

York Planning Board
June 26, 2024
Public Hearing & Meeting

Present: Joe McIlroy, Dave Dermody, Al Brightman & Chris Wall

Others: Jim Campbell, Connie Burger, Jeff and Brenda Beardsley, Carl Peter, Kirk Richenberg

7:15 pm – Mr. McIlroy opened the public hearing.

Mr. Campbell read the public hearing legal notice:

**TOWN OF YORK
PLANNING BOARD**

NOTICE IS HEREBY GIVEN, pursuant to the provisions of the Code of the Town of York, and pursuant to New York State Town Law, that a public hearing shall be held by the Planning Board of the Town of York at the Town of York Town Hall, located at 2668 Main Street, York, New York at 7:15 p.m. on Wednesday, June 26, 2024 for the purpose of considering public opinion and comment about or concerning the following:

A request by Jeffrey Beardsley of Corbin's Corners Stash & Store LLC, for a special use permit for outdoor storage for RV's/Campers on the northwest corner of the property at 2743 Telephone Road, York.

A copy of the application materials and other relevant submissions are available for review by the on York's website.

All interested persons are invited to appear and be heard at the aforesaid time and place.

Dated: April 25, 2024

By Order of the Planning Board of the Town of York

Donna K. Falkner

Planning Board Clerk

Mr. McIlroy asked for comments or questions on the special use permit – nothing

Mr. Campbell read the letter from the county:

From: SLJohnson@co.livingston.ny.us <SLJohnson@co.livingston.ny.us> **On Behalf Of**
LCPlanningBoard@co.livingston.ny.us
Sent: Wednesday, May 08, 2024 2:43 PM
To: Code Enforcement Officer <yorkcode@yorkny.org>
Subject: Re: County Referral

Good Afternoon,

We have received Zoning Referral #2024-042 in accordance with the provisions of Section 239-I and m of the NYS General Municipal Law.

The Livingston County Planning Department has reviewed this application and, in consultation with the Town of York County Planning Board representative, determined that it has no significant Countywide or inter-municipal impact in regard to existing County plans, programs, and activities. Therefore, approval or disapproval of this application is a matter of local option.

Please be aware that a determination of "No Significant Countywide Impact" should not be interpreted as either approval or disapproval by the County Planning Board.

I have attached a copy of the Final Action Notification form for you to fill out and return to our office once the Town has made their final determination on this referral.

If you have any questions, please do not hesitate to contact me at 243-7550.

Thank you,

Stephanie Johnson
Administrative Secretary
Livingston County Planning Department

Comments or questions – Mr. Richenberg asked if there was a larger map to look at. Mr. Beardsley presented Mr. Richenberg the site map that he had for him to look over. Mr. Beardsley said they could not put any storage over the gas lines. Other details that Mr. Beardsley mentioned was fill, fencing, sub-base of 6” of gravel with 3 to 4 inches of crusher run on top. He will be making a berm down west line. Mr. Richenberg asked where would the drainage be going. Mr. Beardsley stated to the corner of Routes 36 & 20 – which goes over to the creek behind Davis’ Trailer World. Mr. McIlroy mentioned to look at page 28 – section 510 referencing the grading guidelines. They will not be changing the grade – staying with the natural grade. They will be adding fencing and screen to soften the view. Mr. McIlroy state that the fences located in front of right-a-way should be no more than 42 inches in height – section 511B.

Resolution:

Mr, Wall moved to close the public hearing, Mr. Dermody seconded the motion. Carried.
Ayes – 4 Nays – 0

Mr. McIlroy opened the Planning Board Meeting at 7:30 pm with the pledge and approval of the last meeting minutes.

Resolution:

Mr Dermody moved to approve the minutes from the April 24th, 2024 Regular Meeting, Mr. Brightman seconded – carried
Ayes – 4 Nays – 0

Preliminary Site Plan – Mr. McIlroy reference page 92 to 93 – 1103 guidelines. He asked for comment or questions. Mr. Beardsley said they would be parking or storing items at least 25 feet from the gas lines. It will be for parking only – no water or electric at this time. In the future they may install security lighting. No further comments.

Resolution:

Mr. Brightman moved to approve the Preliminary Site Plan, Mr. Dermody seconded – carried
Ayes – 4 Nays – 0

Mr. Campbell presented the SEQR for the Beardsley project.

Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 – Project and Sponsor Information			
Beardsley Property LLC			
Name of Action or Project: Outdoor Storage Project			
Project Location (describe, and attach a location map): 2743 Telephone Road, York - Northwestern Corner where construction is not feasible due to high pressure gas lines running through property.			
Brief Description of Proposed Action: We are looking to strip slightly under an acre of the northwestern corner of the property to maximize the portion of the property that cannot support further construction of buildings due to the high pressure gas lines that run through the property.			
Name of Applicant or Sponsor: Beardsley Property LLC or Jeffrey Beardsley		Telephone: 585-703-2041 E-Mail: jbeardsley@beardsleybuildinginnovations.co	
Address: 2339 Anderson Road			
City/PO: Linwood		State: NY	Zip Code: 14486
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.		NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval:		NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
3. a. Total acreage of the site of the proposed action?		0.98	acres
b. Total acreage to be physically disturbed?		0.98	acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		5.405	acres
4. Check all land uses that occur on, are adjoining or near the proposed action:			
<input type="checkbox"/> Urban <input checked="" type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input checked="" type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input checked="" type="checkbox"/> Other(Specify): Gas Well			
<input type="checkbox"/> Parkland			

	NO	YES	N/A
5. Is the proposed action,			
a. A permitted use under the zoning regulations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?	NO	YES	
If Yes, identify: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Are public transportation services available at or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements?	NO	YES	
If the proposed action will exceed requirements, describe design features and technologies: _____ _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply?	NO	YES	
If No, describe method for providing potable water: _____ _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities?	NO	YES	
If No, describe method for providing wastewater treatment: _____ There will be no wastewater needing treatment. _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____			

Project: Beardsley Property III
 Date: 06/26/2024

**Short Environmental Assessment Form
 Part 2 - Impact Assessment**

Part 2 is to be completed by the Lead Agency.

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
a. public / private water supplies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

PRINT FORM

Resolution:

Mr. Brightman motioned to adopt part 1 and 2 of the Short Environmental Assessment Form with Mr. Dermody seconding the motion – carried
 Ayes – 4 Nays – 0

Agency Use Only [If applicable]

Project: Beardsley Property LLC
Date: 06/26/2024

Short Environmental Assessment Form Part 3 Determination of Significance

For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

See attachment which supports the determination that the proposed action will not result in significant adverse environmental impacts.

<input type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
<input checked="" type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.
<u>Town of York Planning Board</u> Name of Lead Agency	<u>06/26/2024</u> Date
<u>Joe McIlroy</u> Print or Type Name of Responsible Officer in Lead Agency	<u>Chairman Planning Board</u> Title of Responsible Officer
<u>[Signature]</u> Signature of Responsible Officer in Lead Agency	<u>[Signature]</u> Signature of Preparer (if different from Responsible Officer)

PRINT FORM

Resolution:
Mr. Brightman motioned to adopt part 3 of the Short Environmental Assessment Form with Mr. Wall seconding the motion – carried
Ayes – 4 Nays – 0

Resolution:

Mr. Dermody motioned to approve the Chairman of the Board sign the SEQR with Mr. Brightman seconding the motion – carried

Ayes – 4 Nays – 0

Special Use Permit: Mr. McIlroy referenced page 87 section 905B. He asked for questions or comments for the feelings of conditions of the special use permit. There was discussion on security lighting and the berm. Screening on west side and side of Route 20 to the gas line. They need to stay 25 feet from the gas lines.

Resolution:

Mr. Dermody motioned to approve the Special Use Permit with Mr. Brightman seconding – carried.

Ayes – 4 Nays – 0

Final Site Plan: Mr. McIlroy referenced page 95 Section 2206. Asked for questions or comments –

Time Frame: Mr. Bearsley stated withing 1 year. And he will need approval on the driveway and construction with the Gas Company.

Resolution:

Mr. Dermody motioned to approve the Final Site Plan with Mr. Wall seconding – carried

Ayes – 4 Nays – 0

New Business: None

Resolution: Mr. Dermody motioned to adjourn at 7:53 with Mr. Wall seconding – carried

Ayes – 4 Nays – 0

Respectfully submitted,

Connie Burger

