

Minutes of the Sandy Creek Regional Planning Board
Wednesday, December 7, 2022
Sandy Creek Town Hall

Members present: Larry Rice, Frank Dixon, Bill Joyce, Richard Machemer, Pat Machemer, Sybil Cummins and Shirley Rice.

Also attending were Mr. Keith Snyder, Kimberley Hilton, Linda Hilton

Larry Rice opened the regular meeting of the Board at 7:00 PM.

Richard Machemer made a motion to accept the minutes of 11/2/22 as presented, seconded by Frank Dixon. All voted in the affirmative and the motion was passed.

Bill provided the Treasurer's report. There is an outstanding balance of \$7,909.56. Payments were made for salaries for 6 members at \$92.35 each and to Secretary/Treasurer for \$438.66 and a payment of \$164.48 was made for EFTPS.

Correspondence included the minutes of the Sandy Creek Town Board meeting dated 10/12/22, a flyer for upcoming Local Government Training Workshops from NY Department of State, A notice of cancellation of public comment period, legislative public comment hearing and issues conference from the NYS DEC, and a report from CEO John Howland for the months of October and November, 2022.

As Mr. Snyder had not arrived for the continuation of the site plan review of S & R Automotive LLC, the board moved on to the proposed site plan modification for the proposed cafe called Deja Brew. Modifications to the building include a set of French doors installed between the proposed cafe and the current business E.I.R. Wellness for access to the cafe from the interior of the building. Also, an additional 6 parking spaces are shown for customers with another 3 parking spaces for employee parking. The building footprint remains the same with no additions. The Board determined this to be a minor modification as per the Sandy Creek Site Plan Local Law. A public hearing was waived. Larry Rice made a motion to approve the site plan modification with no additional conditions, seconded by Frank Dixon. All members voted in the affirmative and the motion was carried. A copy of the document for decision will be filed with the Sandy Creek Town clerk and a copy of the decision will also be sent to the applicant.

A call was placed to Mr. Snyder to see if he would be attending the meeting or not. He affirmed he was on his way.

The Board took the opportunity to return to the review of the Sandy Creek Village Solar Local Law 1 of 2018. There is currently a moratorium on the implementation of new solar farms within the Village in an effort to provide the Board with sufficient time to revise the local law. Discussions ensued concerning various portions of the local law to try to mitigate the visual impact of future solar farms including burial of all transmission wires on site, setbacks from road frontage, fencing designs and planting buffers.

Mr. Snyder arrived at approximately 8:00 pm. Discussion of the solar local law was suspended. The board then continued the site plan review for S & R Automotive LLC. The only remaining serious issue for discussion was placement of the parking area as it was undetermined at the meeting in November as to the actual distance from the edge of the raised bed septic system to the neighboring property. Mr. Snyder attested to the fact that at the narrowest point between the two was 60 feet and this was recorded on a drawing overlay

of a photograph of the property and is now a part of the site plan file. This satisfies the minimum distance needed for two rows of parking spaces with depths of 18 feet and an access aisle between spaces of 24 feet. In addition, per ADA Standards, a Handicap Van Access parking space has been created and recorded on the same overlay. A discussion concerning the visibility of any vehicle on site which has been dismantled, unregistered or considered "junk" followed. Mr. Snyder agreed to a condition that states "No unregistered, dismantled or junk vehicles shall be visible from Route 11 or its environs." He also agreed to a condition that no signage shall be placed on the sidewalk in front of the building. A motion was then made by Larry Rice to approve the site plan application with conditions, seconded by Shirley Rice. All voted in the affirmative and the motion was passed. A document for decision was completed and signed by Larry Rice and Mr. Snyder, a copy of which shall be recorded with the Village Clerk, another copy shall be sent to Mr. Snyder and a third copy shall be sent to the County as part of the 239 review process.

The Board then resumed discussion of the Village Solar local law. Once again, efforts are being made by the Board to mitigate visual impacts within the Village. A number of revisions were recorded on a working copy of the Local Law. Bill will type up the local law showing all proposed revisions which may be reviewed at the next regular meeting of the Planning Board.

With no further business before the Board, a motion was made by Larry Rice and seconded by Frank Dixon to adjourn. The motion was passed by unanimous vote and the Board adjourned at 8:45 pm.

Respectfully submitted by Recording Secretary - Sybil Cummins