

Minutes
Warrensburg Planning Board
February 1, 2022

Board Members Present: Suzanne Tyler, Susan Hull, Sharon Sutphin, Sandi Parisi, John Franchini

Others Present: Martin Merola, Peggy Knowles, Jim Hull, Rick and Kathy Galusha, Darcy Baker, Joyce Reed, Heather Annis, Manu Davidson, Teresa Whalen, Mark Schachner (Town Attorney), Patti Corlew (Zoning Administrator)

Meeting Commenced at 7:02 p.m.

Mrs. Sutphin - Today is February 1, 2022. It's 7:02 p.m. I'm going to call the town of Warrensburg Planning Board meeting to order. First I would like to take a minute and ask everyone to please turn off their cell phones and put them away. We do have a quorum this evening, and I'd like to ask at this time if there any members that feel they need to recuse themselves from any site plan review applications this evening? Okay, under new business, SPR 2021-5, tax map 211.9-4-5, 3897 Main Street has been withdrawn. So anybody that would be here for that purpose only can leave if they'd like. First on the agenda is the approval of the minutes of the meeting of January 4, 2021. Has everybody had the opportunity to review them?

Mrs. Hull - Yes.

Mrs. Parisi - I have one tiny little correction. On page 136.

Mrs. Corlew - Okay.

Mrs. Parisi - It reads, "and you could also consider to some point whether or not we believe it or not, there'll be deliveries, I'm sure throughout the," and it says "say". It should be "day".

Mrs. Corlew - Okay.

Mrs. Parisi - Minor. Minor.

Mrs. Corlew - That's okay. Thank you.

Mrs. Parisi - Which proves I do read them.

Mrs. Sutphin - Okay, is there a motion to accept?

Mrs. Parisi - I'll make the motion.

Mrs. Hull - I second it.

Mrs. Sutphin - All in favor.

RESOLUTION #2022-5

Motion by: Sandi Parisi
 Second by: Susan Hull

RESOLVED, to accept the Planning Board minutes of January 4, 2022 (with the above correction).

DULY ADOPTED ON THIS 1ST DAY OF FEBRUARY, 2022 BY THE FOLLOWING VOTE:

Ayes: Suzanne Tyler, Susan Hull, Sharon Sutphin, Sandi Parisi,
 Nays: None

Mrs. Sutphin - Okay, next on the agenda under old business is site plan review 2021-3, tax map #211.13-3-41, 3760 Main Street, owned by Richard and Rodney Galusha. Applicant is Cleardevelopment, LLC represented by Martin Merola and it's to allow the construction of a Dollar General store. Does everybody have a copy of the resolution on the board?

Mrs. Hull - I don't have it with me but I did read it.

Mrs. Sutphin - Okay. Okay, do any of the board members have any comments or discussion?

Mrs. Parisi - I, I do.

Mrs. Sutphin - Okay.

Mrs. Parisi - Regarding the, the plans that we got after the last meeting, from D.O.T. which discussed a shared driveway.

Mrs. Sutphin - Hm hm.

Mrs. Parisi - How does that affect, number one, is there an agreement for a shared driveway?

Mr. Merola - No, we're not sharing the driveway. No, there's no, there's not a shared driveway. It's just the way those two pieces came together, but we're staying on our property.

Mrs. Parisi - Okay, 'cause the, the thing from D.O.T. where you replied said a shared driveway.

Mr. Merola - Shared entry, those were my engineer's words. Not mine, but we're not... We're staying on our property.

Mrs. Parisi - Okay.

Mr. Merola - Okay? He's still working with D.O.T. to get whatever how they want it.

Mrs. Parisi - Okay. That was one of my questions.

Mrs. Sutphin - Anyone have anything?

Mrs. Hull - I don't.

Mrs. Sutphin - John, any questions on the resolution?

Mr. Franchini - On the resolution..?

Mrs. Sutphin - Or for the applicant, before we vote?

Mr. Franchini - Yeah, I mean, I think I did ask, I'm going to ask just for some general updates and some clarification on some things, so we can progress on. Everyone else okay? Alright, so regarding the resolution that was drafted, based on the previous agreement that was, that I believe the applicant had drafted up the previous month, there was just a couple of items that had been eliminated and I just wanted to clarify if they had been resolved or not. The first one being final color and design of the exterior of the building.

Mrs. Sutphin - Yes, that had been resolved when we left the meeting last, I asked if this is the color, this plan that we have...

Mrs. Parisi - (Inaudible) with the beige...

Mrs. Sutphin - ...dated 1/4/22, is that the color and style, is that the plan that we're going to be voting on? The answer was yes.

Mr. Franchini - Okay.

Mrs. Sutphin- Okay?

Mr. Franchini - And there was also an agreement talked about (inaudible) for period style light poles in the parking lot. Has that been completely addressed and satisfied?

Mrs. Sutphin - I think we picked...

Mrs. Parisi - I have the one here.

Mrs. Sutphin - Okay.

Mrs. Parisi - However, it needed to be brought back.

Mrs. Sutphin - Is that the one that...

Mr. Merola - That was one I understood you wanted, yep.

(Tape inaudible).

Mrs. Parisi - And, can something be done to the bottom?

Mr. Merola - Yeah. There's a whole bunch of different things that I sent with that, that show all the different bases that are options.

Mrs. Parisi - Oh, okay.

Mr. Merola - If you can't find them, I'll resend them to you. I don't know if I have those with me today.

Mrs. Parisi - I don't think I have...

Mrs. Sutphin - No, I don't think I've got...

(Tape inaudible).

Mrs. Corlew - Is that something that can be worked on after?

Mrs. Parisi - Well, sure. That's... I mean, I'm not stopping it, but I wanted to make sure.

Mrs. Corlew - I know. I know.

Mrs. Parisi - I mean, I, I certainly don't want them to be yellow.

Mrs. Corlew - No. I don't either.

Mr. Merola - I mean, it's not like an immediate... (Inaudible) decide which one you'd want as far as the base. We can order it.

Mrs. Parisi - Okay.

Mrs. Sutphin - Okay.

Mrs. Parisi - Thank you.

Mrs. Sutphin - Okay, so we're good with that. Anything else?

Mr. Franchini - Sounds like it. Yes. Regarding item #5 on the conditions of the resolution, it talked about using native rock on the monument sign. I was just wondering, it made me think that there I believe is supposed to be rock or some kind of stone on the exterior of the building and I was wondering what was being used for the...

Mr. Merola - There is no native rock on the building.

Mr. Franchini - There isn't?

Mr. Merola - No.

Mr. Franchini - The first couple (inaudible).

Mr. Merola - They're face block.

Mr. Franchini - Oh okay.

Mrs. Parisi - Originally the plan did have them. I guess we...

Mr. Merola - Way, way back.

Mrs. Parisi - Yeah.

Mr. Merola - My architect was not supposed to put that on there.

Mrs. Parisi - Okay.

Mr. Merola - We've redesigned the building a bunch of times here.

Mrs. Parisi - Right.

Mr. Franchini - I guess we had some success in town with Stewarts so I was thinking about that for a little bit in terms of using native rock if you were going to go as far as using it for the sign, then could we use it for the building. So that, I guess, would generate a question there, if anybody would be interested at all (inaudible).

Mrs. Hull - Not at this point.

Mrs. Sutphin - Anybody? Suzanne?

Mrs. Tyler - No.

Mrs. Sutphin - Anything else?

