

TOWN OF SULLIVAN PLANNING BOARD PUBLIC HEARINGS –MARCH 5, 2024 –
JAMES BROWN/RYCO PROPERTIES – 2377 ROUTE 31, CANASTOTA – 2 LOT
SUBDIVISION – BUSINESS/MR-12 ZONE – SBL#11.-1-12.1

The hearing was opened by Dave Allen. The Secretary read the notice as published in the Oneida Dispatch.

Present: Sherry Menninger, Cory Jenner, Raymond Carney Alt., Paul Lindsey Alt., John Langey, Atty and Larry Ball, Building and Codes Administrator. Excused: John Ceresoli and Paul Jasek. Frederick Myers from Myers & Associates appeared on behalf of Mr. Brown for a 2-lot subdivision at 2377 Route 31, Canastota.

No one spoke for or against this 2-lot subdivision.

A motion was made by Sherry Menninger and seconded by Cory Jenner to close the hearing. All voted in favor.

ROBERT SHEPARD – 863 MARSH MILL RD., KIRKVILLE – 2-LOT SUBDIVISION -AG
ZONE – SLB# 15.-1-47.131

The hearing was opened by Dave Allen. The Secretary read the notice as published in the Oneida Dispatch.

Present: Sherry Menninger, Cory Jenner, Raymond Carney Alt., Paul Lindsey Alt., John Langey, Atty and Larry Ball, Building and Codes Administrator. Excused: John Ceresoli and Paul Jasek. Mr. Shepard appeared for a one-acre subdivision of his property to build a new home for his son. Mr. Art Lelio spoke stating the survey is less than ideal, it looks like there is less than 150' road frontage and minimum is 150'. He suggested needing to go to the Zoning Board for a variance. Mr. Lelio stated his opinion that this property is in the 100-year flood plain, is out of character with the neighborhood, could have a negative impact, could increase the density unnecessarily, is self-imposed and the applicant should go back and increase the coverage from the 160 +/- acres. Chairman Allen said there is 155' road frontage and Mr. Shepard is splitting his own property for his son. He will have a raised bed septic system, natural gas and public water.

No one else spoke for or against this one-acre subdivision.

A motion was made by Cory Jenner and seconded by Sherry Menninger to close the hearing. All voted in favor.

REGULAR MEETING OF THE TOWN OF SULLIVAN PLANNING BOARD –
MARCH 5, 2024

The regular meeting of the Town of Sullivan Planning Board began at 7:00 PM.

Present: Dave Allen, Sherry Menninger, Cory Jenner, Raymond Carney Alt., Paul Lindsey Alt., John Langey, Atty and Larry Ball, Building and Codes Administrator. Excused: John Ceresoli and Paul Jasek.

A motion was made by Paul Lindsey and seconded by Raymond Carney to approve the minutes of the February 6, 2024 meeting. All voted in favor.

JAMES BROWN/RYCO PROPERTIES - 2377 ROUTE 31, CANASTOTA – 2-LOT
SUBDIVISION – BUSINESS/MR-12 ZONE - SLB# 11.-1-12.1

The SEQR was completed at the February 6, 2024 meeting.

A motion was made to approve this 2-lot subdivision by Sherry Menninger and seconded by Raymond Carney with the condition that any additional development of the lot would require extension of the water district through the Town Board. All voted in favor.

ROBERT SHEPARD – 863 MARSH MILL RD., KIRKVILLE – 2-LOT SUBDIVISION – AG ZONE – SLB# 15.-1-47.131

The SEQR was completed at the February 6, 2024 meeting. Forrest SeGuin will prepare the final maps for signing.

A motion was made to approve this 2-lot subdivision by Cory Jenner and seconded by Paul Lindsey. All voted in favor.

