

The Town of Fenton Planning Board held a meeting (via Zoom) on Tuesday, July 28th, 2020, at 7:00 pm, at the Fenton Town Hall, 44 Park Street, Port Crane, New York.

PRESENT: Planning Board Members Timothy Brown, Chairman (present)
Richard Armstrong, Deputy Chairman (present)
Jason Aurelio, Board Member (present)
John Eldred, Board Member (present)
Michael Pipher, Board Member (phone conference)
Patricia Podrazil, Board Member (video conference)
*joined at approximately 7:15 pm
Maureen Singer, Board Member (video conference)
Legal Counsel Tina Fernandez, Hinman, Howard & Kattell (video conference)
Town Clerk Melodie Bowersox (present)

ABSENT: Engineer John Mastronardi, Griffiths Engineering

OTHERS PRESENT: Eight members of the General Public which included Building Inspector Matt Banks (present); Building Inspector Clerk Cheryl Mammano (present); Zoning Board of Appeals (ZBA) Member Dee Taubar (phone conference); five members of the General Public/Applicants (present)

CALL MEETING TO ORDER

Mr. Brown led in the Pledge of Allegiance.

MINUTES TO APPROVE

The Planning Board Members were emailed the minutes from the Planning Board Meeting held on May 26th, 2020. With no corrections/additions to be made to the minutes from the May 26th, 2020 Planning Board Meeting, **Mr. Armstrong made a motion to approve the minutes**, seconded by Mr. Aurelio. **Motion carried.**

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

NEW BUSINESS

191 Palmer Hill Road – Construction of Lean-to Off Rear of Existing Building –

Applicant Kevin Kresge would like to construct a Lean-to approximately 20' x 43' off the rear of an existing building on his property. He currently has two sheds that are collapsing, and he has acquired larger equipment (boat, pop-up camper) that he would like to store out of the sunlight. He may store hay in it in the early spring.

- **SEQRA Part 1** – Part 1 of the Short Environmental Assessment Form (EAF) was received from the Applicant prior to the meeting for review. Mr. Armstrong noted that a few changes were made to the EAF, but it is complete and thorough moving forward.

Mr. Armstrong made a motion to treat the Lean-to Structure at 191 Palmer Hill Road as a Type II Action, seconded by Mr. Aurelio. **Motion carried.**

ROLL CALL VOTE:

PB Member Mr. Armstrong aye
PB Member Mr. Aurelio aye
PB Member Mr. Eldred aye
PB Member Mr. Pipher aye
PB Member Mrs. Podrazil absent
PB Member Mrs. Singer aye
PB Chairman Mr. Brown aye

- **239 Review** – The 239 Review was sent to the County because the property was within 500’ of a farm located in the Agricultural District. The County replied, ‘The Planning Department has reviewed the above-cited case and has not identified any significant countywide or inter-community impacts associated with the proposed project.’
- **Questions/Comments from the Planning Board Members:**
 - Mr. Armstrong – In the original sketch submitted by Kevin, the new structure shows it is 40’ from the property line. Mr. Armstrong said it appears that the existing building is approximately 40’ from the property line. When the new structure is in place, it actually would be about 20’ from the property line. Mr. Armstrong measured it on Google Earth and on the Broome County GIS Portal. Kevin said that he may not be sure of his property line. Mr. Armstrong showed him a document to clarify the dimensions.
 - Mr. Armstrong – Will you be taking care of the sheds that are collapsing? Yes.

(Mrs. Podrazil joined the Meeting via video conference at approximately 7:15 PM.)

- **Site Plan – Mr. Eldred made a motion to approve the project as submitted,** seconded by Mr. Mr. Pipher. **Motion carried.**

ROLL CALL VOTE:

PB Member Mr. Armstrong aye
PB Member Mr. Aurelio aye
PB Member Mr. Eldred aye
PB Member Mr. Pipher aye
PB Member Mrs. Podrazil aye
PB Member Mrs. Singer aye
PB Chairman Mr. Brown aye

- **Building Permit** – Kevin will need to follow-up with Building Inspector Matt Banks to obtain a Building Permit for the project.

25 Jenks Road – Pole Barn/Animal Kennel for Dogs – Applicant Lacey Parga said that she has owned a dog kennel that was out of a shed (that was made into a kennel) since 2016, at which time she appeared before the Planning Board for approval. She wishes to have a larger, more permanent building. The approximate size will be 28’ x 74’ at a cost of \$35,000.