Mr. Franchini - So I'm sorry I came in late. Sounds like you may have already started to talk about...

Mrs. Parisi - No, we're just starting.

Mr. Franchini - Okay. Let's see. So there had been some responses to the New York State D.O.T. comments from 12/29/21. There were a couple things mentioned in there that weren't

consistent with what we had been led to believe. Like for example, the shared driveway and (inaudible) the use of it in some form or another. Was there an agreement with the adjacent property that we were not aware of?

Mr. Merola - No, there's no agreement. We're not sharing the driveway. It was just a previously shared driveway, ya know, that both properties used that same driveway, ya know.

Mrs. Sutphin - Yeah, it's the same that we had from the beginning, from August 12th. It's the same, it's the same (inaudible).

Mrs. Parisi - Except for the... Where am I here? The 5 foot setback, there's going to be a, a planter? Am I, in there?

Mr. Merola - On which part?

Mrs. Parisi - On the, on the museum side?

Mr. Merola - On the church side?

Mrs. Parisi - No, on the museum side.

Mrs. Sutphin - On the museum side.

Mr. Merola - On the museum side?

Mrs. Parisi - Yes.

Mr. Merola - There's no planter. We're just doing plantings on that strip.

Mrs. Parisi - Okay. You talked about plantings and the sidewalk and that wasn't really finalized.

Mr. Merola - The plantings and a sidewalk?

Mrs. Sutphin - Not...

(Tape inaudible).

Mr. Merola - No, just plantings along the property line between the driveways.

Mrs. Parisi - It wasn't the 5 foot setback...

Mrs. Sutphin - No.

Mrs. Parisi - ...that D.O.T. asked for?

Mrs. Sutphin - No, that's not...

Mr. Merola - No, he wanted a 5 foot separation, I guess, from what he said, but again, my engineer's working through all that with them.

Mrs. Parisi - Okay. Will we have an opportunity to look at that?

Mrs. Sutphin - I think he sent us some drawings.

Mr. Merola - There's nothing to look at until he makes a determination.

Mrs. Parisi - Well, that's what I'm saying, will we have an opportunity?

Mr. Merola - Well certainly I can turn it in to the code officer, the final site plan in the D.O.T. permit.

Mrs. Parisi - Okay. I'd kind of like to include that in the resolution.

Mrs. Sutphin - Well, it's in there. It's in there, subject to, I believe. Isn't it, Mark? Is that in the resolution somewhere?

Mr. Schachner - I'm not 100% sure. I'm 100% sure of what's in the resolution. I'm not sure if it's.. I'm not sure what the concern or question is and therefore I'm not sure if it's addressed in the resolution. What the resolution says about the New York State Department of Transportation input is that approval is based on site plan design dated January 4, 2022 as submitted, along with modifications submitted by the New York State Department of Transportation in its letter dated December 29, 2021. So anything that's, happens since December 29, 2021 from D.O.T. is not included in this resolution.

Mrs. Parisi - Okay, which would be the plantings.

Mr. Schachner - I'm not saying that it can't be. I'm just saying it's not.

Mrs. Parisi - Right. Which would include the plantings on that, in that property line?

Mr. Merola - No, that wouldn't be a D.O.T. issue. (Inaudible).

Mrs. Parisi - No. I'm not saying it's a D.O.T.

Mr. Merola - Okay.

Mrs. Parisi - I just want to make sure that we get an opportunity to look at the plantings on the property line.

Mr. Merola - Okay. That's fine.

Mr. Schachner - Well, so by we, you mean the Planning Board?

Mrs. Parisi - Correct.

Mr. Schachner - Then some, then we have to modify the resolution if we're going to move forward with it to retain somehow some authority over that. That's not what's contemplated in the resolution. Again, not because it can't be, but it is not..

Mrs. Parisi - Right. Right.

Mrs. Sutphin - Exactly what is it that you want to see, the plants, the plantings?

Mrs. Parisi - I want to see what that planting area is going to look like on the property line.

Mrs. Sutphin - We already have that.

Mr. Merola - Well, you can see it on the..

Mrs. Sutphin - ...I believe. Don't we?

Mrs. Parisi - In the rear? That five foot..?

(Tape inaudible).

Mrs. Parisi - Is that what we're talking about?

Mr. Merola - I believe this is what you're talking about.

Mrs. Parisi - Okay, and it only... At what point does it start, going back? How many feet?

Mr. Merola - It's going to line up with the (inaudible).

Mrs. Parisi - Okay.

Mr. Merola - Now, the letter that I provided says that, ya know, we can work together to decide what you want planted. Okay?

Mrs. Parisi - Yeah. No, I... I wasn't concerned about...

Mr. Merola - If you wanted to attach my letter to the resolution, that might help things.

Mrs. Parisi - I wasn't concerned about the plant, the exact plants, excuse me.

Mrs. Miller - I don't know what the... I'm not hearing what the concern is.

Mrs. Parisi - I want to see what the driveway is like at the rear of the property when that planting area is in.

Mrs. Miller - Okay.

Mrs. Sutphin - Mark, did you have something?

Mr. Schachner - Yeah, I have a question. I just, think I just heard the applicant state that he had submitted a letter to the board. It sounded like, I'm not quoting you verbatim, but it sounded like he was characterizing (inaudible) described some further details about the site plan. I'm not aware of that letter, but if there is such a letter, his suggestion of incorporating it in to the resolution might not be a bad idea. I would know better if I'd seen the letter, but I haven't seen the letter. But it sounds like there's a letter. My impression is I'm about to see it.

(Tape inaudible).

Mr. Merola - I thought we could just attach that to it. I thought I covered everything that they were interested in.

Mr. Schachner - So I assume the Board has all received this and reviewed it?

Mrs. Sutphin - Yes.

Mr. Schachner - And if this, if these, I can read it kind of quickly, but if these items are part of what you have in mind, then I think the applicant's suggestion of incorporating this is a fine idea. If you don't mind, I'd like to read it real quick.

(Tape inaudible).

Mr. Schachner - Can I write on this?

Mr. Merola - Sure.

(Tape inaudible).

Mrs. Parisi - So... Now so from here on is what you're talking about being shared?

Mr. Merola - No, no. It's existing share. Okay? They've got it like this. (Inaudible) that's our property and this is the thing. I think they've got 12 feet there?

Mrs. Parisi - It's 10, 10 feet, I believe.
(Tape inaudible).

Mrs. Parisi - Well, on your initial plan, it was 10 feet. There'll be a curb cut here and there'll be another curb cut... (Inaudible). There's this curb cut here.

Mr. Merola - (Inaudible).

Mrs. Tyler - Sandi, do you want a detail... Do you want the resolution to be amended to (inaudible) specific?

Mrs. Parisi - I don't know (inaudible). Not specific, no. As long as the plan is there, then that's (inaudible).

Mrs. Tyler - Okay.

Mr. Schachner - So I have a question, some questions or comments, whenever the board wants to hear them.

Mrs. Sutphin - Yep.

Mrs. Parisi - Hm hm.

Mr. Schachner - They're all of the same nature, even though there's three separate ones. First off, what the applicant proposed in his memorandum is largely consistent with your draft resolution. In other words, they are not things that are flat out contradictory.

Mrs. Parisi - Right.

