

VILLAGE OF HOMER PLANNING BOARD
Minutes of Regular Meeting Via Zoom
Monday, 11 January 2020 – 6:30 PM

Board Members (*absent)

Donald Ferris, Chairman
Michael Pollak
Ashley Neiderman
Richard Hemmings
Paula Harrington

Others Present Via Audio/Video

Patrick Clune, Deputy Mayor
Joan E. Fitch, Board Secretary
Dan Egnor, Village Clerk/Zoom Host
Dante Armideo, Village Attorney
Hal McCabe, Village Mayor
Kevin McMahan, Village CEO

Applicants & Public Present Via Zoom

Jason Lang, Engineer Dan Griffiths, Attorney Keegan Coughlin & Kyle Poorman for Dollar General, Applicant; Gordon Stansbury, PE of GTS Consulting, Traffic Engineer; Zachary Pollak, Mark Bush, Vincent Bellardini of WXHC.

REGULAR MEETING

Chairman Donald Ferris called the meeting to order at 6:34 p.m.

OLD BUSINESS

Steven Camp, Applicant/Homer DG, LLC, Reputed Owner – 15 South West Street (NYS Route 2810 – TM #66.60-01-32.000 – Site Plan Review Application – Proposed Dollar General

(Reference is made to the 14 September, 14 October and 30 November 2020 Minutes of this Board for previous details.)

Chairman Ferris acknowledged the Village had received updates since the November meeting, some in response to requests made at that meeting. Screening of the storage area for the containers and a gate had been shown, a bollard was added at corner of the proposed building, and the plantings were changed. Attorney Keegan Coughlin commented that, with regard to a fence, they would be willing to do either a six-foot or eight-foot high fence, whatever was preferred by this Board.

Chairman Ferris stated that, just today, they had received the remarks from Timothy C. Buhl, PE, the engineer retained by the Village to review this project. Copies were also received by the applicant's representatives, as acknowledged. Chairman Ferris commented the Stormwater Pollution Prevention Plan needed to be reviewed. Engineer Dan Griffiths stated this was not an issue and had spoken with Tim Buhl about this. They will go look at it and, if piping needs to be increased in the back area, it will not be an issue. The situation, after construction, should be equal to or better than what it is now. Engineer Griffiths, in response to Chairman Ferris' question, stated he had not talked with the neighbor to the north, Mrs. Withey. Member Mike Pollak reported he had spoken to her son, Dale, and he reported that the property floods up to the back of his house. This problem may be solved with the new construction.

Chairman Ferris acknowledged receipt of the revised Traffic Study, and Member Ashley Neiderman commented she was concerned about foot traffic, bike riders, etc. This would increase with the proposed project, especially walkers, bikers, skateboarders, etc. Engineer Griffiths reported that the NYSDOT is very thorough and has given them approvals on everything they have submitted to date, and they have reviewed "everything that we gave them." He added that everything submitted to the DOT has also been submitted to the Village. Member Neiderman said she was concerned that the traffic study was done on a Tuesday during the pandemic and in the wintertime, when the actual traffic would a lot less.

Chairman Ferris asked Member Pollak about the concerns in relation to the access on the Withey's side garage which faces the subject property. The proposed fence is about three feet away, but the overhead garage door makes it a useless garage which devalues the property. Previously, permission had been granted by the owner to go on the subject property to access this garage.

Chairman Ferris recognized Gordon Stansbury, PE, of GTS Consulting, who performed the traffic study. Member Neiderman asked about the traffic study which she said was done on "probably the slowest day in Homer," and wondered if he could re-do it on a Friday or Saturday. We are in the wintertime and in a pandemic so how does the Board know how many students are doing their schooling "remotely"? Engineer Stansbury responded that traffic volume adjustments are made based on these factors; he has been doing traffic studies for 25 years. Member Neiderman commented she was "not buying it." Village Engineer Tim Buhl stated he did not see this as the most important problem here. Member Neiderman said "they are targeting people that can't drive, and that's my point."

Member Pollak asked about the sidewalks in the area, and Engineers Griffiths and Stansbury answered as to where they were, including from Cayuga to James Street on the west side of 281.

Member Neiderman suggested that representative(s) of the proposed Dollar General should "knock on doors" in the neighborhood and see what they had to say.

Chairman Ferris thought they needed a little more insight from Engineer Buhl regarding his review. Engineer Buhl stated he did not think the pedestrian issue was a problem, but there was a crosswalk at Cayuga Street and a sidewalk would be constructed on the subject property. His main concern was the stormwater issue which he addressed in the report. The conditions mentioned should be evaluated, especially in the wintertime and springtime; it's kind of a "worse case scenario." Member Pollak noted that Engineer Buhl recommended that building elevations, signage, lighting, building style/architecture, should also be reviewed. The lighting plan, Engineer Buhl noted, indicated the intensity, but it was hard to determine the location of the fixtures. Engineer Griffiths reported they would address all the concerns and respond by the end of the week.

