

# PLANNING BOARD MEETING OF THE TOWN OF WHITESTOWN, NEW YORK, HELD AT THE WHITESTOWN TOWN HALL IN SAID TOWN ON WEDNESDAY, MAY 27, 2015 AT 7:00 P.M.

## **PLANNING BOARD MEMBERS PRESENT:**

Steven G. Cox, Chairman  
Richard Mahoney  
Tony Mittiga  
Roger Potenski  
Frank Sardina

## **EXCUSED:**

Joan Lamb, Planning Board Member

Brian Whittaker, Planning Board Engineer Representative

## **OTHER TOWN OFFICIALS PRESENT:**

Phil Husted, Whitestown Code Officer

The Chairman called the meeting to order at 7:00 P.M.

Upon the motion of Roger Potenski, seconded by Richard Mahoney, it is **RESOLVED**, that the Whitestown Planning Board hereby approves the minutes of the Regular Planning Board Meeting of April 22, 2015. A copy will be filed with the Town Clerk's Office, the Town Code Office, the Town Board Members and a copy of the minutes will be filed with all applicant folders in which discussion/ decisions took place.

Upon the question of the recommendation of the foregoing resolution, the following voted aye:

Steven Cox	Chairman
Richard Mahoney	Member
Roger Potenski	Member
Frank Sardina	Member
Tony Mittiga	Member

The Motion was carried.

**SITE PLAN REVIEW / BUILDING ADDITION**

**UTICA FIRST INSURANCE**

**5981 Airport Road, Oriskany**

**Tax Map No.: 290.000-2-16**

**Vice President – Richard Slotzhauer**

**Construction – Anthony Obernesser-Gaetano Construction**

**Engineer – Chris Crolus-March Architects**

Mr. Anthony Obernesser presented the revised site plans. There was a brief discussion on the remaining issues: sewer credits, placement of a sewer line and stormwater drainage.

**RESOLUTION – CLOSE SEQR & ISSUE A NEGATIVE DECLARATION**

Motion by: Tony Mittiga  
Seconded by: Roger Potenski

**WHEREAS**, the Whitestown Planning Board, as Lead Agency, has considered the full scope of the proposed plan, which generally consists of construction of a 6,600 sq. ft. building addition located south of the intersections of Judd Road and Airport Road, zoned L-M (Light Manufacturing); and

**WHEREAS**, the SEQR process was initiated on April 22, 2015 by the Whitestown Planning Board, : Oneida County Department of Planning, Oneida County Department of Public Works, , Oriskany Fire Department, Whitestown Highway and Code Departments ; being identified as Involved or Interested Agencies; and

**WHEREAS**, the responding agencies did not offer an objection to the Planning Board's request to assume the role of Lead Agency,

**WHEREAS**, the proposed 6,600 sq. ft. building addition is consistent with the surrounding land use, and

**IT IS RESOLVED** that the Whitestown Planning Board hereby assumes the role of Lead Agency for this Unlisted Action, and hereby closes the SEQR comment period,

**IT IS FURTHER RESOLVED**; that the Whitestown Planning Board has determined that the proposed 6,600 sq. ft. building addition will not create a potentially significant environmental impact and that a Negative Declaration shall be declared.

Upon the question of the recommendation of the foregoing resolution, the following voted aye:

Steven Cox	Chairman
Richard Mahoney	Member
Tony Mittiga	Member
Roger Potenski	Member
Frank Sardina	Member

The Motion was carried.

### **RESOLUTION - PRELIMINARY SITE PLAN APPROVAL**

Motion by: Frank Sardina  
Seconded by: Tony Mittiga

**IT IS RESOLVED**, that the Whitestown Planning Board hereby grants Preliminary Site Plan Approval for the proposed construction of a 6,600 sq. ft. building addition located south of the intersections of Judd Road and Airport Road, zoned L-M (Light Manufacturing);

Upon the question of the recommendation of the foregoing resolution, the following voted aye:

Steven Cox	Chairman
Richard Mahoney	Member
Tony Mittiga	Member
Roger Potenski	Member
Frank Sardina	Member

The Motion was carried.

### **RESOLUTION – FINAL SITE PLAN APPROVAL**

Motion by: Roger Potenski  
Seconded by: Tony Mittiga

**IT IS RESOLVED**, that the Whitestown Planning Board hereby grants Final Site Plan Approval for the proposed construction of a 6,600 sq. ft. building addition located south of the intersections of Judd Road and Airport Road, zoned L-M (Light Manufacturing).

Upon the question of the recommendation of the foregoing resolution, the following voted aye:

Steven Cox	Chairman
Richard Mahoney	Member
Tony Mittiga	Member
Roger Potenski	Member
Frank Sardina	Member

The Motion was carried.

