a thorough review of this proposal.