STONELEIGH HOUSING INC.- SPECIAL USE PERMIT, SITE PLAN APPROVAL AND PLANNED DEVELOPMENT PLAN – ROUTE 31, SLB# 10.-1-9.21 – 32 APARTMENT COMPLEX IN THE SULLIVAN INDUSTRIAL PARK

Engineer Lisa Wennberg from Keplinger Freeman Associates gave an overview update. Ed Keplinger had meeting with the fire department personnel, discussed the hydrants, NYS code and their response letter was provided. They agreed to do floor level Co2 detectors in all apartments. There is no threat to endangered species of wild life habitats on site. A traffic memo has now been supplied indicating one car every 6 minutes. There are no federal monies for this project. They are continuing to coordinate with Barton & Loguidice and understand the engineer approval is needed prior to obtaining any construction permits. Army Corps standards and rules regarding wetlands will be observed and permits will be obtained and filed with the Town prior to any activity on the site. All documents will be provided abiding and providing for DEC regulations for stormwater. Ms. Wennberg stated that they understand all final documents are needed and will be provided. The parking lot was discussed and confirmed it is on Enterprise Parkway and not on Route 31.

Attorney Langey summarized for the Board all actions and review to date. There have been a number of meetings, a public hearing, the application has been reviewed and changes made, SEQR conducted, verbal input received with public hearing, public input by letter, the Town's engineer has had many exchanges with the applicant's engineer and the long form SEQR completed at the last meeting. Attorney Langey read the required/proposed potential findings from his notes for granting the final site plan approval as part of the PDD and special use permit for this project. (Copy attached). Attorney Langey then read the potential proposed conditions to approval. He will create the final resolution and the Board can now consider reaffirmation of the original SEQR (taking into consideration the supplemental materials on traffic and engineering services) for approval conditionally. They still need to close on property and no construction will begin until key things are in hand.

The Board thereafter adopted the proposed findings and the proposed conditions as set forth in the attached resolution.

Thereafter, a motion was made by Raymond Carney and seconded by Sherry Menninger to approve this project with conditions as per the resolution and directed Attorney Langey to prepare the final written version in accordance with the Board's declaration. All voted in favor.

**TOWN OF SULLIVAN
PLANNING BOARD RESOLUTION**

STONELEIGH HOUSING, INC. (as Applicant) and TOWN OF SULLIVAN DEVELOPMENT CORPORATION (as Owner) – Approval for a Special Use Permit, Site Plan and Final Development Plan to Construct and Operate a Two-Story, Multi-Unit Housing Facility with Associated Site Improvements on Re-Subdivided Lot No. 5 of the Harbor Lights Business Park (Enterprise Parkway, Chittenango, NY) in the Harbor Lights Business Park Planned Development District – GRANTED WITH CONDITIONS

March 5, 2024

R. Carney moved and S. Menninger seconded the following Resolution:

WHEREAS, Stoneleigh Housing, Inc., as Applicant, with authorization from the **Town of Sullivan Development Corporation**, as Owner, has applied for the granting of a Special Use Permit, Site Plan and Final Development Plan request for the construction and operation of a two-story, multi-unit housing facility (designed for seniors) with associated site improvements and landscaping (the “Project”) to be located on re-subdivided Lot No. 5 (4.499 +/- acres), consisting of the originally approved Lot No 5 (3.79 +/- acres) and a portion of an originally approved adjacent lot (0.71 +/- acre), all as depicted on a survey map prepared by Myers and Associates (dated July 14, 2023, as last revised on October 12, 2023 and filed with the Madison County Clerk’s Office on December 20, 2023 as Instrument No. 6572) on Enterprise Parkway in the Harbor Lights Business Park Planned Development District (more particularly known as portions of Tax Map No. 10.-1-9.21), at the Owner’s premises in the Harbor Lights Business Park Planned Development District pursuant to §275-9 and §275-12(H) of the Town of Sullivan Zoning Law, as amended (the “Law”); and

WHEREAS, the Project, as modified and revised, consists of the following plans and drawings:

