

Minutes of the Town of Sennett Planning Board meeting held on Thursday, April 7, 2022 at the Town of Sennett Office Building.

Members Present:

Jeremy Bacon, Chairman
Jerry Sankey
Pat Leamy
Sue Foster
Mike Szozda
Mike Case
Mary Major, Alternate
Richard "Dick" Phillips (arrived at 7:03 p.m.)

Also Present:

Dominic Giacona, Attorney
Jon Hinman, Engineer
Tracy Shults
Casey Baker
Mike O'Neil
Ed Magdziak
Bob Edmunds

Jeremy opens the meeting at 7:00 PM with the Pledge. He advises that on tonight's agenda is the final review and vote for a subdivision at the corner of Beech Road and Route 20, as well as the final review and vote for the Chipotle project on Plaza Drive. He asks if the Board members received the minutes from the March meeting. Pat makes a motion to approve the minutes, Mike Szozda seconds, all Ayes. Minutes approved.

Jeremy advises that he met with the Town Board at their March meeting and asked them for some money to be able to fund a private training for Planning and Zoning. During the discussion, Town Attorney Rich Andino advised that his firm, Costello, Cooney & Fearon, PLLC, also provided such trainings and could do so at a lower cost to the Board. The Town Board approved up to \$500 for the training sessions. Jeremy will get in touch with Rich and work out the details.

Jeremy reminded the Board to advise him ahead of time if they are unable to attend a meeting so there will be enough members in attendance for voting on applications.

OLD BUSINESS: None

SHULTS/BAKER SUBDIVISION - SEQR

The final maps are reviewed A 4-lot Subdivision request for Tracy Shults on the corner of Route 20 and Beech Road, turning a 13 acre lot into four residential building lots. The Board reviews the final maps. Tracy Shults addresses the Board and advises they bought the 13 acre lot to build a home and are subdividing and will keep one lot for a home and sell the other three lots. Jeremy advises that it meets all the dimensional requirements, has the minimum acreage, and the minimum width, depth, and everything to deal with this. There are no dimensional issues or zoning issues on any of this. Jeremy has been provided the completed SEQR form and has prepared a SEQR Resolution and will do a verbal vote for the subdivision approval. Dominic is satisfied as well. This was discussed at last month's meeting. There were a couple of updates to be made just where there was a misinterpretation of the question. Everything is satisfied and there will be no adverse impact created by this project.

**Town of Sennett Planning Board Resolution
Shults Subdivision -Rt. 20 and Beech Rd.
Tax Account #117.00-1-40.2**

Unlisted Action- Determination of Significance

WHEREAS, the Town of Sennett Planning Board, (herein referred to as Planning Board) is considering a minor subdivision application and all other relevant information submitted as of 4/7/2022; and

NOW, THEREFORE, BE IT RESOLVED THAT, the Planning Board does hereby classify the above referenced action to be an Unlisted Action under Section 617.5 (c) of the State Environmental Quality Review (SEQR) Regulations; and

BE IT FURTHER RESOLVED THAT, Unlisted Actions are not subject to further review under Part 617 of the SEQR regulations; and

BE IT FINALLY RESOLVED THAT, the Town of Sennett Planning Board in making this classification has satisfied the procedural requirements under SEQR and directs this Resolution to be placed in the file on this action.

The above Resolution was offered by Susan Foster and seconded by Mike Szozda as a regular scheduled Planning Board meeting held on 4/7/2022. Following discussion a voice vote was recorded:

Jeremy Bacon (Chairman)	(Aye, Nay)
Pat Leamy (Vice Chairman)	(Aye, Nay)
Michael Case	(Aye, Nay)
Susan Foster	(Aye, Nay)
Jerry Sankey	(Aye, Nay)
Mike Szozda	(Aye, Nay)
Richard Phillips	(Aye, Nay)
Mary Major (Alternate)	(Aye, Nay)

I, Kathleen Salisbury, do hereby attest to the accuracy of the above Resolution being acted upon and recorded in the minutes of the Town of Sennett Planning Board for the April 7, 2022 meeting.

