

The Town of Fenton Planning Board held a meeting on Tuesday, April 30th, 2019, at 7:00 pm, at the Fenton Town Hall, 44 Park Street, Port Crane, New York.

PRESENT: Planning Board Members

Timothy Brown, Chairman
Richard Armstrong, Deputy Chairman
Jason Aurelio, Board Member
John Eldred, Board Member
Michael Pipher, Board Member
Thomas Standard, Board Member
Tina Fernandez (Hinman, Howard & Kattell)
John Mastronardi (Griffiths Engineering)
Melodie Bowersox

Legal Counsel
Engineer
Town Clerk

ABSENT: Planning Board Member

Maureen Singer, Board Member

OTHERS PRESENT: 6 members of the General Public which included Town Board Member Tom Moss and Zoning Board of Appeals (ZBA) Member Mike Ward

CALL MEETING TO ORDER

Mr. Brown led in the Pledge of Allegiance.

To begin the meeting, Mr. Brown gave an overview of New York State Town Law Subsection 271 regarding the creation of the Planning Board, its roles, and responsibilities.

MINUTES TO APPROVE

The Planning Board Members were either mailed or emailed the minutes from the Planning Board Meeting held on March 26th, 2019. With no corrections/additions to be made to the minutes from the March 26th, 2019 Planning Board Meeting, **Mr. Eldred made a motion to approve the minutes**, seconded by Mr. Standard. **Motion carried.**

VOTE: Ayes 6 Armstrong, Aurelio, Brown, Eldred, Pipher, Standard
Nays 0
Absent 1 Singer

OLD BUSINESS

Site Plan Application Package 2019 Edition (Draft) – The Planning Board Members received this package in March and no feedback has been received as to date. Mr. Brown and Mr. Armstrong have discussed putting a small committee together to review the package and have asked Mr. Aurelio to chair that committee. Mr. Aurelio will select one other individual from the Planning Board to assist him with that review. The intent is to put a publication together for potential applicants and as they approach the Town, to have a roadmap for them with the process, timeframes, information needed, etc. This is being coordinated with the Town Board and no changes will need to be made to the Town's legislation.

INFORMATION

Binghamton-Ithaca Express, Inc. Project – Mr. Armstrong shared with Mr. Cole, the applicant for the Binghamton-Ithaca Express, Inc. project, that if it is determined that he is in the floodplain, he will have to be located two feet above it. If the finished floor of their existing building is at or above an elevation of 854', the new structure will not be in the 100 year floodplain.

NEW BUSINESS

Town Board Special Use Permit Referral – Carrier Services Group (CSG) Project

- **Timeline** – Mr. Brown reviewed the timeframe for the CSG project.
 - April 3rd – Town Board referred the Special Use Permit to the Planning Board as articulated in the new Local Law
 - April 4th – Planning Board received the information relating to the project
 - April 23rd – Part 2 of the Full Environmental Assessment Form completed by the SEQR Committee
 - April 24th – Part 2 of the Full Environmental Assessment Form emailed to the Planning Board
 - April 26th – 239 Review submitted to the County; anticipate the County will have their review complete by May 26th (30 days)
 - May 28th – Planning Board Meeting; review 239 from County (Atty. Fernandez will not be in attendance; Atty. Millus will attend in her absence)
 - May 31st – Work Session; Town Board plans to review 239 from County
 - June 12th – Tentative Public Hearing if CSG agrees to extending it past 62 days timeframe (separate meeting from Town Board Meeting)
 - June 26th – Work Session; Town Board's anticipated completion of the SEQR
- **Special Use Permit Application** – Comments from the Planning Board:
 - Mr. Aurelio – The easement dispute between Chenango Valley Central School and CSG is not a Town of Fenton dispute to get pulled into nor should the Planning Board have that a part of its review process. The review should be on its merits of how the project will impact the local community not specific to deed listing.
 - Mr. Pipher – A significant time has been spent on meeting and what is being proposed. Mr. Pipher has a couple of suggestions for stipulations that he would like to make to the Town Board when it is time for their review of the project.
- **Site Plan with Drawings** – Comments from the Planning Board:
 - Mr. Armstrong – When we start looking at easements on properties, the only obligation that we may have would be to see that the developer does not infringe upon an easement that's on a parcel.
 - John Mastronardi – There are not a lot of exterior improvements so he has no concerns at this point.
- **SEQR**
 - Part 1 was filled out by CSG. Mr. Armstrong noted corrections/additions to Part 1.
 - Part 2 was filled out by the SEQR Committee, comprised of one Town Board Member, one CAC Member, one Planning Board Member, an alternate who was from the Planning Board, and a facilitator who was from the Planning Board. Mr. Aurelio thanked Mr. Brown for putting together the SEQR Committee that first met on April 8th.

- Part 3 has not been completed. The determination of significance is yet to be done. (To be completed by the Town Board as Lead Agency.)
- Additional Document – The SEQR Committee also completed a document to supplement the SEQR review which outlines the process used and the rationale for the decisions that were made in relation to all 18 questions of Part 2 of the SEQR.

Mr. Pipher commented that this was a very good process and the summation was in depth.

- **Documents for Public Review** – Mr. Brown proposed to the Planning Board Members that the documents discussed by the Planning Board (Special Use Permit Application, Site Plan with Drawings, SEQR Part 1 and 2 with additional document, Traffic Study that was done in September) be placed in a binder and posted on the website for public review. Town Supervisor Gary Holcomb is in favor of this as well as the Town Board Member who served on the SEQR Committee. Atty. Millus was asked his opinion on the proposal; he has not yet responded. The Planning Board Members and Atty. Fernandez discussed the proposal. Comments from the Planning Board/Atty. included:
 - The information should be made public.
 - There was concern as to whether or not Mr. Hartman of CSG would be okay with the information being made public; Mr. Brown confirmed that he was.
 - The information should be reviewed and approved prior to being made public; it should be stipulated that it is a component of an ongoing Site Plan Review.
 - Atty. Fernandez suggested sending the information to Atty. Millus to review before making it available.
 - There needs to be allowance for Mr. Hartman to amend Part 1 of the SEQR.
 - The Planning Board is not the approving board or the Lead Agency for SEQR; anything being made available for the public should come from the approving board.

The Planning Board concluded that they could make a recommendation to the Town Board, possibly at the May meeting, to provide the information to the Public.

NEXT PLANNING BOARD MEETING

The next Planning Board Meeting is scheduled for Tuesday, May 28th, 2019, at 7:00 pm.

ADJOURNMENT

At 7:39 pm, Mr. Aurelio made a motion to adjourn the meeting, seconded by Mr. Pipher. Motion carried.

Melodie A. Bowersox, Town Clerk