1. “Harbor Lights Senior Housing”, prepared by Keplinger Freeman Associates, including:
 - a. L0.2: Overall Plan, dated September 18, 2023, as last revised March 1, 2024;
 - b. L1.0: Site Preparation Plan, dated September 18, 2023, as last revised March 1, 2024;
 - c. L2.0: Site Grading Plan, dated September 18, 2023, as last revised March 1, 2024;
 - d. L2.1: Site Drainage and Utilities Plan, dated September 18, 2023, as last revised March 1, 2024;
 - e. L3.0: Site Layout Plan, dated September 18, 2023, as last revised March 1, 2024;
 - f. L3.1: Site Planting Plan, dated September 18, 2023, as last revised March 1, 2024;
 - g. L4.0: Site Erosion Control Plan, dated September 18, 2023, as last revised March 1, 2024;
 - h. L5.0: Site Details, dated September 18, 2023, as last revised March 1, 2024;
 - i. L5.1: Site Details, dated September 18, 2023, as last revised March 1, 2024;
 - j. L5.2: Site Details, dated September 18, 2023, as last revised March 1, 2024;
 - k. L5.3: Storm Tech - 740 Details, dated September 18, 2023, as last revised March 1, 2024;
 - l. L6.1: Photometric Plan, dated September 18, 2023, as last revised March 1, 2024;
2. “SWPPP Report”, prepared by RZ Engineering, PLLC, dated November 27, 2023, as last revised March 1, 2024; and

WHEREAS, previously on February 6, 2024, the Planning Board determined to issue a Negative Declaration for purposes of SEQR for the proposed Special Use Permit, Site Plan and Final Development Plan; and

WHEREAS, certain revisions have been undertaken on the SWPPP based upon additional input from the Town’s consulting engineers, as well as other modifications to the proposed plans in response to comments from the public and the Town’s consulting engineers; and

WHEREAS, the application was referred to the Madison County Planning Department (“MCPD”) for review and comment pursuant to General Municipal Law 239-m and said Board having issued its Recommendation Report received on or about November 2, 2023 indicating that the matter was being returned for local determination as it will not have any negative impacts to Madison County; and

WHEREAS, after due notice by publication in the official newspaper of the Town, the Town of Sullivan Planning Board held a public hearing on the application at the Board’s regular meeting held on November 7, 2023 in accordance with the law and the Zoning Law and heard all comments and concerns regarding the proposed Project; and

WHEREAS, the Planning Board has received written public comments relating to the proposed Project; and

WHEREAS, the Planning Board has considered all of the written and oral public comments offered on the Project, including written comments from neighboring property owners; and

WHEREAS, the Applicant’s application was considered fully by the Planning Board and upon such consideration, the Board hereby makes the following findings with regard to the application:

- The Project, which would consist of an approximately 18,800 sq. ft. (finished floor elevations – 395.00), two-story, multi-unit housing facility designed for seniors, to include 32-units (8 x 2-bedroom units and 24 x 1-bedroom units with a 40+/- car parking lot), shall be known as the “Harbor Lights Apartments” and sited upon a 4.499 +/- acre lot;
- The proposed Project will comply with all provisions and requirements of §275-9 and §275-12(H) of the Town of Sullivan Zoning Law (as more particularly discussed herein) and all of the other local laws and regulations of the Town of

Sullivan and will be consistent with the purposes of the land use district in which it is located; to wit, a Planned Development District, for this proposed purpose built multi-unit housing facility (designed for seniors) with associated site improvements and landscaping based upon the following findings and reasons:

- The site demonstrates a Project area of 4.499 +/- acres with a disturbance of the site occurring on 2 +/- acres;
- There is sufficient land area to accommodate the parking and access road, as well as the buildings on the subject parcel and surrounding parcels;
- The Applicant has proposed modifications to its original plan to include screening, an access sidewalk on the site from Enterprise Parkway and no direct access from NYS Route 31, such that it has been demonstrated that the Project will be in harmony with the orderly development of the District. A single access point to the PDD off of NYS Route 31 to serve Enterprise Parkway will ensure appropriate ingress and egress to allow a low traffic volume roadway serving the site;
- The size of the structure on the 4.499 +/- acre site has been determined by the Planning Board not to overwhelm the site and the site plan and its architectural design is complimentary and an improvement to the overall look to this portion of the underutilized Planned Development District lands;
- In addition, the Project includes an improved landscaping plan with plantings, which will enhance the appearance of the site and provide partial screening from surrounding properties;
- The purpose of the Planned Development District is accomplished by way of the proposal insofar as it is a reasonable transition from surrounding

properties and will be complimentary to the other mixture of uses which are currently in and are being attracted to and for the Planned Development Park site and will further operate as a much needed source of alternative housing options for the Town's growing senior population;