/s Kathleen Salisbury
Kathleen Salisbury, Town Clerk

SHULTS/BAKER SUBDIVISION - SUBDIVISION

In terms of the actual subdivision itself, a voice vote will be taken. Can I have a motion to approve the subdivision request as presented for Tax #117.00-1-40.2 at the corner of Route 20 and Beech Road as presented by Tracy Schults and Casey Baker on for 4/07/22. Motion made by Pat Leamy, second by Sue Foster. All in favor, Aye. Any opposed? No. Motion carried. Jeremy signed all the maps, one is filed with the Town, one goes to the County and the rest Tracy can keep.

CHIPOTLE - SEQR

Next up is Mike O’Neill representing Chipotle in a project at BJ staples Plaza. He states they have been before the Board several times, and basically worked out the site plan and what is the requirements are of the Board. He thanks MRB Group who has been very helpful to them, in the engineering process, the SEQR documents and also with the plans. He has a couple of sets of final prints. If changes are needed by the Board, they don't have a problem with that. He advises there are a couple more things that they have to do to finalize everything on their end with regard to special use permit and variances before the ZBA, but they appreciate the support of the Board and the assistance of ordinance engineers.

Jeremy advises that the Board’s intention, based on the last request by MRB on the engineering side of things was the update on the drainage and that has been satisfied. So Resolutions for approval have been prepared, conditioned upon the variances being approved. Mr. O’Neill advises he spoke with Tom Passarello regarding the variances and he will submit the variance applications to the ZBA. Jeremy just wanted to be sure Mr. O’Neill was staying on top of that as there are many steps after the Planning Board. Mr. O’Neill understands and accepts the constraints and there is no problem. Jeremy asks Mr. Hinman if he has any comments. Mr. Hinman advises a full set was submitted, the drainage seems to be on par and what was asked for. Mr. Hinman advises the draft of the SEQR Resolution is good. Jeremy asks the Board if there are any further questions or comments. No comments from the Board. The County GML 239 review responded that there is no intermunicipal concern and is of a local concern only and the County is satisfied.

Jeremy reviews the SEQR Resolution and advises it has been reviewed very thoroughly. He briefly goes over the document. It is a very low to moderate impact with this project as expected, with this determination of non significance. It's classified as an unlisted action within this resolution and the Planning Board is determining itself to be the lead agency. It is an uncoordinated review and we are the only agency on this project. We are also voting on this Resolution that the proposed action will not result in any significant adverse environmental impacts. Last thing is that this non significance will allow the Planning Board Chairman to sign Environmental Assessment Form Part Three and issue the Negative Declaration as evidence of the Planning Board’s determination.

A motion to approve SEQR on the Chipotle project at Plaza Drive is made by Pat Leamy and seconded by Sue Foster. This Resolution is a voice vote:

Jeremy Bacon (Chairman)	(Aye, Nay)
Pat Leamy (Vice Chairman)	(Aye, Nay)
Michael Case	(Aye, Nay)
Susan Foster	(Aye, Nay)
Jerry Sankey	(Aye, Nay)
Mike Szozda	(Aye, Nay)
Richard Phillips	(Aye, Nay)
Mary Major (Alternate)	(Aye, Nay)

SEQR has been approved for Chipotle.

**TOWN OF SENNETT-TOWN PLANNING BOARD RESOLUTION
CHIPOTLE RESTAURANT
INTERSECTION OF PROSPECT STREET AND GRANT AVENUE
TAX ACCOUNT NO. 109.02-1-23.11**

SEQR – DETERMINATION OF NON-SIGNIFICANCE RESOLUTION

WHEREAS, the Town of Sennett Planning Board (hereinafter referred to as Planning Board) is considering a lot line adjustment and construction of a restaurant building approximately 2,400-square foot, respectively. Additional site improvements include the construction of asphalt parking areas, drive thru, and stormwater management facilities. All other relevant information submitted as of January 5, 2021 (the current application); and