Mr. Schachner - But there are three things that you need to clarify. I thought the applicant's was a fine suggestion, so I wrote these word as proposed condition number 6, but then we're going to have to refine it a little bit. The words I wrote were "further details as described in the memorandum from the applicant to the Planning Board dated January 3, 2022 shall be incorporated as additional conditions of approval". I like those words. I should like them; I wrote them.
(Laughter).

Mr. Schachner - But having said that, there's three things in what the applicant submitted that we need to clarify.

Mrs. Parisi - Okay.

Mr. Schachner - And it's the same concept. It's just mentioned in three different contexts. So as to final design and color, the applicant's memorandum says that Cleardevelopment LLC agrees to work with the Warrensburg, New York designated final design and color team. That's different than the design and color will be what was, what's on the plans dated whatever the date is. So those are potentially, those are actually potentially inconsistent.

Mrs. Parisi - Right.

Mrs. Sutphin - So if I understand correctly and you all tell me if I don't understand correctly, you want the, you want the design and color pinned down to the design that was submitted, to the plans that were submitted on January 4, 2022. Am I right?

Mrs. Sutphin - Yes.

Mrs. Parisi - Correct.

Mr. Schachner - Alright. So that being the case then, I'm proposing that we eliminate item 4 from the applicant's memorandum.

Mrs. Parisi - Okay.

Mr. Schachner - Same concept; different topic, item #5 from the applicant's memorandum says Town of Warrensburg, New York approves the site plan subject to final choice of flowers to be planted in the planters (inaudible) the site plan. So the question is, if you want... If, if that's... If... I think you have not yet pinned down the flowers, is that right? If I'm not mistaken, you're not necessarily anxious to pin down the flowers.

Mrs. Parisi - Correct.

Mr. Schachner - And there are all kinds of reasons not to pin down the flowers on, ya know, February 1st.

Mrs. Parisi - Right.

Mr. Schachner - So if that's the case then, I think that proposed condition can stay in, but we have to pin down who's making that final choice. In other words, it says subject to final choice of flowers. It doesn't say final choice by the Planning Board. It doesn't say by the applicant. It doesn't say by the Zoning Administrator. It just says final choice. We need to pin down who's making that choice.

Mrs. Parisi - An agreement between the applicant and the board?

Mr. Schachner - Yeah, it doesn't have to be just one.

Mrs. Parisi - Yeah. But an agreement between the applicant and the board, I would think...

Mr. Schachner - And that means that, and I'm not saying this is a good or bad. It's not my job, but just so you, everybody understands the process, if we rewrite proposed item #5 in the applicant's memorandum to say something like what Sandi just said, then that means that at some point the matter comes back to the Planning Board to review the, the final choice of flowers. That's fine if that's what you want. I just want to make sure that's understood. There's not a way to, for the Planning Board to informally say yeah, okay without doing that

at an open public meeting. Again, it's fine. I just want to make sure we understand what we're saying. Is that the board's desire? Do you want to bring it back before the board again for flowers?

Mrs. Hull - No.

Mrs. Tyler - I, I'm fine with the applicant choosing, honestly. I, I don't think it needs to come back to us.

Mrs. Parisi - Okay.

Mrs. Sutphin - Can we leave it to the applicant's discretion?

Mr. Schachner - If you like. It's entirely up to you. I'm just putting it out there so we, so there's some specificity. What I don't want to see is vague language. It's not a criticism at all. It's a well written document, but I don't want to see vague language that somewhere/somewhat/sometime somebody's on the phone with Patti Corlew and saying how come you're not doing blah, blah, blah and she's saying well, it doesn't really say to do blah, blah, blah or to the board or to me or my colleagues. So what I'm, what I think I'm hearing is that number, item #5 as submitted would be rewritten or not rewritten, but slightly revised to say that the, the Town of Warrensburg approves the site plan subject to final choice of flowers by the applicant to be planted in the planters as noted on the site plan.

Mrs. Sutphin - Yeah.

Mrs. Tyler - Yeah.

Mrs. Parisi - I guess that's what they're saying.

Mrs. Sutphin - I think...

(Tape inaudible).

Mr. Franchini - For the most part, all the plants were already called out on the, on the, on the sheets.

Mrs. Parisi - Right.

Mr. Franchini - If all the plant, if all the... If in fact the final choice of flowers is done, then I don't think you need this at all. It's up... I, I don't know 'cause I don't know the plan.

Mrs. Sutphin - Do we need it? Are we going with what's on the plan (inaudible).

Mrs. Parisi - Let him decide.

Mrs. Sutphin - Okay. It's on you, Mark. The plants.

(Tape inaudible).

Mrs. Sutphin - Yeah, at the applicant's discretion.

Mrs. Parisi - Since you're the one who's planting them and you're the one who's going to be taking care of them, you want to make sure that they're, they're going to make it.

Mr. Merola - They grow every year, yeah.

Mrs. Parisi - Well, if they're perennials, yes, but otherwise.

Mr. Schachner - Okay and then I, sorry, my third concern is exactly the same thing. You can see the theme here. The theme here is trying to pin down who's going to make final decisions about various elements. So the third one relates to lighting which is one of the things you asked about which I think was why the applicant brought this forward, which is very helpful.

Thank you. If there's... Right now, his, the applicant's proposed item 8 says Cleardevelopment, LLC agrees to provide a period style light pole in the parking lot. Final choice of pole is up to the Planning Board. Cleardevelopment, LLC has provided ideas. So again, if that's where you want it to be, then that means at some point in the future when it's time to make the final choice of pole, it comes back to the Planning Board to make that choice. Is that where you want this to go?

Mrs. Parisi - Right. We, I think we've already picked the pole. It's just the base.

Unknown Speaker - I don't think it needs to come back for the pole.

Mrs. Sutphin - We've already picked the pole.

Mrs. Parisi - But we haven't decided, looked at, for the base.

Mrs. Sutphin - Base, yeah. The only thing for the base (inaudible).

Mr. Schachner - You want that to come back to the Planning Board.

Mr. Merola - Well, not come back. I mean, they could just go through what I've submitted, right?

Mr. Schachner - I don't know what you mean by that, but what I mean by come back is, the Planning Board does not have the legal capability to approve anything other than at a Planning Board meeting.

Mr. Merola - Alright.

Mr. Schachner - I don't care if it's a light pole, a base or a 14 million square foot, ya know, commercial structure. The Planning Board does not have the legal authority to make any decision that's not made at an open public meeting of the Planning Board. So again, I'm not saying good or bad. That's not my job. I just want to make sure that I and the Board and the applicant and the public understand what's proposed. What's currently proposed is that the applicant agrees to provide a period style light pole. Final choice of pole is up to the Planning Board. So that would mean that, unless you're picking it, when you make your, a decision, which may or may not be

tonight, that would mean it would have to come back to the Planning Board at some point to make that final choice.

Mrs. Parisi - Yeah.

Mr. Schachner - If that's what you want, that's fine. I just want to make sure everybody understands that's what's currently (inaudible).

Mrs. Parisi - I mean, someplace, somewhere we have the, the design, excuse me, my throat, of the base and there's no reason why perhaps at the next meeting, once we've all had a chance to look at them and make a decision. It doesn't, I don't think he has to be back. We just let him know which one we picked?

Mr. Schachner - He never hasn't... He never had to be. That's entirely up to the applicant. But you could do that if you wanted. So we're going to leave that as, applicant agrees to provide a period style light pole. Final choice of pole up to the Planning Board.

Mrs. Parisi - Yes.

Mrs. Tyler - Yes.

