

TOWN OF GRANBY PLANNING BOARD

Meeting Minutes

November 7, 2023

A regular meeting of the Granby Planning Board was held at the Granby Town Hall, 820 County Route 8 Fulton; and was called to order at 7:00 pm by Acting Chairman Carl Nysten.

Meeting Attendance as follows:

David Crockford	Erin Palmitese
Jane Crego, Chairman	Carl Nysten,
Rhonda Nipper - absent	Tom Anthony
Lori Blackburn - absent	Lisa Somers, Clerk

Also Present: Pat Furlong, Steve Will, Lester Beck, Robert Jackowski, Cheryl Anthony, Engineer Doug Miller, and Attorney Jamie Lynn Sutphen.

PUBLIC HEARING

SUP and Site Plan Review

Patrick Furlong

Proposal to expand the existing Manufactured Home Park with four new spaces on property located in the A-1 Zoning District.

Property address –Furlong Drive, Fulton, NY

Tax Map # 234.00-03-11.2 and #234.00-03-11.12

Chairman Jane Crego opened the Public Hearing at 7:01 pm. The applicant, Patrick Furlong, had provided a septic design for the additional four residences at the previous month’s meeting which had been supplied to the Town Engineer for his review and comments. Discussion ensued by the Board with the Engineer’s report dated 11/3/23 as follows:

- *Septic Design* – Septic system designed by MBL Engineers and incorporates a site plan of the proposed development for the four additional homes. Upon review, it was determined that the design is different than the original site layout map provided to the Board. A uniform overall design needs to be submitted containing all requisite elements to satisfy the Ordinance Section VII-C(3)(a): Special permits and Site Plan Reviews, and Section V- G & H: Manufactured Housing Communities and Homes.
- *Site Survey not submitted* – Engineer Doug Miller had several questions regarding location of the septic system, property lines, setbacks, permanent and temporary structure ownership – all elements contained on a survey map by a licensed surveyor, and a required element for the review and approval of this project.
- *Furlong Drive* – Is it private or public? Proposed structures do not have public road access as proposed.
- *Water* – Details of water needs and confirmation of OCWA master meter for project required, as well as deed access for water and septic connections. Pat Furlong stated that he had spoken with OCWA and they require one tax parcel for the master service so merging parcels will occur after Board approval.
- *Multiple Primary Uses on Parcels* - Engineer Doug Miller had reviewed the original plan submission that proposed the merging of two parcels and stated that the original parcels have existing primary uses, Tri-County Heating building and a duplex, which would not allow merging because it does not conform to the Zoning regulations.
 - ~ Pat Furlong stated that the Tri-County Heating building is the old Furdi Manufactured Homes Office and continues to be his area for maintenance of the MH Park community, probably about 2/3 of the space warehouse supporting manufactured homes. The remaining area is for storage of Tri-County Heating materials. The Board agreed that it could be seen as an incidental accessory use of the MH Park and therefore continue to be part of the parcel (and not be subdivided as a new parcel).
 - ~ The duplex, however, is not part of the MH Park, instead one unit is leased out and the other is storage at the moment. The applicant is going to need to subdivide the duplex onto a new parcel as a primary use. The Engineer added that the survey will help to determine whether the dimensional requirements for legal lot can be met, and how it impacts the design of the new expansion.
- *Site Plan* – A proposal must be submitted that includes all the elements of the development regulations of manufactured home communities, such as: lot sizes, clearances, parking, recreational area, screening, park size and capacity.

A **motion** was **moved** by Carl Nysten to Table the Hearing to allow Mr. Furlong to resubmit documents as discussed tonight. The motion was seconded by Tom Anthony, all were in favor and the **motion carried**.

BUSINESS

Robert Jackowski – Preliminary Meeting

Robert Jackowski approached the Planning Board for a Modification of an approved Site Plan and a Special Use Permit to allow for the continued operation of his auto collision shop, and modify the site plan to include a 60’x100’ pole barn structure, an attached 28’x60’ carport, and two 300-gallon fuel tanks with pumps. He was notified by the Codes Office that he was in violation of the Town’s Building and Zoning codes by adding a structure without the issuance of a building permit as well as changing his site plan without planning board modification approval. He explained that the business has not changed and that the new structures are for his personal storage use. The pole barn was built several years ago with a building permit and received a C of C. He has not been able to finish the floor or the interior because of lack of funds, and understands that he will need a new permit from the Codes Office when he continues with that project. Some question arose regarding the 20-foot side setback but since it was constructed with Codes oversight it was deemed as conforming. The carport is simply an overhang area to allow him to store his vehicles during the winter and keep them out of the rain and snow. The addition of pumps is again for personal use, E&V Energy agreed to give him the two 300-gallon tanks with pumps for diesel and unleaded gasoline. He added that a portion of the overhang would be enclosed with a 5 and 1/2” concrete floor to house the pumps. The Board reviewed the site plan submitted; a **motion** was **moved** by Dave Crockford to waive the Public Hearing because it was determined that the Modification was consistent with the broad terms of the previously approved Site Plan and Special Use Permit, and in accordance to Section VII-C (1)(1) of the Granby Zoning Ordinance, a public hearing is not required for this amendment. The motion was seconded by Carl Nysten, all were in favor and the **motion carried**. A **motion** was **moved** by Tom Anthony to approve the modification of the SUP and Site Plan dated 11/7/23 as submitted, the motion was seconded by Dave Crockford, all were in favor without further discussion and the **motion carried**.