### **APPLICATION AND REVIEW FEES**

The Whitestown Planning Board has reviewed the Fee Schedule for Site Plan Approval for the proposed construction of a 6,600 sq. ft. building addition and has assessed the following fees:

Application Fee	\$100.00
SEQR	\$100.00
Schedule A	\$1109.52
Total Fees Assessed	\$1309.52

**SITE PLAN REVIEW / BUILDING ADDITION & RENOVATION**  
**CARBONE HYUNDAI DEALERSHIP**  
**5036 Commercial Drive**  
**Tax Map No.: 317.006-4-20**  
**Engineer – Alesia & Crewell Architects**  
**Construction – David Kleps-Gaetano Construction**

The applicant provided a complete planning board application, Short Environmental Assessment Form and site plan drawings. Mr. David Kleps and Mark Lisberg gave an overview of the proposal, which is to construct a 1,800 square foot addition and renovate the body shop office at the former C-Weaver Chevrolet facility located northeast of the intersection of Church Street and State Route 5A (Commercial Drive) zoned M-1 Manufacturing.

Mr. Kleps stated that this addition involves construction of a new service reception area connected to the south side of the building to accommodate three vehicles. Several issues were discussed: existing drainage, placement of sign in relation to the fire hydrant, the parking areas behind the building, curb cuts and floodplain management.

#### **RESOLUTION – ACCEPT APPLICATION FOR REVIEW**

Motion by: Tony Mittiga  
Seconded by: Richard Mahoney

**IT IS RESOLVED**, that the Whitestown Planning Board hereby formally accepts the above application and supporting documents of the proposed construction of a 1,800 sq. ft. building addition with the renovation of an office located northeast of the intersection of Church Street and State Route 5A (Commercial Drive) for review.

Upon the question of the recommendation of the foregoing resolution, the following voted aye:

Steven Cox	Chairman
Richard Mahoney	Member
Tony Mittiga	Member
Roger Potenski	Member
Frank Sardina	Member

The Motion was carried.

#### **RESOLUTION – INITIATE SEQR/ LEAD AGENCY**

Motion by: Frank Sardina  
Seconded by: Tony Mittiga

**IT IS RESOLVED**; that the Whitestown Planning Board hereby initiates SEQR Unlisted Action process for the proposed construction of a 1,800 sq. ft. building addition with the renovation of an office and has initially identified the following parties as either Involved or Interested Agencies: Oneida County Department of Planning, New York State Department of Transportation, Village of New York Mills, Yorkville Fire Department and Whitestown Code Office & Floodplain Manager,

**IT IS FURTHER RESOLVED**, that the Whitestown Planning Board hereby declares its intent to assume the role of Lead Agency for this Unlisted Action unless otherwise challenged.

Upon the question of the recommendation of the foregoing resolution, the following voted aye:

Steven Cox	Chairman
Richard Mahoney	Member
Tony Mittiga	Member
Roger Potenski	Member
Frank Sardina	Member

The Motion was carried.

**RESOLUTION:      PUBLIC HEARING  
SITE PLAN REVIEW  
BUILDING ADDITION  
CARBONE HYUNDAI**

Motion by:	Tony Mittiga
Seconded by:	Frank Sardina

**IT IS RESOLVED**, that the Whitestown Planning Board hereby schedules a public hearing and issue a legal notice for a Site Plan Review for the proposed project to construct a 1,800 sq. ft. building addition with an office renovation located northeast of the intersection of Church Street & State Route 5A (Commercial drive) zoned M-1 (Manufacturing) to be held at 7:15 pm on Wednesday June 24, 2015 at the Whitestown Town Hall on Clark Mills Road.

Upon the question of the recommendation of the foregoing resolution, the following voted aye:

Steven Cox	Chairman
Richard Mahoney	Member
Tony Mittiga	Member
Roger Potenski	Member
Frank Sardina	Member

The Motion was carried.

**SITE PLAN REVIEW  
THREE APARTMENT HOUSE  
5795 Judd Road, Oriskany  
Tax Map No.: 291.000-1-74  
Owner, Michael Mimassi  
Attorney, Douglas Zamelis  
Engineer, Alex Forte-Octagon Engineering**

Mr. Michael Mimassi, Mr. John Lawendowski and Mr. Douglas Zamelis addressed the planning board on the remaining concerns.

The board took note of correspondence from Codes Enforcement Officer Phil Husted indicating that triennial fire inspections of the existing twelve apartments have been conducted. The board discussed the type of smoke/fire alarms that are installed there and in the proposed project.

The board also noted that a parcel line adjustment would be required to combine the two adjacent properties into one under a unified water system. The board also discussed the number of septic systems on site and the details of complying with the Federal Defined Community Public Water System.