- **SEQRA Part 1** – Part 1 of the Short Environmental Assessment Form (EAF) was received from the Applicants prior to the meeting for review.
- **Lead Agency – Mr. Armstrong made a motion for the Planning Board to assume the role of Lead Agency for an Unlisted Action related to the proposed Animal Kennel,** seconded by Mr. Eldred. **Motion carried.**

ROLL CALL VOTE:

PB Member Mr. Armstrong aye
PB Member Mr. Aurelio aye
PB Member Mr. Eldred aye
PB Member Mr. Pipher aye

PB Member Mrs. Podrazil aye
PB Member Mrs. Singer aye
PB Chairman Mr. Brown aye

- **239 Review** – The 239 Review was received back from the County on July 15th, 2020. Mr. Armstrong read the comments received.
 - The Planning Department has reviewed the above-cited case and has not identified any significant countywide or inter-community impacts associated with the proposed project. However, we have the following comments:
 - The submittal should address waste disposal facilities (dumpster and/or temporary containment), maximum animal capacity, and any new signage, if applicable. *If water is to be used in the building, the County's response indicates that there must be a connection to a wastewater disposal system. In Part 1 of the Short EAF, item 11 indicates there is no water connected to the facility, but there is wastewater generated with any wash down. Applicant Luke Parga said this is backwards – it should state there is water hookup but there is no wastewater generated. When Lacey cleans the kennel, she mixes a solution with water and sprays and mops the floor; the wastewater does not drain anywhere.*
 - The SEQR Short EAF project description should include the proposed kennel use. According to SEQR, review should address all known phases of a project (including future known uses) to avoid segmentation of the project.
- **Questions/Comments from the Planning Board Members:**
 - Mr. Armstrong – The original plan included laundry and grooming. The Applicants said those have been removed from the plan.
 - Mr. Aurelio – How many animals do you expect to house in the kennel at one point in time? Originally the thought was to have 20 cages but now she is leaning toward 14 – 16. Will it be exclusively for dogs? There will be cats but mainly dogs.
 - Mr. Eldred – How many years have you been working on this? A long time!
 - Mr. Pipher – Will there be any exterior fencing? The outdoor areas for the animals are under roof. Mr. Armstrong explained that the perimeter of the fence is the footprint of the building; the slab for the structure identifies the perimeter of the fence.
 - Mrs. Singer – Will there be any concern for noise? Lacey said there has not been an issue to date with the 12 kennels she has. Mr. Brown also contacted Town Constable John Broughton and Dog Control Officer Greg Starley and neither have any reports from Residents since the original operation of the kennel in 2016.
 - Mr. Aurelio – Will there be any signage associated with it? No.
 - Mr. Eldred – Will there be any grooming? Lacey said she is mainly providing doggy daycare and boarding. She does occasional grooming out of her home.
 - Mr. Brown – Breeding has been discussed. Licenses are not required in NYS if the breeding is under 25. Lacey does occasional breeding, but it is well under that threshold.
- **SEQRA Part 2** – Mr. Brown addressed the completion of Part 2 of the Short EAF with the Planning Board Members. All Planning Board Members concurred that the 11 questions were to be answered: 'No, or small impact may occur.'
- **SEQRA Part 3** – Part 3 of the Short EAF is the "Determination of Significance." **Mr. Armstrong made a motion to declare a Negative Declaration with the belief**

that this project will not have a significant adverse impact on the environment, seconded by Mr. Aurelio. **Motion carried.**

ROLL CALL VOTE:

PB Member Mr. Armstrong aye
PB Member Mr. Aurelio aye
PB Member Mr. Eldred aye
PB Member Mr. Pipher aye
PB Member Mrs. Podrazil aye
PB Member Mrs. Singer aye
PB Chairman Mr. Brown aye

- **Site Plan** – Mr. Brown reported that a portion of the parcel is located near wetlands, but they are 308' away from the proposed building which is out of the zone for concern. Mr. Armstrong said that the Planning Board Members really do not have a definition of what the building is going to look like. At that point, Lacey provided a photo on her laptop and was able to show that to the Planning Board Members. (There will be no garage door as in the photo – just a regular entrance door.) Mr. Armstrong asked about the fencing height and there was a brief discussion with the Applicants as to the dimensions/location of the fencing in relation to the kennel. **Mr. Eldred made a motion to approve the Site Plan,** seconded by Mr. Aurelio. **Motion carried.**

ROLL CALL VOTE:

PB Member Mr. Armstrong aye
PB Member Mr. Aurelio aye
PB Member Mr. Eldred aye
PB Member Mr. Pipher aye
PB Member Mrs. Podrazil aye
PB Member Mrs. Singer aye
PB Chairman Mr. Brown aye

- **Building Permit** – Once the Applicants have the stamped Site Plans, they will submit them to Matt Banks in anticipation of receiving the Building Permit.

Eireannach Holdings LLC – 273 West Service Road – Addition/Renovation to Existing Building – A Public Hearing for an Aquifer Development Permit, 239 Review, SEQRA, and Site Plan Review were to be held at the meeting; however, no Representatives for the project were in attendance.

NEXT PLANNING BOARD MEETING

The next Planning Board Meeting is scheduled for Tuesday, August 25th, 2020, at 7:00 pm.

ADJOURNMENT

At 7:44 pm, Mr. Aurelio made a motion to adjourn the meeting, seconded by Mr. Eldred. **Motion carried.**

Melodie A. Bowersox, Town Clerk