

TOWN OF VIRGIL PLANNING BOARD
Minutes of Regular Meeting - Monday, 27 April 2015 - 7 PM
Town Hall - 1176 Church Street - Virgil, NY 13045

Board Members (*absent)

Jeffrey Breed, Chairman
Gary Wood
Carole Lathrop
Dawn Willis
Ann Howe
Mark Baranello, Alternate

Others Present

Patrick Snyder, Town Attorney
Craig Umbehauer, Town CEO
Joan Fitch, Board Secretary

Applicants & Public Present

Ron Stanley, Applicant; John & Sheila Morse, Applicants; Kathleen Taylor, Mary Stanley, Jeff Stewart, Chris Stull, Town Councilmen Dale Taylor & Jereme Stiles.

REGULAR MEETING

The Regular Meeting of the Town of Virgil Planning Board was called to order by Chairman Jeffrey Breed at 7 p.m.

OLD BUSINESS - NONE

NEW BUSINESS

Ronald Stanley, LLC, Applicant/Reputed Owner - 362 NYS Route 13 - TM #105.00-01-03.200 - Site Plan Review/Conditional Permit for Proposed Automotive Repair Shop

Chairman Breed acknowledged receipt of a packet containing a completed application and associated materials, including the completed Part 1 of a Short Environmental Assessment Form. Chairman Breed recognized the applicant who explained to those present that he was seeking approval to establish a second location for his business (other business is in Marathon), Ron's Body & Paint Inc. He stated he has purchased the property which has an existing 100 ft. by 60 ft. metal building, and plans to construct a new 60 ft. by 120 ft. metal building as shown on the Site Plan which accompanied the application. Onsite parking will not change.

The subject property is in a Light Industrial Zone. Existing floor drains have been plugged, the applicant advised. There are no underground tanks; they have been removed. In response to Member Gary Wood's question, Mr. Stanley stated he had read the County Planning Department/Board's recommendations and has no problem conforming with them. CEO Craig Umbehauer advised that the subject property is located in Area III of the aquifer. The Board then discussed the process for issuance of an Aquifer Protection District Permit.

At the conclusion of this very thorough discussion, the Board completed their portion of the Short Environmental Assessment Form. Negative responses were obtained to all questions in Part 2. Therefore, **a motion was made by Member Wood that the action, based on the information submitted, will not cause any significant adverse environmental impact, resulting in a Negative Declaration. The motion was seconded by Member Carole Lathrop, with the vote recorded as follows:**

Ayes:	Chair Breed	Nays:	None
	Member Wood		
	Member Lathrop	Absent:	Member Willis
	Member Howe		
	Alternate Member Baranello		

Motion carried.

This becomes Action #8 of 2015.

A motion was then made by Member Wood to approve the Site Plan for the proposed automotive repair shop, as requested, incorporating Items 1 thru 15 of the Cortland Co. Planning Board’s Resolution No. 15-8 of 15 April 2015. The motion was seconded by Member Ann Howe, with the vote recorded as follows:

**Ayes: Chair Breed
Member Wood
Member Lathrop
Member Howe
Alternate Member Baranello**

Nays: None

Absent: Member Willis

Motion carried.

This becomes Action #9 of 2015.

A motion was then made by Member Wood that the Town of Virgil Planning Board recommends to the Virgil Town Board that they issue an Aquifer Protection District Permit for the proposed automotive repair shop. The motion was seconded by Alternate Member Mark Baranello, with the vote recorded as follows:

**Ayes: Chair Breed
Member Wood
Member Lathrop
Member Howe
Alternate Member Baranello**

Nays: None

Absent: Member Willis

Motion carried.

This becomes Action #10 of 2015.

(Note: At this point, Board Member Dawn Willis, who arrived after the start of the meeting, took her seat on the Board and Alternate Member Baranello took a seat in the audience.)

John & Sheila Morse, Applicants/Reputed Owners – 2416 Stafford Road – TM #119.00-01-27.100 – Site Plan Review/Conditional Permit for Proposed Sportsmen’s Club

Chairman Breed acknowledged John Morse who explained to everyone present that he and his wife were seeking approval to operate a Sportsmen’s Club at this location, which was formerly the Blodgett Mills Sportsmen’s Club. Mr. Morse stated that he wants to open a shooting range for members, with berms, at this site. They will be shooting trap, he advised. He also plans to build shooting houses so people would not be out in the open and it would also ensure the direction of the shooting. The driveways and parking lots are existing.

Member Wood asked the applicants if they would be expanding anything, and Mrs. Morse responded, “correct” (other than adding the shooting houses). Town Attorney Patrick Snyder advised that the Town’s Zoning Board of Appeals had previously granted a use variance for a “sportsmen’s club,” not as a bar or restaurant.