WHEREAS, the Planning Board has reviewed the Short Environmental Assessment Form (EAF) Part 1, prepared by the American Group I, P.C.; and

WHEREAS, the Planning Board determines that said Action is classified as an Unlisted Action under Part 617 of the State Environmental Quality Review (SEQR) Regulations; and

WHEREAS, the Planning Board has determined that the proposed development is subject to a single agency review pursuant to Part 617.6(b) (4) of the SEQR Regulations; and

WHEREAS, the Planning Board determines that it is the most appropriate agency for making the determination of significance thereon under the SEQR Regulations; and

WHEREAS, the Planning Board has given consideration to the criteria for determining significance as set forth in Section 617.7(c) (1) of the SEQR Regulations and the information contained in the Short EAF Part 1; and

WHEREAS, the Planning Board has completed Part 2 and Part 3 of the Short EAF; and

NOW, THEREFORE BE IT RESOLVED that the Planning Board does hereby designate itself as lead agency for the proposed development above herein; and

BE IT FURTHER RESOLVED that the Planning Board has reasonably concluded the following impacts are expected to result from the proposed Action, when compared against the criteria in Section 617.7 (c):

- (i) there will not be a substantial adverse change in existing air quality, ground or surface water quality or quantity, traffic noise levels; a substantial increase in solid waste production; a substantial increase in potential for erosion, flooding, leaching or drainage problems;
- (ii) there will not be large quantities of vegetation or fauna removed from the site or destroyed as the result of the proposed Action; there will not be substantial interference with the movement of any resident or migratory fish or wildlife species as the result of the proposed Action; there will not be a significant impact upon habitat areas on the site; there are no known threatened or endangered species of animal or plant, or the habitat of such species; or, are there any other significant adverse impacts to natural resources on the site;
- (iii) there are no known Critical Environmental Area(s) on the site which will be impaired as the result of the proposed Action;
- (iv) the overall density of the site is consistent with the Town's Comprehensive Plan land use recommendations;
- (v) there will not be an increase in the use of either the quantity or type of energy resulting from the proposed Action;
- (vi) there will not be any hazard created to human health;
- (vii) there will not be a change in the use of active agricultural lands that receive an agricultural use tax exemption or that will ultimately result in the loss of ten acres of such productive farmland;

- (viii) there will not be a larger number of persons attracted to the site for more than a few days when compared to the number of persons who would come to the site absent the Action;
- (ix) there will not be created a material demand for other Actions that would result in one of the above consequences;
- (x) there will not be changes in two or more of the elements of the environment that when considered together result in a substantial adverse impact; and
- (xi) there are not two or more related Actions which would have a significant impact on the environment.

BE IT FURTHER RESOLVED, based upon the information and analysis above and the supporting documentation referenced above, the proposed Action **WILL NOT** result in any significant adverse environmental impacts.

BE IT FINALLY RESOLVED, that the Planning Board does hereby make a Determination of Non-Significance on the proposed development, and the Planning Board, Chairman is hereby directed to sign the Short Environmental Assessment Form Part 3 and issue the Negative Declaration as evidence of the Planning Board’s determination.

The above resolution was offered by Patrick Leamy and seconded by Susan Foster at a meeting of the Planning Board held on Thursday, April 7, 2022. Following discussion thereon, the following roll call vote was taken and recorded:

Jeremy Bacon (Chairman)	(Aye, Nay)
Pat Leamy (Vice Chairman)	(Aye, Nay)
Michael Case	(Aye, Nay)
Susan Foster	(Aye, Nay)
Jerry Sankey	(Aye, Nay)
Mike Szozda	(Aye, Nay)
Richard Phillips	(Aye, Nay)
Mary Major (Alternate)	(Aye, Nay)

I, Kathleen Salisbury, Town Clerk, do hereby attest to the accuracy of the above resolution being acted upon and recorded in the minutes of the Town of Sennett Planning Board for the April 7, 2022 meeting.