Mr. Schachner - Okay?

Mrs. Sutphin - We'll look at the designs and tell him what one we want?

Mrs. Parisi - Right.

Mrs. Sutphin - Alright.

Mrs. Tyler - Specifically?

Mrs. Sutphin - Good with that?

Mr. Merola - Yeah, I'm good with that.

Mrs. Sutphin - That's what we're going to do then.

Mr. Schachner - That takes care of my concerns.

(Tape inaudible).

Mr. Schachner - Just because it's been a little confusing, can I real quick review what I'm proposing to change on...

Mrs. Parisi - Oh yeah. Please.

Mr. Schachner - ...on the applicant's memorandum. I'm proposing to change on the applicant's memorandum... It's not, not extensive. I'm proposing that... Do you all have it or no?

Mrs. Tyler - We've all looked at it.

Mrs. Parisi - They've provided it. I don't have it right here, but that's okay.

Mr. Schachner - I'm proposing to remove what was item 4, which was. "the Town of Warrensburg, New York approves site plan subject to a final color and design of the exterior which Cleardevelopment agrees to work with a Warrensburg, New York designated Final Design Color Team..." To remove that, because we're pinned down to the design and color that was submitted on

whatever date I said. So I'm going to remove that one and therefore renumbering the rest of them. That's just me.

Mrs. Parisi - Okay.

Mr. Schachner - I'm proposing to add the phrase, "at the applicant's designation" in what's now item 4 which is approve the site plan subject to final choice of flowers at the applicant's discretion. And the only other change I'm proposing is... No, there's no other change. And we're leaving that the final choice of pole is up to the Planning Board.

Mrs. Parisi - Right.

Mrs. Schachner - That's it. That's all I'm proposing to change. Along with the language I read at the beginning which was, I'm adding, I'm proposing to add as a condition #6, "further details as described in the memorandum from the applicant to the Planning Board dated January 3, 2022, as modified at the Planning Board meeting of February 1, 2022 shall be incorporated as additional conditions of the approval". Then having said all that, I think it's very important for the record that we ask the applicant, do you have, do you consent to those revisions?

Mr. Merola - Certainly.

Mr. Schachner - So that'll be in the minutes.

Mrs. Parisi - Okay. I, I just have one question on #3 of the one that we got from our Board. The third page.

Cleardevelopment LLC shall maintain at least twice annually or whenever necessary the porous pavement.

Mrs. Schachner - And that's...

Mrs. Parisi - Does that mean they can only do it once if they don't think they need it?

Mrs. Sutphin - It says at least twice.

Mrs. Parisi - Or whenever necessary.

Mrs. Sutphin - So if they have to do it three times...

Mrs. Sutphin - That's fine, but...

Mr. Schachner - No, that's a very good lawyer-like question. I would say it does not mean they have to do it at least twice annually. We can revise the language just a little bit.

Mrs. Parisi - Right.

Mr. Schachner - ...to make sure it's at least twice annually but that... No, the answer is, it does not necessarily...

Mrs. Parisi - Okay. That's my question.

Mrs. Sutphin - So we can change it to say or additionally whenever necessary?

Mrs. Parisi - Not or, no or.

Mrs. Sutphin - And additionally whenever necessary. And additionally whenever necessary.

Mr. Schachner - That'd be fine.

Mrs. Parisi - Okay.

Mrs. Parisi - Okay.

Mr. Schachner - I'm going to simplify it to just say and more whenever necessary .

Mrs. Parisi - And more, okay.

Mr. Schachner - And then it has to be done at least twice annually. (Inaudible).

Mrs. Parisi - Right. Correct.

Mr. Schachner - Very, very insightful question.

Mrs. Sutphin - Is that it?

Mrs. Parisi - I don't have any other...

Mrs. Sutphin - Suzanne, you got anything?

Mrs. Tyler - Nope.

Mrs. Sutphin - Susan?

Mrs. Hull - No.

Mrs. Sutphin - John?

Mr. Franchini - Sure. I have a couple more. Just as an update and clarification of past conversations in hopes of wrapping it all up. There was a... Going back to the D.O.T. email on the 29th, there had been a response by the applicant or the applicant's design group.

Mrs. Sutphin - Hm hm.

Mr. Franchini - And at one point it was mentioned proposed access could not be achieved. Would the so called required or requested 33 foot radiuses... Basically they will not be able to accommodate the design vehicles for deliveries, hence the proposed use of the existing shared driveway at one point in time. So through these chains of email, I just again would like to know if there is any updates on a final design of the access since January 4th.

Mr. Merola - No, we haven't. My, my engineer reached out to him Friday. There was no response and I'm not going to push him because I pushed him the last time and he got a little upset with me.

Mrs. Parisi - (Laughter)

Mr. Merola - So I turned it over to my engineer to handle and that's how it is. I'm sure he'll follow up again here soon. I know the gentleman on the D.O.T. must be swamped.

Mr. Franchini - So you can give us no indication just because those emails kind of indicated that the access point was kind of migrating north and being narrowed down to 30 feet. Are, is that where it's going... Is that what's going to happen?

Mr. Merola - Well, that's what he, ya know, you can see the email from Dollar General agreeing to do that. He provided a drawing to the D.O.T. guy. He provided a drawing to, to Dollar General. He then had a lot of language in there about different designs for such which I have, I'm out of. I told him bottom line, just give them what they want. I want my permit. Okay? And that's it. So that's where it stands. And I can't push the guy any faster.

Mrs. Sutphin - Hm hm.

Mr. Merola - Ya know, we sent everything to him right after the meeting last time. You can see the dates, the 4th and 5th.

Mr. Schachner - So I have a question on this point.

Mrs. Parisi - Yep.

Mr. Schachner - And I apologize if I'm the weak link here, but I'm not following this. What, what is pinned down... What I thought was pinned down is site plan design dated January 4, 2022, along with modifications that D.O.T. wrote in a letter dated December 29, 2021. So I thought this issue was put to bed and now I'm hearing words that make it sounds like this issue is not put to bed. I don't care whether it's put to bed or not. I mean, personally. But I need... My job in part is to make sure that whatever decision you make is objectively understandable by our zoning enforcement office, by myself and by anybody who might be reviewing a decision if there's a challenge. So I'm understanding is if this issue is or is not pinned down. Does my comment make any sense?

Mr. Franchini - Yeah.

Mrs. Parisi - Yes.

Mr. Franchini - It sounds like it's not pinned down. That's what we're still apparently waiting for. When you go, when you look at an initial set of plans that were given to us, there was a, one of the sheets was called a preliminary site plan. And it was dated 5/12/21, and that showed traffic movements in and out for deliveries and to date, that is, was the most updated plan that we have seen. But it also shows a curb opening for vehicle access into Route 9, into the property at 45 feet, 8 inches. So now D.O.T. is saying you really have to go up to 30 feet.

Mr. Schachner - So again, pardon me if I'm the weak link, but you said that the site plan, the only site plan you've seen is the one dated and you said a day. I don't remember the day you said, but it was sometime in 2021?

Mr. Franchini - Yes.

Mr. Schachner - I'm not understanding that because I understood that there's a site plan dated January 4, 2022 and that that's the site plan you're contemplating and taking action on.

Mr. Franchini - Well, there is. Unfortunately, different, maybe different groups that are working for the applicant just named their plans the same thing. It should probably have a different name on it. It's, it was really solely to show the truck movements.

