

Minutes of the Town of Sennett Planning Board meeting held on Thursday, August 1, 2024 at the Town of Sennett Office Building.

Members:

Robert (Bob) Edmunds, Chairman

Mike Szozda

Jerry Sankey

Jeremy Bacon

Joe Giacona

Dominic Giacona, Attorney

Shaun Logue, Engineer-MRB Group

Jerry VeVone, Code Enforcement Officer

Absent: Members- Gideon Driscoll, Dan O'Hara-Alt.

Bob opens the meeting at 7 PM with the Pledge. He asks if the Board read the minutes from July 11<sup>th</sup>. There is one correction to be made: The date of the next Town Board meeting is August 15<sup>th</sup> instead of August 16<sup>th</sup> as previously noted. Heather will make that change. Jerry makes a motion to accept the minutes with the appropriate amendment, Mike seconds. All ayes, minutes approved.

Jeremy Bacon recuses himself from the board at 7:02 and enters the public. Jeremy and Lyle O'Hare are present to request approval for a subdivision at 2740 Turnpike Rd. Jeremy demonstrates the subdivision on the map, Lot A is the lot to be subdivided. There are no questions from the Board. Joe makes a motion to approve the subdivision, Mike seconds. Roll call vote—all ayes. Approved.

Jeremy returns to the Board at 7:04.

Next, Joe Durand of TDK Engineering, and Ken and Diana Sroka are present regarding the construction of a pole barn on the Sroka's property at 2682 Turnpike Rd. Sroka has a PDD under A1 Pumping. On July 11<sup>th</sup>, Durand presented to the Board what they thought was going to be a PDD amendment. Upon further research, Bob recommends that they proceed with a site plan review for the additional building as long as it will always remain part of the Sroka's business, All Ways Pumping. Ken Sroka confirms that the new building will be a part of the business and continue to be after their children take over the business. They understand that the PDD must be amended in the future IF the building is used for anything other than operating the current business. Joe Durand states that he agrees this should be a site plan review and not an amended PDD because the PDD is not going to be changed. Bob states the Town Supervisor agrees with this decision and the Board's attorney, Dominic Giacona is okay with this.

Durand tells the Board the master stormwater management plan has been added to the map and the gas and convenience store has been taken off. Everything is maintained in the 13-acre parcel. Sroka already has a cross-land drainage easement. In the next meeting, the Board should be ready for site plan review.

Ken asks the Board what will happen when the building gets constructed next week. He says he has had to jump through hoops with the Town and the team is ready to set up the building on his lot. He

suspects the Town will bring him to court and states that he has already informed his attorney to expect this action. Bob states that they cannot disregard the process of site plan reviews and must take the appropriate steps. The application still has to go before the County Planning Board for 239 review before the Town Planning Board can approve it. Jerry VeVone informs the Sroka's that if they build without site plan approval and a permit, they will be taken to court. The Sroka's state they are aware.

Shaun Logue, via video chat, speaks on behalf of the Planning Board that a site plan review is the most expedited process for the goal. This method skips the step of having to go before the Town Board but they still must go to the County. He suggests the Town can declare intent tonight. Dominic is content with the SEQR. The Board does not have any questions. Bob reads the resolution prepared by Shaun. Jeremy makes a motion to approve the resolution, Mike seconds, all ayes. This is an unlisted action, the Planning Board is Lead Agency.

Finally, Attorney Bob Barry is present on behalf of Mike O'Neil to represent the relocation of Pizza Hut. Bob informs Barry that the application is incomplete. The SEQR had multiple businesses, it needs to be only Pizza Hut. Dominic adds that Barry needs O'Neil's legal contract and formal approval that Barry may act on his behalf. Bob states that the Board will need copies of all documents as well. One observation that Bob made on the current site plan, is that there is not enough of a setback from the railroad to the building, it must be 30 ft. Barry states that O'Neil mentioned he will need a variance for the set back which is only 24.9 ft. VeVone asks what the depth of this property is. Barry says the depth from the North end is 72 ft. Also, the existing lot is under 1-acre. Dominic tells Barry that a variance will also be needed for the lot size being under an acre. Barry states he will inform O'Neil of these comments.

Bob tells Barry that he will review with Dominic and Shaun and send Barry and O'Neil a checklist. Shaun already sent O'Neil a letter of comments.

There is no new business.

Jerry makes a motion to adjourn, Jeremy seconds. Meeting adjourned.

Respectfully submitted,

Heather Edmunds