

Minutes for the Town of Preble Zoning Board of Appeals
April 3, 2008 7:30 P.M.

Members present were Chairman Daniel O'Shea, Bob Lieber and Kay Vossler. Rudy Kobelia and Bill Underwood were absent. Francis Casullo and Betty Ann Pitman, Jeff Griswold, Tom Van Patten were also present as were interested members of the public.

OLD BUSINESS- Manley's Mighty Mart

Matthew Napierala took the floor and reviewed plans with the Board and Public. He stated that Cortland Counties concern was for 44 parking spaces, curb cut width as well as separation between the well and septic. He stated that they will use existing septic. (Refer to County recommendations, dated March 14, 2008.) We are here for a special use permit.

Jim Emmerick of Napierala Consulting stated that the County felt 39 parking spaces were reasonable.

Chairman O'Shea asked were they would move and place plowed snow. Boards concern was for site to be large enough. Mike Tomanocy of Manley's mighty Mart stated that they build 2-3 a year and this site has more room than most. Mike Tomanocy explained the floor plans of the proposed store. Dunkin Doughnuts will rent space from Manleys. They will have a drive thru.

At 7:50 P.M. Chairman O'Shea opened for public comments.

Babe Carroll asked if they will hire local people? Mr. Tomanocy Yes.

She asked how soon would it be built. Mike Tomanocy stated 14-16 weeks start to finish.

Matthew Napierala stated the under ground gasoline storage is highly regulated by the DEC and in every instance Manleys exceeds the DEC regulations.

Dave Morse asked how many people would they hire. Mt. Tomanocy stated 15-20 employed at Manleys.

Tom Santurri of Dunkin Doughnuts stated that they will have 8-10 employees.

Dave Morse asked the hours of operation. Mike Tomanocy stated 24/7.

Town Of Preble Highway Supervisor gave the Board a letter expressing his concerns and addressed his concerns with the Board in regards to the 106ft. driveway on to Currie road spur. He stated that current specs. Call for 60ft. He is concerned about having enough space for tractor trailers to turn around.

He does not feel that 20ft is enough to be a collector space. He would like the developer to make the needed adjustments to the proposed project lines to allow the Town of Preble to bring this road up to current Commercial/Industrial Road Specifications for Road construction.

Matthew Napierala and Mike Tomanocy stated that they want to make sure the Towns concerns are addressed.

Mike Tomanocy stated they will have two canopies , one for cars and one for trucks. It is a safety issue. Jeff Griswold wants to make sure that Currie Road is not used for parking. All agreed that traffic needs to be controlled.

Matthew Napierala asked what is the legal limit we have to look at. Jeff Griswold stated 3 RODS by Town Highway laws and 49 1/2ft is not too much to ask for a right of way.

Matthew stated that they must have proper separation between well and septic and neighbors. Mike Tomanocy stated that there will be 150ft between well and septic. He stated that the store actually uses less water than a private home, studies have proven. Regardless we have to meet DEC gridlines.

Chairman O'Shea closed public hearing at 8:09 PM

NEW BUSINESS

Attorney Mike Shafer on behalf of Best Deck came before the Board. Mr Shafer stated that they had a prospective buyer for the old Salisbury , where Marvin windows planned to go. They are happy to enter into an agreement with the Town for an easement. He just came to get an advisory opinion from the board before they start an application.

Chairman O'Shea stated that the whole Board needs to be present and that he should talk to counsel. Mr Shafer stated that Best Deck would grant right of way to purchaser.

Francis Casullo stated that if Mike's client wants to put in an application Board will be happy to consider.

OLD BUSINESS - Mighty Mart

Francis Casullo stated that Jeff Griswold Highway Superintendent issues need to be worked out and the need for 2 area variances. A. Parking, B. Currie Road. Yes we will need to hold another public hearing. If you make an argument with the County in regards to how other stores are working with less parking spaces, all information will be helpful. Matthew Napierala would like to discuss parking and curve cut or striping with Board. Board felt that they can submit their plans with their variance applications at next months public hearing.

Francis Casullo stated that the number of variances needed are more Manleys job, not the Boards. If the code officer disagrees with the County then the Board should be notified. These issues should be addressed prior to the meeting.

Chairman O'Shea stated that there are 13 recommendations and the first is to work it out with

the Preble Highway Department and address the Counties recommendations before the next meeting in May.

Let the record show that Manleys Mighty Mart has agreed to continued to waive the decision for special permit until the variances issues are solved.

RESOLUTION

Bob Lieber motioned to hold a public hearing on May 1, 2008, at 7:30PM at the Preble Town Hall and Kay vossler seconded the motion. Vote was Kay Vossler (aye), Bob Lieber (aye) and Dan O'Shea (aye). Bill Underwood and Rudy Kobelia were absent. Motion carried.

RESOLUTION

Kay Vossler motioned to approve the March 2008 minutes as written and Bob Lieber seconded the motion. Vote was Kay Vossler (aye), Bob Lieber (aye) and Dan O'SHEA (aye). Bill Underwood and Rudy Kobelia were absent. Motion carried. Meeting ended at 8:40 PM.

Respectfully,

Sharon Cassidy Flint
unofficial