- The proposed Planned Development Plan and Site Plan provide for sufficient recreational space on the site to serve the tenants of the senior housing facility and will include grass areas to meet the needs of the Planned Development District;
- The Applicant, as owner and operator of the proposed senior housing facility, shall be responsible for maintenance and upkeep of the site, including mowing and regular maintenance of the stormwater retention/detention facilities;
- The Planning Board has determined that sufficient access is included in the Project plan to provide ingress and egress with no demonstrated harm to the general public, particularly since access would be off of an internal ring road and there will be no direct access onto NYS Route 31 from the Project site;
- A traffic impact analysis was provided to the Planning Board, dated February 29, 2024, concluding that the Harbor Lights Senior Housing Development will have no notable effect on traffic operations and safety on the adjacent public roadway network in the vicinity of Enterprise Parkway and NYS Route 31. Said analysis included information published through the Institute of Transportation Engineers (Trip Generation, 10th Edition) for the Project, taking into consideration its proposed use as a senior housing facility and factoring 32 senior apartment

units. The resultant expected “PM Peak Hour Trip Generation” indicated the equivalent of 9.6 trips per hour, suggesting no significant negative impacts from traffic;

- The Applicant has proposed significant landscaping, fencing and screening, all as demonstrated in the submittals and the site plan drawings, in such a way as to substantially mitigate any potential adverse visual impacts of the proposed use from adjoining parcels and other vantage points;
- The Planning Board has determined that the architectural design of the proposed structures, including all fencing, plantings, landscaping, etc., are appropriate for the site as demonstrated in the depictions contained on the proposed drawings and plans and will complement the area as there is no single predominant style which consists, only a diverse range of structures and uses, generally;
- The inclusion of mitigations by way of plantings will assist in allowing for a natural transition between surrounding properties;
- The proposed Project location, size of use and structure will be in harmony with the orderly development of this Planned Development District and will be consistent with the Town’s Comprehensive Plan and with the purposes of Article V of the Town of Sullivan Zoning Law because the Project, as proposed, meets and otherwise exceeds all anticipated parking requirements (as determined herein by the Planning Board), setbacks and lot coverage requirements as the Applicant has and will acquire additional lands in the Business Park. Further, the building has been designed with an attractive façade and with a height of approximately 28 +/- feet to the peak;

- There are examples of various other uses with the distinct mix-commercial character and nearby businesses located and operating in this portion of the NYS Route 31 Corridor, including the Fremac Marina buildings, the nearby convenience store and numerous commercial uses and residential homes of varied styles and sizes;
- The site itself at approximately 217,364.40 sq. ft. is sufficient to accommodate the approximately 42,000 +/- sq. ft. of impervious surface for the site, in essence representing less than 20% of coverage of the overall site with structures;
- The proposed structure will also include the positioning of screened refuse storage and the utility portion of the structure to the rear side of the building with a 6' architectural masonry block fenced-in area, essentially screening it from NYS Route 31 and surrounding properties;
- The Applicant is not proposing a full perimeter fence which could otherwise look out of context with the neighborhood;
- The Applicant is proposing appropriate landscaping on the site to add positive aesthetic impacts, while preserving existing screening vegetation and providing some new screening and buffering to the site;
- As a condition to approval, the Applicant will be required to continuously maintain and restore any trees and plantings which have died or become diseased on the site and to provide continuous upkeep of the site;
- To enhance the Project, the Applicant will be required to install downcast, shielded and "dark-sky" compliant lighting, on the site to avoid spillage onto nearby properties and roadways. The Applicant has submitted and the Town's consulting engineers have reviewed the photometric

schematics of the site, which demonstrates that there will be no spillage onto neighboring properties or highways;