The applicants stated that they are planning to dig up the existing distribution box to have the septic system certified, and that they will not have a Health Department Permit for a kitchen at this time. They acknowledged that they had received a copy of the County Planning Department’s recommendations.

The Board reviewed the County’s recommendations. It was noted that existing parking accommodates 50 vehicles. The applicants stated, with regard to Item 4, that the shooting houses they will build will be angled in the direction the members are to shoot. Mrs. Morse added that in addition to members, they may be joined by law enforcement agencies for night shooting, but notification will be made in advance if this is to occur. Mr. Morse stated there will never be shooting before 8 a.m.

The applicants stressed that the proposed Club is a non-charitable not-for-profit organization.

The Board reviewed the County’s recommendations with the applicants, with results as follows:

1. Applicants have obtained the required use variance.
2. They will adhere to a six-foot minimum height for the berm.
3. Written consent not necessary as there will be no discharge of a firearm within 500 feet of any residential structure.
4. Three-sided houses will be constructed to direct the shooting of firearms.
5. Public notice has already been given.
6. Septic certification will be done in May 2015.
7. CEO Umbehauer advised that the County staff did not understand that pavement cuts, parking lot, and road are already there from previous club.
8. See #7.
9. Not applicable; see #7.

Although not a Public Hearing, Chairman Breed recognized the following who wished to speak:

Dale Taylor – Hopes there’s no beer cans, etc., discarded. There’s no place for alcohol there. Will there be background checks on members? Applicants should have insurance in force.

Kathy Taylor – Alcohol, in no way, shape, or form, should be allowed on the property.

Sheila Morse responded that they will have insurance; their lease agreement requires it. Member Wood asked the applicants if they would agree to not apply for a restaurant or liquor license; Mrs. Morse said “no.” Alternate Member Baranello commented that the Board should give serious consideration to alcohol, and use as a hosting facility. Members Wood and Howe thought this was not the Board’s concern. Member Dawn Willis asked if this was for members only, and Mr. Morse stated, “It’s a private club.”

The Board then completed their portion of the Short Environmental Assessment Form. Negative responses were obtained to all questions in Part 2. Therefore, **a motion was made by Member Willis that the action, based on the information submitted, will not cause any significant adverse environmental impact, resulting in a Negative Declaration. The motion was seconded by Member Lathrop, with the vote recorded as follows:**

Ayes:	Chair Breed Member Wood Member Lathrop Member Willis Member Howe	Nays:	None
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Motion carried.

This becomes Action #11 of 2015.

At the conclusion of an extensive discussion, a motion was then made by Member Wood to approve the Site Plan as submitted and, regarding numbered stipulations contained in the Cortland County Planning Board’s Resolution No. 15-3, dated 18 March 2015: (1) the applicant has complied with zoning regulations by obtaining the required use variance; (2) the applicant has agreed to construct earthen berms to a height of six feet along those boundaries with State forest land; (3) the applicant has agreed there will be no shooting within 500 feet of the adjoining residential property; (4) the applicant will construct shooting “houses” which will be required to be used for discharging of firearms, except for trap and skeet shooting, and previously mentioned berms will contribute to safety and noise reduction, with hours of shooting operations to be from 8 a.m. until dusk, except for law enforcement agencies; (5) public notice has already been given; (6) the applicant will provide written certification of the septic system by the Cortland County Health Department before operations begin and (7, 8, & 9) not applicable as the facility has previously been in existence. The motion was seconded by Member Howe, with the vote recorded as follows:

Ayes: Chair Breed
Member Wood
Member Lathrop
Member Willis
Member Howe
Nays: None

Motion carried.

This becomes Action #12 of 2015.

APPROVAL OF MINUTES – 23 FEBRUARY 2015

A motion was made by Member Lathrop to approve the Minutes of the 23 February 2015 Planning Board meeting, as submitted. The motion was seconded by Member Willis, with the vote recorded as follows:

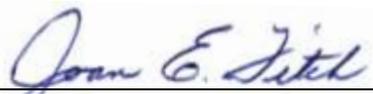
Ayes: Chair Breed
Member Wood
Member Lathrop
Member Willis
Member Howe
Nays: None

Motion carried.

This becomes Action #13 of 2015.

ADJOURNMENT

At 8:35 p.m., a motion was made by Member Willis, seconded by Member Lathrop, to adjourn the meeting. All Board members present voted in the affirmative.



Joan E. Fitch
Planning Board Secretary

Emailed to Town Supv., Clerk, Atty., CEO, PB
Members & Co. Planning on 5/14/15.