Mr. Schachner - Are the truck movements not on the January 4, 2022 plan?

Mr. Franchini - I don't believe so.

Mr. Merola - No, we submitted separate...

Mr. Franchini - That's a separate (inaudible).

Mr. Merola - That's a separate plan.

Mr. Schachner - Okay. So that's exactly what you're saying. That's exactly what John's saying. That those are separate site plans, showing, depicting separate things. It's that the January 4, 2022 is an update of the whatever date you said plan. It's apples and oranges.

Mr. Franchini - Correct.

Mr. Schachner - Okay. Okay, is the D.O.T. letter of December 29, 2021 not very specific as to what's proposed to be modified?

Mr. Merola - It's very specific.

Mrs. Sutphin - Yeah. (Inaudible). So we're...

Mrs. Tyler - I thought it kind of outlined some of, or most of...

Mr. Schachner - I mean, my question is of the Board. The applicant is throwing out it's very specific, but I'm asking the Board, really.

Mrs. Sutphin - (Inaudible).

Mr. Schachner - This is not something I can go through sitting here right now.

Mrs. Sutphin - No.

Mr. Schachner - So I just, again, mention to the Board, if the D.O.T. letter of December 29, 2021 is reasonably specific, then you, the, the, the decision you're contemplating making... It's not up to me whether you make it or not. It's certainly not up to me what we decide, but the decision you're contemplating making says that approval is based on the site plan design dated January 4, 2022, which I understand is not the (inaudible). But along with modifications submitted by the New York State Department of Transportation in its letter dated December 29, 2021. I have never seen that letter. It's not up to me to evaluate that letter, but at least the applicant's contention, I think... You tell me if I'm misstating your contention. ...is that

that letter is specific enough in describing what has to be modified in terms of the access. I haven't the faintest idea, but if the Board agrees with that, then I'm, then, then I'm comfortable with the proposed decision language. If, and which case it seems to be me that it is pinned down.

Mrs. Sutphin - It is.

Mr. Schachner - That's my impression based on what I'm hearing. And maybe all the Board members are not of one mind on that, and that's fine too.

Mrs. Sutphin - I agree.

Mrs. Tyler - I think that, like you're saying, the December 29th letter was general, a general letter. I think the applicant is taking the necessary steps to address what D.O.T. has brought up. And John is pointing out that they haven't all been done, but, but he's saying he's willing to work on it based on, so... So I think the language in the resolution, it's, it's kind of all encompassing, so when we get, when you get what you need from the D.O.T. for the final plan, it will satisfy what the resolution says. I don't think anybody here is saying that it's done yet, but you're saying that it will be and I think the resolution states that it's, ya know, so I mean, that's the thing. The twenty, the December letter again, it was vague. It brought up things you're working on it. You've made every effort to be, do it in a timely fashion. So I don't, I personally don't see the resolution that, as it's written, needs to be modified because again, it's encompassing the concerns from the D.O.T. that are currently being worked on. So as we go on for the sake of expediency and moving on, in my opinion, the, the December 29th letter is sufficient to address the D.O.T. concerns and that will protect us going for, further.

Mrs. Parisi - Well, number one is if our resolution ends up saying any further modification shall be shubject, blah... ..shall be subject to Planning Board review and approval.

Mrs. Tyler - Right. So anything, again... If the D.O.T. comes back or anything, it's hugely different from the, the site plan originally, ya know, what we're agreeing to tonight...

(Tape inaudible).

Mrs. Tyler - ...will always come back to the site plan, the Board.

Mr. Schachner - Yeah. I'm inaudible). That is how the proposed resolution is written.

Mrs. Tyler - So I'm satisfied in this matter to accept the resolution as it's, as it's written. That's the way I feel about it.

Mrs. Sutphin - Susan?

Mrs. Miller - I trust the D.O.T. to take care of things the way they should be. So yes, I, I go along with the resolution.

Mrs. Sutphin - Okay.

Mr. Schachner - And you are talking about the resolution as written, to make sure I'm following...

Mrs. Tyler - Yes.

Mr. Schachner - I have proposed two, two revisions.

Mrs. Sutphin - Right.

Mrs. Parisi - Right.

(Tape inaudible; people speaking at once).

Mr. Schachner - ...with those revisions.

Mrs. Tyler - With those revisions. Yeah.

Mrs. Sutphin - With revisions, yes, definitely.

Mr. Franchini - And I'm generally satisfied with it too. So...

Mrs. Parisi - Yeah, okay.

Mr. Franchini - Not to complicate matters. Thanks for trying to clear that up, Suzanne. It's helpful. I was just, again, looking for an update because that all occurred back in January 4th and 5th and I was just hoping there were updates.

Mr. Merola - I was too. Let me tell ya.

Mr. Franchini - Yeah. Sure.

Mr. Merola - Believe me.

Mr. Franchini - Ya know, I was just looking for an updated plan showing a new location, a new access location, a new access width, new truck movements. So with, since there's no information available, could we possibly consider that being put into the resolution about getting a copy of that updated plan...

Mrs. Parisi - Well...

Mr. Franchini - ...as agreed upon and approved by D.O.T. for town record?

Mrs. Parisi - Doesn't it..?

Mrs. Sutphin - I think it will.

Mr. Merola - (Inaudible).

Mrs. Parisi - (Inaudible).

Mrs. Tyler - Yeah, it's...

Mr. Franchini - Specifically about the plan I'm talking about is the truck movement plan.

Mrs. Parisi - Oh, okay. Okay.

Mr. Franchini - Because at some point, since it was originally done in May of 2021, it would need to be updated based on how they're altering the plan from D.O.T.'s comments. So ultimately it would be great for town record to see how a truck is going to get in and out of that now 30 feet as opposed to 45 feet open.

Mrs. Parisi - Right.

Mr. Franchini - That's all. Again, just for record. Just to have...

Mrs. Parisi - Have it on file.

Mr. Franchini - Exactly. So can that be added to the resolution?

Mrs. Sutphin - But I think it's going to be, have to be put in the file anyway.

Mr. Franchini - Okay. Well...

Mrs. Sutphin - Isn't it, Patti? Doesn't it have to be...

Mr. Franchini - (Inaudible).

Mrs. Sutphin - ...file anyway. Mark?

Mr. Schachner - Not necessarily. It depends on what documentation is required for a building permit. Why don't we just add... I mean, if the board agrees, it just doesn't seem like anything the applicant would likely...

Mrs. Sutphin - Yeah, okay.

Mr. Schachner - ...be doing. Not to be callous, but if you do, you do. I still would recommend it. We can just add a simple sentence as a new sentence of the first proposed condition that says "the final D.O.T. approved access plan shall be filed with the town".

Mrs. Parisi - Right.

Mrs. Tyler - Okay.

Mrs. Sutphin - Any other questions, anybody?

Mr. Franchini - Yes, again another clarification on all this, as we're talking about the same subject matter. Regarding truck movement exiting the property out of the parking lot, there was a note from last month's meeting, I think it was on Page 131 to be exact, January 2022, it got a little confusing, so again, I just wanted to ask, the delivery trucks, when they're leaving the property, what direction will they have to pull out?

Mr. Merola - To the right.

Mr. Franchini - North, south or both.

Mr. Merola - They, they're going to only exit to the right, if you look at the email, the one from today from (inaudible) and Dollar General.

Mr. Franchini - Exit to the right, going north..?

Mrs. Parisi - North.

