

Town of Manchester Planning Board Meeting Minutes

February 15, 2022 – 7:00pm

Present: Scott VanAken, John Boeckmann, Lee Sanders, Julie Vanderwall, Jefferey Flower, Board members. Stuart Gwilt, Chairman, Nichole Ruggles Recording Secretary and Steve DeHond, Code Enforcement Officer

Absent: Steve Buerman, Board Member

Also, present: Tim Crowley, Michelle Dorr and John Yates

Application #4625-22: LDS Church who is requesting a final sign approval for 2-directional signs 4.66 square ft. each when the code states no bigger than 2 square ft. on property located at 603 State Route 21, tax map #11.00-1-17.100 in an a(n) Inst. District pursuant to Chapter 325-40-D-8, 325-40-D-4.

Stuart Gwilt, Chairman opened the public meeting.

Scott VanAken, Board member: The only concern I have is the brightness of the lights on the signs.

Michelle Dorr, LDS Church: There are no lights, they are simply directional signs for parking at both entrances of the church.

Stuart Gwilt, Chairman: The ZBA approved the area variance last meeting. Does anyone have any questions? Hearing none.

A motion was made by Scott VanAken to approve the final sign #4625-22 submitted by LDS Church who is requesting 2-Directions Signs 4.66 square foot each when the code states no bigger than 2 square ft. on property located at 603 State Route 21, tax map no. 11.00-1-17.100 in an a(n) Inst. District pursuant to Chapter 325-40-D-4. The motion was seconded by Julie Vanderwall. All voted "Aye." Motion carried.

Application #4624-22: Tim Crowley who is requesting a site plan – use variance#4624-22 to operate a sawmill and sell finished lumber and furniture from an existing building on property located at 3808 State Route 96, tax map #32.00-2-16.100 in an R-1 district pursuant to Chapter 325 Section 325-12-A-D, 325-75.

Stuart Gwilt, Chairman: Opened with reviewing the public hearing notice, and read all 11-surrounding property owners who were notified. Normally I go and see the property, but this month I did not do that. One question I have, is regarding the noise for your neighbors.

Tim Crowley: I would like to apologize for not coming to the last meeting, I tested positive for Covid the day before.

There are various types of sawmills, from heavy industrial to entry level, like the one I have. It's simply mobile not a stationary machine. It's about 24 horsepower similar to a zero-turn mower motor. The neighbors to the East of me are about 700 road frontage away and the one to the West is a bit shorter distance. For the most part, this would be a very part time business. I am fully employed. This is a passion of mine, and I was given this opportunity. On top of this, the price of lumber has beyond increased. My intent is not to have a full-blown lumber sawmill operation at this time. If it ever goes to that extent, I will use another place to run the business as it's not an ideal area with the traffic.

Stuart Gwilt, Chairman: Even though its mobile, it will be stationed at your home? Do you plan to haul it around?

Town of Manchester Planning Board Meeting Minutes

February 15, 2022 – 7:00pm

Tim Crowley: Yes, the reason it is called mobile is for the very reason for its name. I can cut at someone else's site and operate in a safe manor for custom sawing at their request.

Scott VanAken, Board Member: You don't plan to operate in your driveway, right?

Tim Crowley: No. I see everyone has an overhead of my property. For the most part if I were to operate at home, I would pull it down back between my house and the thruway. I own more property to the back and the East then I do on the West.

Scott VanAken, Board Member: Would it be safe to say, operation would be behind the home?

Tim Crowley: Yes.

Jeffery Flower, Board Member: Do you have any intent to sell lumber?

Tim Crowley: When I filed the LLC, I wanted to include the long-term plan. I could offer lumber to the public for their different projects. I have no crystal ball currently. Majority of the market is on a smaller scale. Most will happen through internet sales. I may have 10-75 bundles of lumber at given time that would be shipped to their location. With it being mobile, most people will not want to pay to have it shipped to my location just to have it shipped back out. It could happen but I don't anticipate it. I do not have plans to have a lot of lumber being dropped off at my home.

Jeffery Flower, Board Member: Ok, I was just trying to get any ideas of truck traffic.

Tim Crowley: Other than my own truck, I anticipate very little. With this business, I could also plane lumber, but again I wouldn't do it at my own home. I would use my father's house.

Lee Sanders, Board Member: If you would make furniture, would it be displayed in your front yard?

