

**TOWN OF VIRGIL PLANNING BOARD**  
**Minutes of Regular Meeting - Monday, 23 February 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**

Steve Terwilliger for Congas, LLC, Applicant; Town Supervisor John Kaminski.

**REGULAR MEETING**

**The Regular Meeting of the Town of Virgil Planning Board was called to order by Chairman Jeffrey Breed at 7:02 p.m.**

**OLD BUSINESS**

**Congas, LLC, Applicant/Steven Terwilliger, Reputed Owner – 2964 Webb Road – TM #105.00-09-09.000 – Site Plan Review for Proposed Drive-Thru Window (cont'd)**

(Note: Reference is made to the Minutes of 26 January 2015 wherein the applicant was asked to come back to this meeting with certain details.)

Chairman Breed acknowledged receipt of an undated revised sketch which indicated the driving lanes, pavement markings, dimensions/measurements, and “special notes.” Also submitted was a 16 February letter to Mr. Terwilliger from Timothy C. Buhl, PE, certifying that he had reviewed the ITE trip generation tables for the proposed drive-thru window and, based on those tables, he “would estimate that an additional maximum 8-10 trips per peak hour will be experienced . . .”

Chairman Breed stated that he would like to see the area striped as indicated for parking spot at the corner where the window is; Mr. Terwilliger stated this would have to wait until spring when this could be done. Also brought up by Chairman Breed was having the dumpster fenced in and kept closed. Member Ann Howe commented that the 50-foot setbacks required should be adhered to. In response to a question, Mr. Terwilliger explained that the drive-thru signs will be placed on posts.

At the conclusion of this very thorough discussion, Town Attorney Patrick Snyder advised that this matter is a Type II Action under SEQRA and requires no environmental review.

**A motion was then made by Member Dawn Willis that the Town of Virgil Planning Board has determined that the proposed drive-thru window is a Type II Action under SEQRA and requires no environmental review. The motion was seconded by Member Carole Lathrop, with the vote recorded as follows:**

<b>Ayes:</b>	<b>Chair Breed</b>	<b>Nays:</b>	<b>None</b>
	<b>Member Lathrop</b>		
	<b>Member Willis</b>	<b>Absent:</b>	<b>Member Wood</b>
	<b>Member Howe</b>		<b>Alternate Member Baranello</b>

**Motion carried.**

**This becomes Action #5 of 2015.**

A motion was then made by Member Ann Howe to approve the Site Plan for the proposed drive-thru window, incorporating Items 1 thru 4 and 6 of the Cortland County Planning Board's Resolution No. 15-2, dated 21 January 2015, and accepts a letter from Timothy C. Buhl, PE, to Steve Terwilliger, dated 16 February 2015, regarding ITE rip generation, in satisfaction of the County Board's Item 5 of aforesaid Resolution. The motion was seconded by Member Lathrop, with the vote recorded as follows:

<b>Ayes:</b> Chair Breed	<b>Nays:</b> None
Member Lathrop	
Member Willis	<b>Absent:</b> Member Wood
Member Howe	Alternate Member Baranello

Motion carried.

**This becomes Action #6 of 2015.**

**APPROVAL OF MINUTES – 26 JANUARY 2015**

A motion was made by Member Willis to approve the Minutes of the 26 January 2015 Planning Board meeting, as submitted. The motion was seconded by Member Howe, with the vote recorded as follows:

<b>Ayes:</b> Chair Breed	<b>Nays:</b> None
Member Lathrop	
Member Willis	<b>Absent:</b> Member Wood
Member Howe	Alternate Member Baranello

Motion carried.

**This becomes Action #7 of 2015.**

**ADJOURNMENT**

At 7:35 p.m., a motion was made by Member Howe, seconded by Member Willis, to adjourn the meeting. All Board members present voted in the affirmative.

  
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 Joan E. Fitch  
 Planning Board Secretary

Emailed to Town Supv., Clerk, Atty., CEO, PB  
Members & Co. Planning on 4/24/15.