Mr. Franchini - Okay.

Mr. Merola - Which would then take him back up to the highway anyway, so it wouldn't be an issue. Then they would just continue their (inaudible).

Mrs. Parisi - Go up to the Chestertown one.

Mrs. Tyler - Well, if they take a right out of the parking lot, that'll take them north.

Mr. Merola - Right.

Mrs. Tyler - They'll have to take a left at...

Mrs. Parisi - Unless they're going up to Chestertown to...

Mrs. Tyler - Unless they're going up to Chestertown.

Mrs. Parisi - ...(inaudible) Dollar General.

Mrs. Tyler - Yeah. They can loop around.

Mrs. Parisi - (Inaudible).

Mrs. Tyler - It's not unusual to see that traffic pattern.

Mr. Franchini - Once again, I'm just referencing back to that May 2021 plan, where you show the truck movements, it looked like the trucks were coming in from the south, going through the parking lot, delivering and then heading, (inaudible) only in that one direction. So now it's clear, it's going, they can only take a right, correct?

Mr. Merola - Right.

Mrs. Tyler - Yes.

Mr. Franchini - Okay.

Mrs. Parisi - And, and there really can't be signage for that because that would confuse me pulling out of the... They can't make a left, but I can.

Mr. Franchini - Actually I think that, I think that should be worked out with D.O.T. to see, in fact, if they do want an exiting sign to show a truck and an arrow going through it that they cannot take...

Mrs. Parisi - Right.

Mr. Franchini - ...a left turn pulling out of the parking lot.

Mrs. Parisi - Yeah.

Mrs. Sutphin - Yeah.

Mr. Franchini - So I'm not sure if needs to be part of the resolution but...

Mrs. Parisi -Right.

Mr. Franchini - ...if somebody could work towards that, I think it would be a safer thing to do...

Mrs. Parisi - Right.

Mr. Franchini - ...for the site plan (inaudible).

Mrs. Sutphin - No left turn.

Mr. Franchini - No left turn.

Mrs. Parisi - Right.

Mr. Franchini - Whatever sign that, ya know, whatever sign they come up with.

Mrs. Parisi - Right.

Mr. Franchini - Would you agree?

Mr. Merola - Why not?

Mrs. Parisi - That was a yes?

Mr. Merola - Yes.

Mrs. Parisi - (Laughter) Okay.

Mrs. Tyler - I'm good. No left turns for trucks.

Mrs. Sutphin - Sandi, (inaudible)?

Mrs. Parisi - I'm done. I think John (inaudible).

Mr. Franchini - Let's see. I also just wanted to mention that we had received a storm water report. It was in draft version dated August 25, 2021 and I'm wondering if there is a final report or if there's, if there is one done and completed and if it has been submitted to the town? And if it hasn't, could there be some review contingent upon the Town of Warrensburg's engineer for approval for documentation and record?

Mr. Merola - If that's what you'd like, that's fine with me.

Mr. Franchini - Is there a final, has it been final...?

Mr. Merola - No, I don't file a final plan until we get...

Mr. Franchini - Okay.

Mr. Merola - Once... Hopefully we get approval, then I'll hire all the other agencies...

Mr. Franchini - Okay, great.

Mr. Merola - ...(inaudible) work.

Mr. Franchini - So when that gets finalized, I guess that should part of the resolution also then.

Mr. Merola - When it gets finalized, I'll submit it to the town. Certainly.

Mr. Schachner - That's storm water management plan?

Mr. Franchini - It's called a storm water report.

Mrs. Parisi - Report. Storm water management report, yeah.

Mrs. Sutphin - Is that it? That it?

Mr. Franchini - That's it.

Mrs. Sutphin - Mark, you have all the changes over there, right?

Mrs. Parisi - He's working on them.

Mrs. Sutphin - Okay.

Mr. Schachner - Correct. I do. For housekeeping, for Patti's benefit or anybody else's benefit, I'm going to have to do something fancier than my chicken scratch to give to you for your records, but I can, I can read any of them to you now (inaudible).

Mrs. Sutphin - Okay. I think we want to go ahead and introduce the...

Mrs. Parisi - Resolution.

Mrs. Sutphin - ...resolution and do you want me to read it or..?

Mr. Schachner - Who, who are you asking?

Mrs. Sutphin - You. Because you have the changes. I can read it and then you can add the changes? Is that okay?

Mr. Schachner - Sure. There's no, there are no changes in the draft resolution until the last page, the numbered items.

Mrs. Sutphin - Okay.

Mr. Schachner - Then I'm happy to chime in when you get to there if you, if that's what you want to do, that's fine.

Mrs. Sutphin - Okay. Alright. I'm going to introduce the resolution. Okay, whereas Cleardevelopment LLC made application to the Town of Warrensburg on July 12, 2021 for site plan review for a proposed Dollar General commercial retail store, property located at 3760 Main Street in the Town of Warrensburg; and whereas, the Planning Board has conducted review of the site plan application for a period of approximately six months and whereas this review has included a public hearing which was opened on October 5, 2021, and closed January 4, 2021 and which numerous members of the public offered comments on the application; and whereas, the board has reviewed and carefully considered environmental impacts of the proposed development including review of the full environmental assessment form over the course of several meetings; and whereas, the Planning Board preliminarily identified potential traffic impact as moderate to large, potentially requiring further analysis; and whereas receipt of correspondence and input from New York State Department of Transportation resulted in final characterization about potential impact as none to small and whereas, after careful consideration and taking a hard look at potential environmental impacts, the Planning Board determined that the proposed development did not result in any significant adverse environmental impacts and therefore issued a SEQRA negative declaration on January 4, 2022; and whereas, the Planning Board has also considered all documents and materials submitted by the applicant and the comments and letters submitted by all members of the public; and whereas, the plan..

Mr. Schachner - I'm sorry. Excuse me for interrupting. I apologize.

Mrs. Sutphin - Okay.

Mr. Schachner - I believe, the draft at least that I have says submitted by the applicant and the comments and letters.. Not and the opponent.

Mrs. Sutphin - (Inaudible). ...the applicant and comments and letters submitted by all members of the public; and whereas, the plan has required substantial revisions and modifications of the project as initially proposed as a result of its careful

consideration and some of the public comments and the applicant has been, has made revisions accordingly. Now therefore be it resolved, the Planning Board has determined that as revised and subject to certain conditions of approval, the application meets all requirements for the Town of Warrensburg Law including applicable criteria for site plan approval. The Planning Board approves application SPR #2021-3 by Cleardevelopment, LLC for property located at 3760 Main Street for site plan review to all the development a Dollar General with the following conditions: Approval is based on site plan design dated January 4, 2022 as submitted along with modifications submitted by the New York State Department of Transportation in its letter dated December 29, 2021. Mr. Schachner - Stop. Sorry. And then the next sentence would be. The final DOT-approved access plan shall be filed with the Town.

Mrs. Sutphin - Okay.

Mr. Schachner - I'm just going to jump in whenever I...

Mrs. Tyler - Yeah.

Mrs. Sutphin - Okay.

Mr. Schachner - Okay, and then you pick up with any further.

Mrs. Sutphin - Any further modifications shall be, shall be subject to Planning Board review and approval. Post and rails saved from the Emerson/Crandall house shall be used at the faux door instead of the side. Cleardevelopment, LLC shall maintain at least twice annually (and more if necessary) the porous pavement as shown on plans. Cleardevelopment, LLC shall have a photo and plaque made and installed in the building entry of the Emerson/Crandall house that was previously on the site. Cleardevelopment shall utilize native rock on the monument sign. The Planning Board...