Tim Crowley: No, if someone wants custom built furniture, they will come to me. Nothing will be displayed.

Lee Sanders, Board Member: Any signage involved:

Tim Crowley: No none.

John Boeckmann, Board Member: Did you attend the county's meeting?

Tim Crowley: Yes, through virtual. They questioned why I was going for a use variance instead of an area variance. I don't think they really understood the concept of what I'm doing. One question was can you fit this inside your currant building. No, I don't have that square footage for it to fit. After discussions with Steve, we felt that they didn't have a good understanding of what I'm doing or attempting to do.

John Boeckmann, Board Member: Looks like they were leaning towards a special use home occupation and didn't look as they wanted to approve.

Tim Crowley: Based on how it was filed, no.

Steve DeHond, Code Enforcement officer: The county was referring it to an area variance for a home occupation. I didn't this it matched the meaning of home occupation. I asked Mr. Crowley to go for a use variance. But to hear it fully explained now and what's going on. He doesn't need permission to store the sawmill. You need permission to sell lumber and furniture.

Town of Manchester Planning Board Meeting Minutes

February 15, 2022 – 7:00pm

Scott VanAken, Board Member: It meets the definition of a home occupation, right?

Steve DeHond, Code Enforcement officer: Yes.

Scott VanAken, Board Member: I am leaning toward a special use for home occupation. From everything I am reading in the code and his intent, it all makes sense. Do you disagree with this?

Steve DeHond, Code Enforcement officer: No, I don't at all.

John Boeckmann, Board Member: It definitely makes sense.

Jeffery Flower, Board Member: So, you won't be doing much at home, right?

Tim Crowley: No hardly at all.

Scott VanAken, Board Member: Being so you're doing this part time, you will run out of day light if you were to do some at home.

John Boeckmann, Board member: When would you work?

Tim Crowley: Weekends and limited time during the week as I am limited to day light. If this gets larger, I will seek another area of business due to the safety concerns with the traffic at my location.

I Scott VanAken make a motion to approve the special use variance for a R-1 family residential district Chapter 325-12. With a note of any operation will generally be out back or the side of the home. Motion was seconded by John Boeckmann. All voted "Aye." Motion Carried.

Application # 4627-22: John Yates who is requesting site plan - special use #4627-22 to operate a bistro and brewery in an existing building and new pole barn on property located at 1715 State Route 21, tax map #44.03-1-30.000 in a C-1 district pursuant to Chapter 325 Section 325-75-325-15-C-8-325-66.

Stuart Gwilt, Chairman opened with reading the public hearing notice. Did you attend the county meeting?

John Yates, No I did not attend.

Stuart Gwilt, Chairman: Read the counties comments as stated below:

The Town of Manchester Commercial zoning district allows restaurants with a special use permit. The proposed use will reuse the existing 6' x6' sign structure and existing lighting which is on a timer.

According to Oncor, the 3.2 acres site was previously operated as a snack bar. The property has some areas of 16 to 30 and 31 to 60 percent slope and there is a DEC wetland and floodplain along the outlet to the rear/east of their property. Existing adjacent land use includes a solar array to the south, a motor vehicle service business to the north and residential and agricultural uses across SR 21 to the west. The proposed pole barn will be located to the rear of the existing parking lot approximately 30' from the southern property line. The applicant proposes to install a grinder pump in the existing septic tank and a force line from the pump tank to the sewer line located on the neighboring property to the north.

1. What provisions are being made for storm water management related to the 2,400 SF pole barn?
2. The applicant has not submitted a site plan that meets the requirements of 325-75K (2). If the planning board is waiving the site plan requirements the board must include findings, limit such waiver to elements allowed in the regulations, and document such findings in there minutes.

Town of Manchester Planning Board Meeting Minutes

February 15, 2022 – 7:00pm

Stuart Gwilt, Chairman: I would like an explanation of the steps on your plans, and I am aware of runoff from the south on the property.

John Yates: We plan to enclose the outdoor patio at some point next year. It will double the size as the building is 100 sqf. and the patio area has about 12 sqf. This would be a staged project and need to show it's violable.

Scott VanAken, Board Member: So, most of the project will be next year, correct?

Stuart Gwilt, Chairman: You plan to start the operation in the existing building and the build of the barn.

John Yates: Correct. I would like to start the opening in the spring around April along with the build of the pole barn. The problem with the current building is that it has a small area of seating and production area. There is no room for an office space or any kind of storage. We need the additional space right away. Eventually down the road it would be used to produce a larger brewery.