- The Applicant has addressed concerns of surrounding neighbors by including a sidewalk access to the interior service road (Enterprise Parkway) and addressing fire concerns with the local Fire Company;
 - The Applicant has demonstrated fire safety for the proposed Project by way of consultation with the local Fire Company, Bridgeport Volunteer Fire Department, and has agreed to suggested project changes made by the local Fire Company;
 - The Applicant has demonstrated to the Town's consulting engineers that sufficient sewer capacity exists for the proposed Project and a Sewer Connection Agreement will be entered into by the Developer and the Town of Sullivan;
- As noted above, the Project has balanced the requirements under the Code for parking and consists of appropriate internal access, which has been reviewed by the Town's consulting engineers;
 - There has been no evidence that the Project, as proposed, will impair the value of adjacent lands or buildings;
 - The Board has determined, based upon the above, that the plan provides for appropriate landscaping and buffering consistent with the size, scope and nature of the Project;
 - The Board further notes that the Project is smaller in scope and less intense than other potential uses of the property and more in keeping with adjacent uses;
 - The proposed Project will not be more objectionable to nearby properties than would the operation of any other permitted use since it will not result in the

release of harmful substances or any other nuisances, nor cause excessive noise, dust, odor, solid waste or glare because the Project includes the necessary measures needed to minimize the possibility of the release of harmful substances and incorporates mitigations to noise and glare. Further, any such issues would occur at the time of construction, be temporary in nature and mitigated during the period of construction. The Project utilizes appropriate light shielding technology to avoid spillage of lights onto neighboring properties and highways, will not be associated with any odors or dust at the time of operation as roadways will be paved and maintained, all solid waste will be transported from the site on a weekly basis and will be stored in secured, screened and enclosed dumpsters;

- Adequate public parking is provided based upon the nature of the proposed use as a senior housing facility and it is recognized that this population likely will not all have personal vehicles. As such, the Planning Board hereby waives and varies the requirements of §275-12(G)(2)(c) regarding the underlying parking count as otherwise required under the Code;
- The Project will be accessible to fire, police and other emergency vehicles because the site provides for appropriate parking and access in conformance with the anticipated minimum requirements;
- The site plan provides for adequate access to the building for fire, police and other emergency vehicles as demonstrated through the submitted site drawings, which have been reviewed by the Town's consulting engineers;
- Further, the Applicant has modified the Project plans in response to the Town's consulting engineers' technical reviews dated November 22, 2023, December 29, 2023 and February 15, 2024 and has participated in numerous discussions with the Town and its consulting engineers relative to the plans, including the

installation of hydrants for the Project, wetland mitigations and stormwater review;

- The Project Sponsor has submitted the required stormwater management plan which will act to address stormwater management issues and will require final approval from the Town's consulting engineers;
- The Applicant will provide any necessary easements as required;
- The Project has been demonstrated to have access to available public water service and public sewer service;
- The Project will also require proposed amendments to the Declaration of Covenants and Restrictions to be granted by the Town of Sullivan Development Corporation Architectural Control Committee, which will be a condition of the approval;
- The Applicant has proposed evergreen and deciduous trees for planting and to be maintained along the indicated property lines which will contribute to the screening of the overall project in a positive manner;
- The Applicant has addressed concerns of surrounding neighbors by including sidewalk access to the interior road (Enterprise Parkway), and has addressed any fire safety concerns with the local Fire Company. The Applicant has also provided additional landscaping and screening, and has proposed downcast, shielded lighting on the site to preserve the neighborhood's character;
- The Applicant has proposed to take the necessary steps to combine those portions of the two (2) lots which are the subject of this Project, representing the entirety of the subject site, and file appropriate deeds in the Madison County Clerk's Office;

- The Applicant's plan provides for sufficient lot size, building location and screening such that the Planning Board hereby waives and varies the requests for the building setbacks as proposed in the submitted plan per §275-12(G);
- Pursuant to §275-12(G)(3), the Planning Board has been provided with discretion, with regard to maximum building height for projects within the PDD, such that the Planning Board may establish heights where it finds it is necessary for the intended use and is compatible with this Section. Here, the Planning Board has determined that given the entirety of the proposed Project and its intended use, *i.e.* a multi-unit housing facility (designed for seniors) on a limited size site, it is necessary and appropriate to allow for the proposed height of approximately 28 +/- feet in this area. Furthermore, the Applicant has demonstrated that the overall design of the Project, including the proposed architectural features, colors and other finishes, are compatible with the neighborhood and are necessary for the intended use for the site as proposed;
- Similarly, the Planning Board is further exercising its discretion to allow for the parking as proposed in the "front" of the site rather than rear of the buildings as the Project site itself is unique in the sense that the ring road (Enterprise Parkway) provides a unique opportunity to utilize parking in a manner which will not detract from the site or surrounding properties. In this instance, the Board has determined that allowance for parking as proposed is appropriate for the Project and will have no detrimental impact on surrounding properties given its distance from other parcels, as well as by screening with natural vegetation and surrounding buildings on NYS Route 31;