The board made the finding that the combined parcel is used principally for agricultural purposes, has an active barn on the property, and is the subject of an agricultural district application by the owner. Given that, the board found that further residential development of the parcel, despite being in an R-200 zone, would be inconsistent with that agricultural use and the general character of the surrounding parcels.

Therefore, the board determined that approval of the site plan would be contingent upon 1) merging of the two parcels by parcel line adjustment, and 2) that based upon the agricultural nature of the area and parcel, the fifteen (15) residential units would constitute the upper limit of residential units to be constructed upon the merged parcel.

**RESOLUTION – CLOSE SEQR & ISSUE A NEGATIVE DECLARATION**

Motion by: Roger Potenski  
Seconded by: Tony Mittiga

**WHEREAS**, the Whitestown Planning Board, as Lead Agency, has considered the full scope of the proposed plan, which generally consists of the conversion of a single family house into a three apartment unit located southeast of the intersections of Judd Road and Cider Street, zoned R-200 (Residential); and

**WHEREAS**, the SEQR process was initiated on March 25, 2015 by the Whitestown Planning Board, : Oneida County Department of Planning, Oneida County Health Department, Oneida County Department of Public Works, Whitestown Highway and Code Departments ; being identified as Involved or Interested Agencies; and

**WHEREAS**, the responding agencies did not offer an objection to the Planning Board's request to assume the role of Lead Agency,

**IT IS RESOLVED** that the Whitestown Planning Board hereby assumes the role of Lead Agency for this Unlisted Action, and hereby closes the SEQR comment period,

**IT IS FURTHER RESOLVED**; that the Whitestown Planning Board has determined that the proposed conversion of a single family house into a three apartment unit will not create a potentially significant environmental impact and that a Negative Declaration shall be declared.

Upon the question of the recommendation of the foregoing resolution, the following voted aye:

Steven Cox	Chairman
Richard Mahoney	Member
Tony Mittiga	Member
Roger Potenski	Member
Frank Sardina	Member

The Motion was carried.

## **RESOLUTION - PRELIMINARY SITE PLAN APPROVAL W/ STIPULATIONS**

Motion by:	Roger Potenski
Seconded by:	Frank Sardina

**IT IS RESOLVED**, that the Whitestown Planning Board hereby grants Preliminary Site Plan Approval the proposed conversion of a single family house into a three apartment unit located southeast of the intersections of Judd Road and Cider Street, zoned R-200 Residential, with the following stipulations: 1) that the existing parcel (5785 Judd Road) and the parcel that is the subject of this application (5795 Judd Road) be merged, via parcel line adjustment, into a single parcel to preserve the integrity of the Community Water System serving both, and 2) that the three residential units which are the subject of this proposal, together with the existing 12 residential units (15 total) shall comprise the upper limit of residential units on the parcel due to the agriculture nature and use of the combined parcel and the character of the surrounding community;



Upon the question of the recommendation of the foregoing resolution, the following voted aye:

Steven Cox	Chairman
Richard Mahoney	Member
Tony Mittiga	Member
Roger Potenski	Member
Frank Sardina	Member

The Motion was carried.

### **RESOLUTION – FINAL SITE PLAN APPROVAL W/ STIPULATIONS**

Motion by:	Richard Mahoney
Seconded by:	Tony Mittiga

**IT IS RESOLVED**, that the Whitestown Planning Board hereby grants Preliminary Site Plan Approval the proposed conversion of a single family house into a three apartment unit located southeast of the intersections of Judd Road and Cider Street, zoned R-200 Residential, with the following stipulations: 1) that the existing parcel (5785 Judd Road) and the parcel that is the subject of this application (5795 Judd Road) be merged, via parcel line adjustment, into a single parcel to preserve the integrity of the Community Water System serving both, and 2) that the three residential units which are the subject of this proposal, together with the existing 12 residential units (15 total) shall comprise the upper limit of residential units on the parcel due to the agriculture nature and use of the combined parcel and the character of the surrounding community;

Upon the question of the recommendation of the foregoing resolution, the following voted aye:

Steven Cox	Chairman
Richard Mahoney	Member
Tony Mittiga	Member
Roger Potenski	Member
Frank Sardina	Member

The Motion was carried.

## **APPLICATION AND REVIEW FEES**

The Whitestown Planning Board has reviewed the Fee Schedule for Site Plan Approval w/ stipulations for the proposed conversion of a single family house into a three apartment unit and has assessed the following fees:

Application Fee	\$100.00
SEQR	\$100.00
Schedule A	\$100.00
Public Hearing	\$31.61
Total Fees Assessed	\$331.61

Upon the motion of Frank Sardina, seconded by Tony Mittiga, the meeting was adjourned at 8:25 p.m.

Respectfully submitted,

*Cynthia R. Sojda*  
Secretary