Mr. Schachner - Wait. I'm sorry to interrupt. Then there would be a condition, a new condition, #6, final Storm Water Management Plan Report shall be filed with the Town.

Mrs. Sutphin - Okay.

Mr. Schachner - Then there would be a #7. Nope. Sorry, I messed up my numbering. So you're going to then have the front parking requirement would be the #7.

Mrs. Sutphin - Okay. The Board is waiving the front parking requirements as permitted by Town Code Section 211.21-A.

Mr. Schachner - And then the last condition #8 would be further details as described in the memorandum from the applicant to the Planning Board dated January 3, 2022 as modified at the Planning Board meeting of February 1, 2022 shall be incorporated as additional conditions of approval.

Mrs. Sutphin - Okay. Do I have a second?

Mrs. Hull - I second.

Mrs. Sutphin - Okay. What we're going to do is, I'm going to, I'm going to poll everybody on this one. Suzanne?

Mrs. Tyler - Yay or...?
 Mrs. Sutphin - Yay or nay.
 Mrs. Sutphin - John?
 Mr. Franchini - Yes.
 Mrs. Sutphin - Susan?
 Mrs. Hull - Yes.
 Mrs. Sutphin - Sandi?
 Mrs. Parisi - Yes.
 Mrs. Sutphin - Yes. It's unanimous. The resolution passes.

**RESOLUTION #2022-6 ON APPLICATION OF CLEARDEVELOPMENT LLC
 FOR DOLLAR GENERAL STORE**

INTRODUCED BY: Sharon Sutphin

SECONDED BY: Susan Hull

WHEREAS, Cleardevelopment LLC made application to the Town of Warrensburg Planning Board on July 12, 2021 for site plan review of a proposed Dollar General commercial retail store at property located at 3760 Main Street in the Town of Warrensburg; and

WHEREAS, the Planning Board has conducted review of the site plan application for a period of approximately 6 months; and

WHEREAS, this review has included a public hearing which was opened on October 5, 2021 and closed on January 4, 2022 at which numerous members of the public offered comments on the application; and

WHEREAS, the Planning Board has reviewed and carefully considered potential environmental impacts of the proposed development including review of the Full Environmental Assessment Form over the course of several meetings; and

WHEREAS, the Planning Board preliminarily identified potential traffic impact as "moderate to large" potentially requiring further analysis; and

WHEREAS receipt of correspondence and input from the New York State Department of Transportation resulted in final characterization of that potential impact as "none to small"; and

WHEREAS, after careful consideration and taking a hard look at potential environmental impacts, the Planning Board determined that the proposed development would not result in any significant adverse environmental impacts and therefore issued a SEQRA Negative Declaration on January 4, 2022; and

WHEREAS, the Planning Board has also carefully considered all documents and materials submitted by the applicant and the comments and letters submitted by all members of the public; and

WHEREAS, the Planning Board has required substantial revisions and modifications of the project as initially proposed as a result of its careful consideration and some of the public comments and the applicant has made revisions accordingly;

NOW THEREFORE BE IT RESOLVED, the Planning Board has determined that, as revised and subject to certain conditions of approval, the application meets all requirements of the Town of Warrensburg Zoning Law including applicable criteria for site plan approval.

The Planning Board approves application SPR#2021-3 by Cleardevelopment, LLC for property located at 3760 Main Street for site plan review to allow the development of a Dollar General Store with the following conditions:

1. Approval is based on site plan design dated January 4, 2022 as submitted along with modifications submitted by the New York State Department of Transportation in its letter dated December 29, 2021. The final DOT-approved access plan shall be filed with the Town. Any further modifications shall be subject to Planning Board review and approval.
2. Post and rails saved from Emerson/Crandall house shall be used as the faux door in the front instead of the side.
3. Cleardevelopment, LLC shall maintain at least twice annually (and more whenever necessary) the porous pavement as shown on plans.
4. Cleardevelopment, LLC shall have a photo and plaque made and installed in the building entry of the Emerson/Crandall house that was previously on the site.
5. Cleardevelopment, LLC shall utilize native rock on the monument sign.
6. Final Stormwater Management Report shall be filed with the Town.
7. The Planning Board is waiving the front parking requirements as permitted by Town Code Section 211.21-A.
8. Further details as set forth in the Memorandum Agreement from Cleardevelopment to the Planning Board dated January 3, 2022 as modified at the Planning Board meeting of February 1, 2022 and attached hereto shall be incorporated as additional conditions of approval.

Duly adopted this 1st day of February, 2022 by the following vote:

AYES : Suzanne Tyler, Susan Hull, Sharon Sutphin, Sandi Parisi, John Franchini

NOES : None
ABSENT : None

DATE : January 3, 2022 – Revised February 1, 2022

TO : Town of Warrensburg NY Planning Board

FROM : Martin J Merola Member Cleardevelopment LLC

SUBJECT : 3760 Main St Warrensburg NY / Conditional Site Plan Approval Agreement

PROJECT : Proposed Dollar General Store

PARTIES : Cleardevelopment LLC and The Town of Warrensburg NY Planning Board

AGREEMENT : This agreement between the parties shall be the conditions upon which the Town of Warrensburg NY Planning Board is approving the above project.

- 1) Cleardevelopment LLC agrees to maintain twice annually or when necessary the porous pavement as shown on the plans in the parking area of 3760 Main St Warrensburg NY.
- 2) Cleardevelopment LLC agrees to restore and install some railings and columns from the house at 3760 Main on the VFW side as shown on the elevation.
- 3) That the Town of Warrensburg NY approves the site plan subject to Cleardevelopment LLC receiving a NYS DOT Road Permit for the project.
- 4) That the Town of Warrensburg NY approves the site plan subject to final choice of flowers at Cleardevelopment's discretion to be planted in the planters as noted on the site plan.
- 5) Cleardevelopment LLC agrees to have a photo and plaque made and installed in the building entry of the house that was on the site.
- 6) Cleardevelopment LLC agrees to use native rock on the monument sign.

- 7) Cleardevelopment LLC agrees to provide a period style light pole in the parking lot, final choice of pole is up to the Planning Board, Cleardevelopment LLC has provided ideas.

This agreement between Cleardevelopment LLC and The Town of Warrensburg NY Planning Board shall become part of and attached to the final site plan for 3760 Main St Warrensburg NY.

Mr. Schachner - That was, that was easy enough, right?

Mrs. Sutphin - That was easy enough.

(Laughter)

Mrs. Hull - (Inaudible) took seven months.

(Tape inaudible).

Mrs. Sutphin - Okay.

Mrs. Parisi - Mr. Merola?

Mr. Merola - Yes.

Mrs. Parisi - Me. Me. I'm here. Teresa, who is, is the head of the Beautification Committee..

Mr. Merola - Uh huh.

Mrs. Parisi - I'm just suggesting, if you would like to talk with her, because she has done all the plantings in town, and is very well aware of what works and was, what doesn't work.

Mr. Merola - Fine with me. I welcome it.

Mrs. Parisi - Okay. Just, I'm putting you in the hot seat. An example is the Rugosa Roses. Which are lovely.

(Tape inaudible).

Mrs. Parisi - But they caused tremendous problems. Number 1, they get too big and then the traffic can't see. So anyway, just as a suggestion.