- It is further noted that the Planning Board's determination herein has been authorized by Local Law No. 2-2019, as codified under §275-12 ("Planned Development Districts"), as an amendment to an established and existing Planned Development District. In this instance, the land area involved is part of an existing and previously approved Planned Development District, which has undertaken numerous developments and has been previously subdivided. Further, the Planning Board has conducted a public hearing on the Project as allowed under §275-12(K)(2) and has taken comments from neighboring property owners in its consideration and has recommended Project modifications to address such concerns. In response, the Applicant has made numerous modifications to the proposed Project to address these stated concerns and to mitigate any impacts;
- It has further been determined that a sprinkler system has been incorporated into the Project design, thus mitigating any necessity for full rear access to the building for fire apparatus. Also, the property will be served by appropriate OCWA fire hydrants for fire suppression. The Applicant has agreed to install appropriate fire hydrant locations on and near the site;
- The Applicant has further designed water quality facilities to appropriately function on the site, including under the proposed driveway;
- The Project which will entail some wetland disturbance will also require appropriate permitting. No construction will be allowed in such areas without demonstrating the procurement and compliance with such permits;
- It is noted that Project residents will reside in living units which will have their own patio or second-story stoop in response to public input;

- The main structure will be sided in vinyl, which will be low maintenance and will be aesthetically consistent for the area. Upkeep and maintenance will be required;
- The Project will utilize proposed geothermal wells to supply heat to the facility;
- The Project, upon construction, will be required to comply with all Federal and State regulations, including ADA compliance for access and mobility;
- In accordance with the Madison County Planning Department: “[t]his proposed 32-unit apartment building helps address the important problem of our shortage of housing purpose-built for seniors”;
- The Planning Board has taken consideration of potential “loss of 0.44 acres of wetland” and the Applicant will be required to obtain the necessary permitting from the U.S. Army Corps of Engineers relative to the potential mitigation from loss of wetland areas on the site;
- The Applicant has prepared a Stormwater Pollution Prevention Plan (“SWPPP”) which will be subject to final review and approval by the Town’s consulting engineers; and

WHEREAS, the Board has fully considered all of the application materials, drawings and submissions associated with the proposed use.

NOW THEREFORE, BE IT RESOLVED that the Town of Sullivan Planning Board hereby allows and grants the Applicant’s request for an amendment to the Planned Development District, approval of the requested Special Use Permit, Site Plan and Final Development Plan for the construction and operation of a multi-unit housing facility (designed for seniors) with associated site improvements (including landscaping, associated parking and drainage facilities), all at the Owner’s premises and all in specific accordance (and specifically conditioned upon compliance) with the submitted plans and documents as follows:

- A. “Harbor Lights Senior Housing”, prepared by Keplinger Freeman Associates, including:
- (1) L0.2: Overall Plan, dated September 18, 2023, as last revised March 1, 2024;
 - (2) L1.0: Site Preparation Plan, dated September 18, 2023, as last revised March 1, 2024;
 - (3) L2.0: Site Grading Plan, dated September 18, 2023, as last revised March 1, 2024;
 - (4) L2.1: Site Drainage and Utilities Plan, dated September 18, 2023, as last revised March 1, 2024;
 - (5) L3.0: Site Layout Plan, dated September 18, 2023, as last revised March 1, 2024;
 - (6) L3.1: Site Planting Plan, dated September 18, 2023, as last revised March 1, 2024;
 - (7) L4.0: Site Erosion Control Plan, dated September 18, 2023, as last revised March 1, 2024;
 - (8) L5.0: Site Details, dated September 18, 2023, as last revised March 1, 2024;
 - (9) L5.1: Site Details, dated September 18, 2023, as last revised March 1, 2024;
 - (10) L5.2: Site Details, dated September 18, 2023, as last revised March 1, 2024;
 - (11) L5.3: Storm Tech - 740 Details, dated September 18, 2023, as last revised March 1, 2024;
 - (12) L6.1: Photometric Plan, dated September 18, 2023, as last revised March 1, 2024;
- B. “SWPPP Report”, prepared by RZ Engineering, PLLC, dated November 27, 2023, as last revised March 1, 2024 (and subject to final review and approval by the Town’s consulting engineers);