Engineer Griffiths, in response to Member Pollak's comments about the proposed building's façade, said he was working with the architect who will be in touch with the Board.

Chairman Ferris asked Engineer Buhl if the existing drainage system could handle the proposed store, and he responded that the applicant's representatives indicated that they will address this, but they are, in fact, responsible for keeping what's there now from becoming worse.

Member Pollak displayed photos of the Withey property which is adjacent the subject property. The photos showed the house, driveway, rear garage overhead door, etc. Headlights from the proposed Dollar General facility would shine directly into the house, he said. Would the proposed fence block out the light? The large garage door shown could not be used anymore, he said, as there would be a fence in front of it. Where would there be a place for snow when plowing the driveway? Member Pollak commented that this neighbor was never contacted by the applicant/representatives. There should be some sort of gate, and then—how is it accessed? There should be some sort of an agreement made here for access. Member Pollak stated his recommendation was for a seven-foot high fence. Chairman Ferris commented that there should perhaps be made some kind of an accommodation for the adjacent Withey property.

Engineer Buhl stated there were two places in the EAF that he thought were in error: actual area of disturbance is more than one acre, which impacts the stormwater procedures with DEC, and there would be no discharge to the DOT culvert crossing the road or going down through the Village, and this is not the case. This should be corrected.

It was noted that maintenance of the stormwater system is part of the SWPPP Manual and Dollar General will be responsible for this.

Chairman Ferris advised that the Cortland County Planning Department will be reviewing this application at their February 17th meeting. Village Clerk Dan Egnor will make sure that all of the items will be submitted to them. Chairman Ferris reported that this Board will meet the second Monday of March at which time the County’s recommendations should be received. Member Pollak requested a rendering/photo of the proposed fence. Member Neiderman thought the Village should contact the DOT with the traffic concerns. Village Clerk Egnor will facilitate this.

Attorney Keegan Coughlin summarized items by stating (1) a 7-foot fence is appropriate, (2) the applicant will contact the neighbor re the garage issue, (3) elevation and building design provided, and (4) SWPPP and SEQR to be updated.

No Action Taken.

NEW BUSINESS

Stephanie Koslowski, Applicant/Paul Gower, Reputed Owner – 8 North Main Street – TM #66.74-02-16.000 – Change In Use

Chairman Ferris recognized the applicant who was seeking approval to change this home into a mixed use occupancy with her acupuncture business located on the main/first floor with the second floor continued to be used as residential. She currently rents 6 North Main Street for her business. She would utilize the side door of the subject property as her main entrance as it is off the porch. There is garage parking in the rear, as well as on the street. The tenant will be offered this space. CEO Kevin McMahon stated the subject property is actually split with the rear house zoned Residential and the front half zoned Central Business. He provided her with requirements she must adhere to (building permit, ADA regs., etc.). A survey map provided by Village Attorney Armideo was reviewed.

Village Attorney Armideo advised that the proposed action was a Type 2 Unlisted Action under SEQRA and an environmental review was not required. Therefore, a **motion was made by Member Dick Hemmings that the Village of Homer Planning Board will act s Lead Agency under SEQRA and determines that the proposed Change in Use is a Type 2 Unlisted Action and does not require environmental review. The motion was seconded by Member Pollak, with the vote recorded as follows:**

**Ayes: Chairman Ferris
Member Pollak
Member Neiderman
Member Hemmings
Member Harrington**

Nays: None

Motion carried.

This becomes Action #1 of 2021.

A **motion was then made by Member Pollak to approve the Site Plan for the proposed change in use, as requested. The motion was seconded by Member Hemmings, with the vote recorded as follows:**

**Ayes: Chairman Ferris
Member Pollak
Member Neiderman
Member Hemmings
Member Harrington**

Nays: None

Motion carried.

This becomes Action #2 of 2021.

APPROVAL OF MINUTES – 30 NOVEMBER 2020

A motion was made by Member Pollak to approve the (V) Homer Planning Board Minutes for 30 November 2020 meeting, as submitted. The motion was seconded by Member Neiderman, with the vote recorded as follows:

Ayes: Chairman Ferris Member Pollak Member Neiderman Member Hemmings Member Harrington	Nays: None
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Motion carried.

This becomes Action #3 of 2021.

MEETING DATE/TIME - 2021

After a brief discussion, a motion was made by Member Pollak that the Village of Homer Planning Board will hold its 2021 meetings on the second Monday of each month at 6:30 p.m., as needed. The motion was seconded by Member Neiderman, with the vote recorded as follows:

Ayes: Chairman Ferris Member Pollak Member Neiderman Member Hemmings Member Harrington	Nays: None
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Motion carried.

This becomes Action #4 of 2021.

ADJOURNMENT

At 8:05 p.m., on a motion by Member Hemmings, seconded by Member Neiderman, and with all members present voting in favor, the meeting was adjourned.



 Joan E. Fitch, Board Secretary

E-mailed 3/01/21 to Mayor, DE, Vill. Atty., Co. Planning, CEO & PB Members.