Mrs. Sutphin - Okay. That concludes the business part of our meeting. Do we have any communications?

Mrs. Corlew - I just have one thing from last month's meeting.

Mrs. Sutphin - Okay.

Mrs. Corlew - The Planning Board.. Suzanne motioned and Sharon Sharon seconded it, Susan Hull to be the Secretary, but you didn't proceed to a vote.

Mrs. Sutphin - Okay.

(Tape inaudible).

Mrs. Corlew - I can't do a resolution until you vote on that, so.

Mrs. Tyler - Aye.

Mrs. Sutphin - All those in favor.

All Members (except Mrs. Hull) - Aye.

RESOLUTION #2022-7

Motion by: Suzanne Tyler
Second by: Sharon Sutphin

RESOLVED, to appoint Susan Hull as Planning Board Secretary.

DULY ADOPTED ON THIS 1ST DAY OF FEBRUARY, 2022 BY THE FOLLOWING VOTE:

Ayes: Suzanne Tyler, Sharon Sutphin, Sandi Parisi, John Franchini
Nays: None
Abstention: Susan Hull

Mrs. Sutphin - Okay, any comments from anyone? Motion to adjourn?

Mrs. Tyler - I'll make a motion.

Mrs. Miller - I'll second it.

Mrs. Supthin - All those in favor.

All Members - Aye.

Motion by Suzanne Tyler, second by Susan Miller and carried to adjourn the Planning Board meeting at 7:55 p.m.

Respectfully submitted,

Patti Corlew
Recording Secretary

Pb02012022

RESOLUTION #2022-5

Motion by: Sandi Parisi

Second by: Susan Hull

RESOLVED, to accept the Planning Board minutes of January 4, 2022 (with the above correction).

DULY ADOPTED ON THIS 1ST DAY OF FEBRUARY, 2022 BY THE FOLLOWING VOTE:

Ayes: Suzanne Tyler, Susan Hull, Sharon Sutphin, Sandi Parisi,

Nays: None

**RESOLUTION #2022-6 ON APPLICATION OF CLEARDEVELOPMENT LLC
FOR DOLLAR GENERAL STORE**

INTRODUCED BY: Sharon Sutphin

SECONDED BY: Susan Hull

WHEREAS, Cleardevelopment LLC made application to the Town of Warrensburg Planning Board on July 12, 2021 for site plan review of a proposed Dollar General commercial retail store at property located at 3760 Main Street in the Town of Warrensburg; and

WHEREAS, the Planning Board has conducted review of the site plan application for a period of approximately 6 months; and

WHEREAS, this review has included a public hearing which was opened on October 5, 2021 and closed on January 4, 2022 at which numerous members of the public offered comments on the application; and

WHEREAS, the Planning Board has reviewed and carefully considered potential environmental impacts of the proposed development including review of the Full Environmental Assessment Form over the course of several meetings; and

WHEREAS, the Planning Board preliminarily identified potential traffic impact as "moderate to large" potentially requiring further analysis; and

WHEREAS receipt of correspondence and input from the New York State Department of Transportation resulted in final characterization of that potential impact as "none to small"; and

WHEREAS, after careful consideration and taking a hard look at potential environmental impacts, the Planning Board determined that the proposed development

would not result in any significant adverse environmental impacts and therefore issued a SEQRA Negative Declaration on January 4, 2022; and

WHEREAS, the Planning Board has also carefully considered all documents and materials submitted by the applicant and the comments and letters submitted by all members of the public; and

WHEREAS, the Planning Board has required substantial revisions and modifications of the project as initially proposed as a result of its careful consideration and some of the public comments and the applicant has made revisions accordingly;

NOW THEREFORE BE IT RESOLVED, the Planning Board has determined that, as revised and subject to certain conditions of approval, the application meets all requirements of the Town of Warrensburg Zoning Law including applicable criteria for site plan approval.

The Planning Board approves application SPR#2021-3 by Cleardevelopment, LLC for property located at 3760 Main Street for site plan review to allow the development of a Dollar General Store with the following conditions:

9. Approval is based on site plan design dated January 4, 2022 as submitted along with modifications submitted by the New York State Department of Transportation in its letter dated December 29, 2021. The final DOT-approved access plan shall be filed with the Town. Any further modifications shall be subject to Planning Board review and approval.
10. Post and rails saved from Emerson/Crandall house shall be used as the faux door in the front instead of the side.
11. Cleardevelopment, LLC shall maintain at least twice annually (and more whenever necessary) the porous pavement as shown on plans.
12. Cleardevelopment, LLC shall have a photo and plaque made and installed in the building entry of the Emerson/Crandall house that was previously on the site.
13. Cleardevelopment, LLC shall utilize native rock on the monument sign.
14. Final Stormwater Management Report shall be filed with the Town.
15. The Planning Board is waiving the front parking requirements as permitted by Town Code Section 211.21-A.
16. Further details as set forth in the Memorandum Agreement from Cleardevelopment to the Planning Board dated January 3, 2022 as modified at the Planning Board meeting of February 1, 2022 and attached hereto shall be incorporated as additional conditions of approval.

Duly adopted this 1st day of February, 2022 by the following vote:

AYES : Suzanne Tyler, Susan Hull, Sharon Sutphin, Sandi Parisi, John Franchini
NOES : None
ABSENT : None

DATE : January 3, 2022 – Revised February 1, 2022

TO : Town of Warrensburg NY Planning Board

FROM : Martin J Merola Member Cleardevelopment LLC

SUBJECT : 3760 Main St Warrensburg NY / Conditional Site Plan Approval Agreement

PROJECT : Proposed Dollar General Store

PARTIES : Cleardevelopment LLC and The Town of Warrensburg NY Planning Board

AGREEMENT : This agreement between the parties shall be the conditions upon which the Town of Warrensburg NY Planning Board is approving the above project.

- 8) Cleardevelopment LLC agrees to maintain twice annually or when necessary the porous pavement as shown on the plans in the parking area of 3760 Main St Warrensburg NY.
- 9) Cleardevelopment LLC agrees to restore and install some railings and columns from the house at 3760 Main on the VFW side as shown on the elevation.
- 10) That the Town of Warrensburg NY approves the site plan subject to Cleardevelopment LLC receiving a NYS DOT Road Permit for the project.
- 11) That the Town of Warrensburg NY approves the site plan subject to final choice of flowers at Cleardevelopment's discretion to be planted in the planters as noted on the site plan.
- 12) Cleardevelopment LLC agrees to have a photo and plaque made and installed in the building entry of the house that was on the site.
- 13) Cleardevelopment LLC agrees to use native rock on the monument sign.

14) Cleardevelopment LLC agrees to provide a period style light pole in the parking lot, final choice of pole is up to the Planning Board, Cleardevelopment LLC has provided ideas.

This agreement between Cleardevelopment LLC and The Town of Warrensburg NY Planning Board shall become part of and attached to the final site plan for 3760 Main St Warrensburg NY.

RESOLUTION #2022-7

Motion by: Suzanne Tyler
Second by: Sharon Sutphin

RESOLVED, to appoint Susan Hull as Planning Board Secretary.

DULY ADOPTED ON THIS 1ST DAY OF FEBRUARY, 2022 BY THE FOLLOWING VOTE:

Ayes: Suzanne Tyler, Sharon Sutphin, Sandi Parisi, John Franchini

Nays: None

Abstention: Susan Hull