(all attached hereto), conditioned, however, upon the following:

1. Recording of amendments to the Declaration of Covenants and Restrictions for the Lands of the Town of Sullivan Development Corporation/Habor Lights Business Park from the Town of Sullivan Development Corporation Architectural Control Committee, consistent with the submitted plans and proposed uses, prior to any construction and/or issuance of any required permits;

2. Applicant shall take the necessary steps to combine those portions of the adjacent lot with Lot #5, representing the entirety of the subject site, and file appropriate deeds in the Madison County Clerk's Office, as per direction of the Town of Sullivan Code & Zoning Enforcement Officer;
3. Preparation and entering into appropriate development construction agreements;
4. All construction and operation will be in strict compliance with the submitted plans and drawings;
5. Appropriate dust control measures will be utilized by the Applicant's construction team to the satisfaction of the Town's Code Enforcement Office;
6. Hours of construction shall be Monday through Saturday from 7:00 a.m. to 7:00 p.m. There shall be no construction on Sundays and no change to hours shall be allowed without prior approval of the Planning Board.
7. Upon completion of construction, no outdoor storage shall be permitted, other than that depicted upon the approved drawings and plans for the project;
8. Preparation and entering into an appropriate stormwater facility management agreement;
9. Final approval of a SWPPP by the Town's consulting engineers;
10. Applicant must obtain all necessary permits from the U.S. Army Corps of Engineers and/or the New York State Department of Environmental Conservation, as applicable, relative to the potential mitigation from loss of wetland areas on the site;
11. Preparation and delivery of easements as described in the plans;
12. All lighting shall be downcast, shielded and dark-sky compliant;
13. Applicant shall present any proposed signage for review and approval to the Town of Sullivan Planning Board at the appropriate time;

14. All work shall be finalized, completed and approved, including landscaping, within 16 months of the filing of this approval in the Town Clerk's Office. Applicant may request from the Planning Board a reasonable extension of this period upon good cause shown.
15. All plantings and landscaping as depicted upon the site plan drawings shall be continuously maintained and should any species of tree or planting become diseased or die, such tree or planting shall be replaced with a similar size and type of tree or planting. Further, all existing screening vegetation shall be left in place and maintained, as described in the approved plans. Applicant shall take care to maintain the existing screening from surrounding properties by preserving all vegetation;
16. Application to the applicable Town sewer and water districts for entering into a Sewer Connection Agreement for appropriate connection and establishment of charges;
17. Payment of reasonable and necessary engineering fees and attorneys' fees incurred by the Town in association with this Application;
18. Pursuant to §275-12(J), the above conditions are deemed to run with the land and shall not lapse or be waived due to a change in ownership or tenancy;
19. Pursuant to §275-12(K), the within Project is part of an amendment to an established and existing Planned Development District and the Planning Board has retained jurisdiction pursuant to subsection (4) therein and exercises its jurisdiction to amend the established Planned Development District for the Harbor Lights Business Park Planned Development District; and

BE IT FURTHER RESOLVED that the Planning Board, as Lead Agency, duly reaffirms the Negative Declaration issued under its prior SEQR review, specifically in regard to

the additional information received from its consulting engineers and the Applicant's responses to same and the latest information received; and

BE IT FURTHER RESOLVED that the Applicant shall comply in all respects with the Zoning Law; and

BE IT FURTHER RESOLVED that the Town's Zoning Officer is hereby authorized and directed upon payment of any required fees (including reasonable and necessary professional fees incurred by the Town in association with the application) to issue such permits and certificates or to take such other actions as may be required to effectuate and enforce this Resolution; and

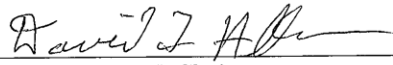
BE IT FURTHER RESOLVED that this Resolution shall be effective as of the date of its filing with the Town Clerk and shall be subject to annual inspection for compliance.