Resolution # 2023-09

*BE IT RESOLVED, by the Planning Board for the Town of Granby, upon the facts presented and the determination made, upon adequate and substantial evidence presented by the applicant, that the request for Modification of approved Site Plan and Special Use Permit by Robert Jackowski to allow additional structure, carport, and two 300-gallon fuel tanks and pumps, intended for personal use as shown on Site Plan dated 11/7/23, on property located at 811 County Rt. 14, Fulton, NY 13069; Tax Map #270.00-05-13, is hereby **GRANTED with the following express conditions:***

1. *Stipulations of original approval TOG #07-07 remains intact:*
 - a) *Signage to meet current Town zoning requirements.*
 - b) *Maximum number of cars at any time – eight.*
 - c) *Hours of operation: 8 am to 10 pm, seven days a week.*
2. *The two fuel tanks (unleaded and diesel gasoline) to be maintained in accordance with the regulations of the NYS DEC and the NYS Fire Code.*
3. *The Applicant shall maintain the property so as to be within compliance of all Town of Granby Codes, and NYS Building and Fire Codes.*
4. *The Town of Granby Codes Enforcement Officer shall be granted access to the Property during business hours to ensure compliance with the conditions of this Special Use Permit Site Plan Approval.*
5. *An annual Fire Inspection shall be performed by the Granby Codes Office, with the issuance of an Annual Operating Permit.*
6. *Any changes or revisions to the property **requires Modification Approval** from the Granby Planning Board.*

A vote was taken:

<i>Jane Crego, Chairman,</i>	<i>Aye</i>
<i>Carl Nysten, Member</i>	<i>Aye</i>
<i>David Crockford, Member</i>	<i>Aye</i>
<i>Rhonda Nipper, Member</i>	<i>Absent</i>
<i>Erin Palmitese, Member</i>	<i>Aye</i>
<i>Tom Anthony, Member</i>	<i>Aye</i>
<i>Lori Blackburn, Member</i>	<i>Absent</i>

5 AYES 0 NAYES 0 ABSTENTIONS – APPROVED.

BUSINESS

Lester Beck – Sketch Plan/Preliminary Meeting

Lester Beck approached the Board with a project to replace the roadway sign at the Bowens Corners UMC on State Rt. 176. The new sign is larger, digital and illuminated, which precipitated his need to appear before Planning after consultation with the CEO when applying for a building permit. Mr. Beck supplied paperwork of the proposed sign that described the features as well as provides a link to view a functioning sign. He added that the existing sign is in poor shape and difficult to update the messaging; the new sign will allow him to utilize a computer inside for any changes. The Board reviewed the Zoning Regulations Section V-E for signs and determined the maximum size is 15 sqft or 8 sqft per side, the new sign would be non-conforming at 28 sqft and requires ZBA variance approval to continue any planning board action. The Clerk will assist Mr. Beck in applying for an Area Varinace.

PRIVILEGE OF THE FLOOR

~ Clerk Lisa Somers updated the Board members that Walmart would be submitting separate applications for repainting the building, changes to existing signage, and a structural addition. A review of the initial architectural standards of development that Walmart adhered to within the Site Plan Approval was discussed in preparation of their modification documents. The CIT Zoning District had been newly formed with the construction of Walmart, which was closely followed by the construction of Dunkin Donuts that was also held to the same architectural standards – rural, earthtones, and natural materials.

MINUTES

A **motion** to approve meeting minutes with minor changes for October 3, 2023 was **moved** by Erin Palmitese and seconded by Carl Nysten, all were in favor, and the **motion carried**.

ADJOURN

With no other business before the Board a **motion** to adjourn at 8:35 pm was **moved** by Tom Anthony and seconded by David Crockford, all were in favor, and the **motion carried**

Respectfully submitted by: Lisa Somers, Planning Board Clerk