/s Kathleen Salisbury
 Kathleen Salisbury, Town Clerk

CHIPOTLE – SITE PLAN

Jeremy moves on to the Chipotle site plan. The resolution is to include the approval of the construction of the 2400 square foot +/- building for Chipotle on a 2.796 acres land, having a Tax ID. No. 109.02-1-23.12 where the Planning Board has referenced the action to be an unlisted action through SEQR and will include the construction of the building as well as a Lot Line Adjustment required to the facility. The conditional requirements with this approval are that :

1. All Variances and Special Use Permits are obtained from the ZBA prior to issuance of permits.
2. All consultants’ fees for review of application are to be reimbursed by the applicant to the Town prior to the issuance of permits.

Pretty standard stuff, please make sure your ZBA approvals are there.

A motion to approve the site plan by Resolution on the Chipotle project at Plaza Drive is made by Pat Leamy and seconded by Jerry Sankey. This Resolution is a voice vote:

Jeremy Bacon (Chairman)	(Aye, Nay)
Pat Leamy (Vice Chairman)	(Aye, Nay)
Michael Case	(Aye, Nay)
Susan Foster	(Aye, Nay)
Jerry Sankey	(Aye, Nay)
Mike Szozda	(Aye, Nay)
Richard Phillips	(Aye, Nay)
Mary Major (Alternate)	(Aye, Nay)

With that, there is the approval for site plan as presented here. Jeremy signs two sets, one for the Town and one for Mr. O’Neill. With the site plan approval, Mr. O’Neill thanks the Chairman, Planning Board and MRB Group for their help.

**TOWN OF SENNETT
CHIPOTLE RESTAURANT
SITE PLAN APPROVAL RESOLUTION**

WHEREAS, the Town of Sennett Planning Board (hereinafter referred to as Planning Board), is also considering Site Plan approval for Michael D. O’Neill, Plaza Drive Group of CNY, LLC (“Applicant”) to develop and construct a restaurant approximately 2,400-square foot respectively, together with related improvements as are fully detailed within the application materials and environmental record (the “Project”) to be located on a 2.796 + acre parcel of land (the “Parcel”) having a Tax ID. No. 109.02-1-23.12 (the “Property”) and

WHEREAS, the Planning Board has classified the above referenced Action to be an Unlisted Action under Section 617.5 (c) of the State Environmental Quality Review (SEQR) Regulations; and

WHEREAS, in compliance with NYS Town Law and the regulations of the State Environmental Quality Review Act (SEQRA), a determination of significance and a negative declaration was adopted by the Town Planning Board on April 7, 2022; and

NOW, THEREFORE, BE IT RESOLVED that the Planning Board does hereby approves the requested Site Plan and Lot Line Adjustment with the following conditions:

1. All Variances and Special Use Permits are obtained from the ZBA prior to issuance of permits.
2. All consultants’ fees for review of application are to be reimbursed by the applicant to the Town prior to the issuance of permits.

The above Resolution was offered by Patrick Leamy and seconded by Jerry Sankey at a regular scheduled Planning Board meeting held on April 7, 2022. Following discussion, a voice vote was recorded:

Jeremy Bacon (Chairman)	(Aye, Nay)
Pat Leamy (Vice Chairman)	(Aye, Nay)
Michael Case	(Aye, Nay)
Susan Foster	(Aye, Nay)
Jerry Sankey	(Aye, Nay)
Mike Szozda	(Aye, Nay)
Richard Phillips	(Aye, Nay)
Mary Major (Alternate)	(Aye, Nay)

I, Kathleen Salisbury, Town Clerk, do hereby attest to the accuracy of the above resolution being acted upon and recorded in the minutes of the Town of Sennett Planning Board for the April 7, 2022 meeting.

/s Kathleen Salisbury
Kathleen Salisbury, Town Clerk

With nothing further, Pat makes a motion to adjourn, Jerry seconds, all Ayes. Meeting adjourned.

There is nothing on for next month, so there will be no meeting in May.

Respectfully submitted,

Kathleen Salisbury
Town Clerk