The question of the adoption of the foregoing Resolution was duly put to a roll call vote, which resulted as follows:

Paul Lindsey, Alternate	Voted	Yes
Ray Carney, Alternate	Voted	Yes
Cory Jenner	Voted	Yes
Sherry Menninger	Voted	Yes
David Allen, Chair	Voted	Yes


The Chair, Mr. Allen, then declared the Resolution to be duly adopted.

DAVID ALLEN, Chair of the Planning Board of the Town of Sullivan, hereby certifies that the foregoing Resolution was duly adopted at a meeting of the Board duly convened and held on March 5, 2024, a quorum being present.



DAVID ALLEN, Chair
Town of Sullivan Planning Board

AMY B. WELLS, Town Clerk of the Town of Sullivan hereby certifies that the foregoing Resolution was duly filed in the Office of the Town Clerk on March 12, 2024.



AMY B. WELLS, Town Clerk

BELL ATLANTIC MOBILE/VERIZON WIRELESS – ROUTE 173 – SPECIAL USE PERMIT
NEW CELL TOWER – SLB# 49.-1-14

Adjourned to April 2, 2024 meeting.

DOLLAR GENERAL – 1840 ROUTE 31, CHITTENANGO – SPECIAL USE PERMIT & SITE
PLAN REVIEW FOR NEW STORE – SLB#10.-1-14.1

Adjourned to April 2, 2024 meeting.

DAVID ZINN JR. – 1602 ROUTE 31, CHITTENANGO - SPECIAL USE PERMIT –
GUNSHOP IN EXISTING GARAGE – SLB# 9.-2-16

Mr. David Zinn Jr. appeared to request to have a gun shop business from his existing garage. This would be an appointment/internet-based sales and service gun shop. He would do gun repairs and sales, there will be no shooting on site and no extra parking would be needed. He would put a sign on the garage. There would be no set hours since it is on line and appointment only. He needs approval from the Town before he can get his license.

The Planning Board asked that Mr. Zinn sketch out the garage sign and size so they have a visual. The SEQR will be completed at the next meeting.

A public hearing was scheduled for April 2, 2024 at 6:45 PM.

JAMES DRUCKENMILLER – WILSON PT./BLACK PT. – SUBDIVISION – SLB# 11.-1-
12.712

Frederick Myers from Myers & Associates presented this preliminary 28-lot subdivision “Lakeview”. This is the first meeting, there will be public water and power easements along both roads in the front portion as well as requisite public water lines and sewer drainage facilities in the rear portion. Mr. Myers stated that a traffic study will be provided if needed.

Extensive discussion was had by many residents, the Board, Attorney Langey, Mr. Myers and the developer James Druckenmiller. Chairman Allen stated this is the first time the Board is seeing this and it is not a public hearing.

Mr. Myers will present a typical lot layout for the next meeting. Barton & Loguidice will do a proposal, as this is a significant project to review and discuss.

MIKE COURCY- 9503 HITCHCOCK POINT RD.- SUBDIVISION – SLB#2.35-1-1

Mr. Courcy appeared to introduce the project to see how to proceed going forward. The land is under contract right now and is 7.2 total acres. There is public sewer, gas and water available. He is looking to do small houses (cluster build) along road line with access to docks. They would be monthly rentals, doing one acre lots at a time to build 4 to 5 houses that would be 1200 to 1500 sq. ft. each. The driveways would be along the road. He is working with the DEC as there is a 100’ buffer zone and flood zone but not in wetlands. C & S Co. is working on plans and would do a fill permit as well as a possible archaeology study.

Attorney Langey said a full SEQR will have to be completed as approval of the whole piece, not by lot but they can do the project in phases.

Mr. Courcy will put more information together and return to the Planning Board.

A motion was made by Raymond Carney and seconded by Cory Jenner to adjourn the meeting at 8:45 PM. All in favor.

Respectfully submitted,
Jeri Rowlingson, Planning Board Secretary