

**Minutes
Warrensburg Planning Board
June 4, 2024**

Board Members Present: Suzanne Tyler, Susan Hull, Sharon Sutphin, Anthony Fortino

Board Member Absent: John Franchini

Others Present: Charles "Chip" Ligon, Attorney Ryan Pezzulo, Becky Webster, Attorney Jackie White, Jim Hull, Nathan Dally, Courtney Singh and Patti Corlew (Zoning Administrator)

Meeting Commenced at 6:00 p.m.

Mrs. Sutphin called the meeting to order and established quorum. The Board made a motion to accept the minutes from May 7, 2024.

RESOLUTION #2024-11

Motion by: Susan Hull
Second by: Tony Fortino

RESOLVED, to accept the Planning Board minutes of May 7, 2024 (without correction).

DULY ADOPTED ON THIS 4TH DAY OF JUNE, 2024 BY THE FOLLOWING VOTE:

Ayes: Suzanne Tyler, Susan Hull, Sharon Sutphin, Tony Fortino
Nays: None

The Board went on to the matter of re-visiting site plan review application #2023-1 by Rebecca Webster, for property located at 3958 Street for retail sales.

Ms. Hull asked Ms. Webster if she has a sales tax i.d. for her business and Ms. Webster stated that she did not collect any the prior year, but that she is starting this year and is using her social security number. Attorney White indicated that question is not under the Board's purview.

Ms. Sutphin commented about the truck that is blocking site distance so that you cannot see Ms. Webster's business coming from the south.

The Board and Ms. Webster discussed the sales in the garage and outside the garage. Ms. Webster stated that other businesses do it. Someone stated that they are commercial properties and hers is based out of a residential property.

Ms. Hull mentioned that some of the businesses Ms. Webster mentioned only have a small percentage of their stock outside.

Ms. Webster stated that she never intended on having outdoor sales and doesn't know why it came to be worded that way. She stated that she always had stock inside the garage.

The Board and Ms. Webster discussed things further. In the end, Ms. Tyler suggested that they table the matter for the applicant to gather more information as to what she wants to do with her business.

RESOLUTION #2024-12

Motion by: Suzanne Tyler

Second by: Susan Hull

RESOLVED, to table the matter of SPR #2023-1 by Rebecca Webster to allow retail sales at 3958 Main Street.

DULY ADOPTED ON THIS 4TH DAY OF JUNE 2024 BY THE FOLLOWING VOTE:

Ayes: Suzanne Tyler, Susan Hull, Sharon Sutphin, Tony Fortino

Nays: None

The Board went on to the matter of the referral from the Town Board for "Open Development Area" review.

The applicant and his attorney had submitted all of the information the Board requested. The Board went on to review it.

Attorney White clarified that it is not within the board's jurisdiction to say whether or not the right-of-way is a legal right-of-way.

Mrs. Sutphin mentioned that she contacted Chief Jason Hull of the Warrensburg Fire Company and he indicated to her that the

fire company would not be able to drive their trucks onto the property. Attorney Pezzulo pointed out that there is a hydrant within 300 feet of the property.

The Board discussed the matter further with Mr. Ligon and Attorney Pezzulo, including the matter of whether the right-of-way meets town road specs. Attorney Pezzulo indicated that of course it does not and that's why they are here for the "open development" process.

The Board made a couple of motions and seconds, but then withdrew them.

They further discussed how to word the motion. They do not want to recommend to either approve or deny the request.

RESOLUTION #2024-13

Motion by: Tony Fortino

Second by: Susan Hull

RESOLVED, to refer the matter of Charles Ligon for tax map #210.20-5-15, located at 9 Browns Court regarding the matter of Open Development Area back to the Warrensburg Town Board with the following conclusions: 1) it appears that there is an easement or right-of-way with access to the parcel at 9 Browns Court; however, this board is not qualified to determine the legality of such access, 2) the provision of adequate access for emergency vehicles cannot be determined by this board and 3) whether the easement or right-of-way meets the town's road standards are also beyond the Planning Board's ability. Therefore, the Planning Board recommends that the Town Board consult with the Town Attorney to determine the legality of the right-of-way and to also consult with the Fire Chief to determine the accessibility for emergency vehicles and the Highway Superintendent as to whether it meets the town's road standards.

DULY ADOPTED ON THIS 4TH DAY OF JUNE, 2024 BY THE FOLLOWING VOTE:

Ayes: Suzanne Tyler, Susan Hull, Sharon Sutphin, Anthony Fortino

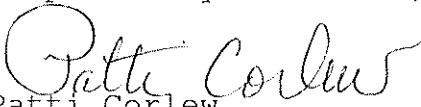
Nays: None

The Planning Board did have any communications to discuss.

Mrs. Tyler brought up the idea of pushing the Planning Board meeting time from now on to a time in the late afternoon. After discussing it for a few minutes, the Board decided to keep their meeting time at 6:00 p.m.

Mrs. Tyler motioned to adjourn the meeting, Mr. Fortino seconded and all voted in favor to close the meeting at approximately 7:10 p.m.

Respectfully submitted,


Patti Corlew
Recording Secretary

Pb06042024

RESOLUTION #2024-11

Motion by: Susan Hull
Second by: Tony Fortino

RESOLVED, to accept the Planning Board minutes of May 7, 2024 (without correction).

DULY ADOPTED ON THIS 4TH DAY OF JUNE, 2024 BY THE FOLLOWING VOTE:

Ayes: Suzanne Tyler, Susan Hull, Sharon Sutphin, Tony Fortino
Nays: None

RESOLUTION #2024-12

Motion by: Suzanne Tyler
Second by: Susan Hull

RESOLVED, to table the matter of SPR #2023-1 by Rebecca Webster to allow retail sales at 3958 Main Street.

DULY ADOPTED ON THIS 4TH DAY OF JUNE 2024 BY THE FOLLOWING VOTE:

Ayes: Suzanne Tyler, Susan Hull, Sharon Sutphin, Tony Fortino
Nays: None

RESOLUTION #2024-13

Motion by: Tony Fortino
Second by: Susan Hull

RESOLVED, to refer the matter of Charles Ligon for tax map #210.20-5-15, located at 9 Browns Court regarding the matter of Open Development Area back to the Warrensburg Town Board with the following conclusions: 1) it appears that there is an easement or right-of-way with access to the parcel at 9 Browns Court; however, this board is not qualified to determine the legality of such access, 2) the provision of adequate access for emergency vehicles cannot be determined by this board and 3) whether the easement or right-of-way meets the town's road standards are also beyond the Planning Board's ability. Therefore, the Planning Board recommends that the Town Board consult with the Town Attorney to determine the legality of the right-of-way and to also consult with the Fire Chief to

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determine the accessibility for emergency vehicles and the Highway Superintendent as to whether it meets the town's road standards.

DULY ADOPTED ON THIS 4TH DAY OF JUNE, 2024 BY THE FOLLOWING VOTE:

Ayes: Suzanne Tyler, Susan Hull, Sharon Sutphin, Anthony Fortino

Nays: None