

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: February 4, 2022

Re: February 9, 2022 Town Board Meeting - Planning Items

The following is a review of the Planning items on the February 9, 2022 Town Board Agenda:

Public Hearings: None

Formal Agenda Items: Three

1. Michael Stapleton

Location: 5035 Salt Road.

Description: Existing 1.3 acre parcel located in the Residential Single Family zone, containing a residence with accessory structures. A wood working shop currently exists on the property, and is considered pre-existing, non-conforming. As such, the wood working shop may continue in perpetuity until such time as the use ceases for a period of 12 consecutive months.

Proposal: The applicant is requesting a Public Hearing to consider a Temporary Conditional Permit for a ceramics/pottery business. The applicant will also be continuing the pre-existing non-conforming wood working business. The applicant currently has three employees, and no retail operations would occur on site. The products are sold online, and taken to the post office for delivery.

History: Upon review, the Planning Board has recommended approval with conditions.

Reason for Town Board Action: The Town Board has the authority to act upon this request, after holding a Public Hearing.

2. The Broadway Group LLC, Dollar General

Location: 10340-10344 Main Street.

Description: Existing vacant parcels located in the Traditional Neighborhood District and Clarence Hollow Overlay.

Proposal: The applicant is requesting Architectural Approval for a proposed 9,100 sqft retail store. The structure features an asphalt shingle gabled roof, feature size side gable, five oversized dormers with glass windows (two on east side, three on west side), glass windows on all four sides, front and side metal window awnings, extended soffits with fiber cement trim details throughout, cedar shake impression fiber cement board (hardie) detailing at the gables and dormers, fiber cement board (hardie) siding on all sides, brick knee wall on all sides, HVAC ductwork removed from rear exterior, rear HVAC units placed behind decorative fiber cement kurastone wall, traditional goodneck lighting throughout, and a modified color pallet featuring a variety of complimentary warm earth tones.

History: The Planning Board has issued a Negative Declaration under the State Environmental Quality Review Act, Concept Plan Approval and a recommendation Architectural Approval. The Clarence Hollow Community Character Protection Committee has provided comment during the review process, including assistance during the most recent architectural modification. The Landscape Committee has reviewed and approved a final Landscape Plan. The proposal still requires Development Plan Approval by the Planning Board, after a thorough review by the Engineering Department.

Reason for Town Board Action: As this project is located within the Traditional Neighborhood District, final architectural approval is subject to Town Board Approval.



Dollar General Architectural Render

3. Love Your Dog, Inc.

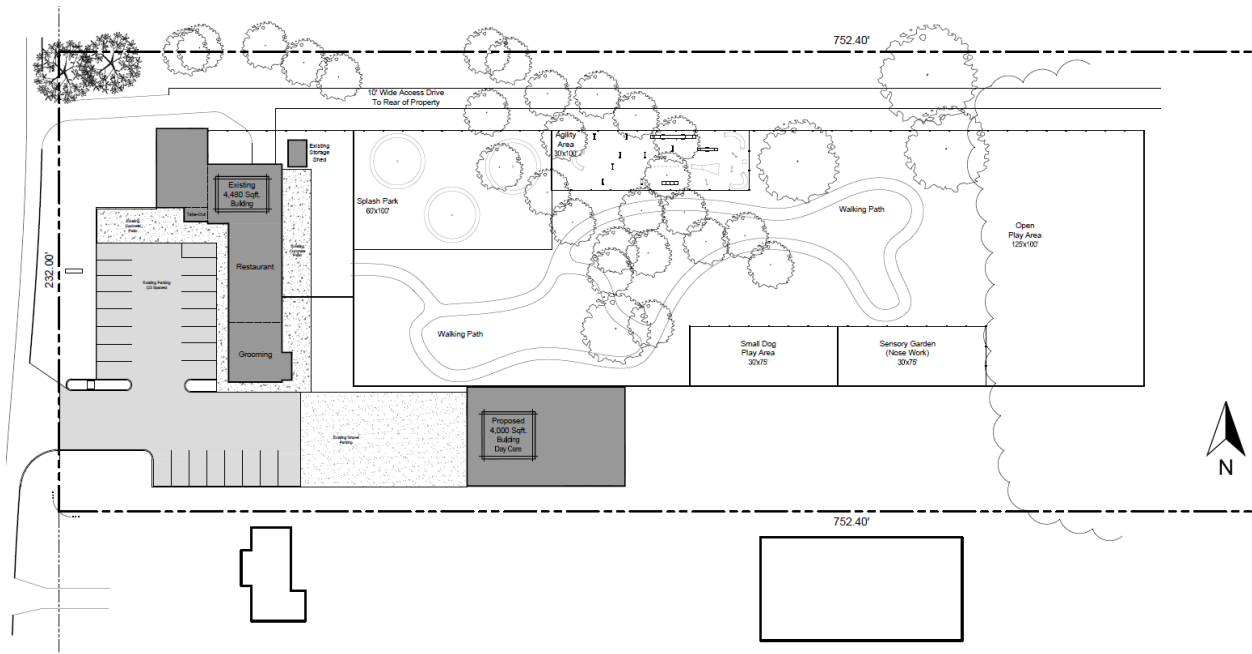
Location: 8485 Transit Road.

Description/History: Existing 3.7 acre parcel located in the Major Arterial zone, containing an existing commercial structure and associated parking. The site formerly contained a Ministry Center and Desert Catering business.

Proposal: The applicant is requesting consideration of Pet Care Facility, including dog grooming, dog daycare, dog friendly café, and dog nature park and play area. The existing structure is proposed to be rehabilitated, and a new 4,000 sqft animal day care building is also proposed.

Reason for Town Board Action: A referral to the Planning Board would allow for a thorough review of this proposal, including consideration of a Temporary Conditional Permit.

Note: Overnight dog boarding operations are not a permitted use in the Major Arterial zone. The proposal states that overnight dog boarding is not proposed as part of this development.



Love Your Dog, Inc. Concept Plan

Work Session Items: One

1. 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.

Since that time, the Town has brought forward alleged violations on the property against the applicant. These alleged violations have led to a dismissal with conditions, prior to a past adjournment in contemplation of dismissal, and a guilty plea by the applicant.

This item was tabled by the Town Board on October 27th, 2021, to allow for a site inspection of the property by the Planning Office, upon the agreement of the applicant.

The applicant will provide progress reports to the Planning Office, and the Planning Office will relay that information to the Town Board at each Work Session.

List of Previous Site Visits and Work Sessions since original tabling by the Town Board:

Site Visit – October 27th, 2021. Documenting the presence of openly stored unlicensed vehicles.

Work Session – November 2nd, 2021. No Action, awaiting compliance.

Site Visit – December 7th, 2021. Documented the presence of openly stored unlicensed vehicles.

Approximately 18 unlicensed vehicles have been removed and are no longer illegally openly stored. The Planning Office did document two unlicensed vehicles openly stored behind the building, and two plow trucks. The applicant stated that one plow truck will be removed, the other will have a dealer plate, and the two unlicensed vehicles to the rear will be placed in an accessory structure or removed.

Work Session – December 8th, 2021. No Action, awaiting compliance.

Site Visit – January 18th, 2022. Documented the presence of openly stored unlicensed vehicles.

Since the last site visit an unlicensed plow truck has been removed. Two unlicensed vehicles remain openly stored behind the building.

Work Session – January 19th, 2021. No Action, awaiting compliance.

Sit Visit Planned – February 8th, 2022. Will report to Town Board.

Reason for Town Board Action: Once the site is brought into conformance, a referral to the Planning Board would allow for a thorough review of this proposal.