Stuart Gwilt, Chairman: Are you planning on running this?

John Yates: No, I am leasing this out.

John Boeckmann, Board Member: I don't understand the plans with the sewer lines across the neighbor's property.

John Yates: The lines do run across the property line into the neighbor's property, the village is ok with this, and the owner has agreed and signed off. It's where the sewer lines connect. The water comes across his property as well.

John Boeckmann, Board Member: It's like a right of way across his property?

John Yates: Yes

John Boeckmann, Board Member: The addition of the building, it's a slab on grade floating slab? How would you attach to the building?

John Yates: I don't know how the foundation is; the engineer will know and take care of this.

Scott VanAken, Board member: I think it's a permanent foundation.

John Yates: Yes, I do as well. Currently has a wooden deck.

There was a lot a back-and-forth discussion regarding the foundation.

Steve DeHond, Code Enforcement officer: We will check into this.

Scott VanAken, Board Member: What about the lighting in the parking lot? It seems it has disappeared over time.

John Yates: There is lighting around the parking lot, used to have an all-night utility pole light that RG&E took down, but everything else has stayed the same.

Scott VanAken, Board Member: Are you planning on doing any more lights than what you already have?

John Yates: No, but there will be a light on the eve of the barn that will shine down. It would be the only added light. At this point I do not have a full drawing of the pole barn as of yet.

Town of Manchester Planning Board Meeting Minutes

February 15, 2022 – 7:00pm

At this time the board reviewed the sketches.

Scott VanAken, Board Member: Do you plan to put up a sign?

John Yates: Only where the existing sign was. The polls are still there. In the packet is a diagram of what the sign will look like, white, and black lettering about 6x6 in sizes.

Stuart Gwilt, Chairman: When are you planning to open?

John Yates: We would like to in April.

Scott VanAken, Board Member: Opening a bistro would be an existing approval, right?

Steve DeHond, Code Enforcement officer: Yes, its pre-approved.

Scott VanAken, Board Member: The site plan and growth should be in plans.

Jefferey Flower, Board Member: The plan is to open in April, build the pole barn and add on the addition next year if things go well.

John Yates: Yes, this is the plan. There will be no current changes to the existing building.

Scott VanAken, Board Member: All construction would be behind the building so it will not affect any parking or traffic.

John Yates: Correct, this will not affect any parking or traffic issues. I am aware of the high speed of traffic and how dangerous it could be if construction vehicles were blocking the parking areas. No parking to the street will be necessary.

Scott VanAken, Board Member: We still need to see a site plan for further approval to the pole barn and plans for expansion. It should include lights, Signage and if you can accommodate the expansion.

At this time the board members discussed the barn location.

John Yates: The barn will be meant for space, office use and any further brewery making.

Stuart Gwilt, Chairman: How many cars can you park?

John Yates: It has 30 marked spots now and will be staying the same. No changes.

John Boeckmann, Board Members: He can just start in April?

Scott VanAken, Board Member: He just needs a special use for existing building and be approved as a new owner.

At this time there were discussions with Steve DeHond and the board members regarding the wetlands on the property and some confusing about where or if. From documents from the county, it doesn't appear to be a factor at this location.

Scott VanAken, Board Member: I purposely will not vote or make a motion because I am a neighbor.

Stuart Gwilt, Chairman: Anyone else have any questions? Hearing none.

Town of Manchester Planning Board Meeting Minutes

February 15, 2022 – 7:00pm

A motion was made by Lee Sanders to approve the site plan special permit #4627-22 submitted by John Yates who is requesting to operate a bistro and brewery in an existing building on property located at 1715 State Route 21, tax map #44.03-1-30.000 in a C-1 district pursuant to Chapter 325 Section 325-75-325-15-C-8-325-66. Motion seconded by John Boeckmann. Scott VanAken abstained. All voted “Aye.” Motion carried.

Previous Minutes:

A motion was made by Stuart Gwilt to approve the minutes from the meeting which took place on January 18, 2022. Motion was seconded by John Boeckmann. All voted “Aye.” Motion carried.

At this time the meeting was stopped at 8:05pm.

Respectfully submitted,

Stuart Gwilt
Planning Board Chairman

Nichole Ruggles
Recording Secretary

Town of Manchester Planning Board Meeting Minutes
February 15, 2022 – 7:00pm