

**TOWN OF LYSANDER
ZONING BOARD OF APPEALS
NOTICE OF PUBLIC HEARING**

NOTICE IS HEREBY GIVEN, that pursuant to Section 267-a(12)Town Law, a Public Hearing will be held by the Town of Lysander Zoning Board of Appeals on Monday, September 10, 2018 at 7:30 p.m. at the Town of Lysander Town Offices, 8220 Loop Road, Baldwinsville, New York, for the purpose of considering the following:

The application of James Abear, for a Special Use Permit, for property located at 2916 Belgium Road, Baldwinsville, New York, Tax Map No. 073.-01-03.1, to allow the operation of an Automobile Repair Facility, in accordance with Article XIV, Section 320-31, Paragraph B(1) and Article XVIII, Section 320-42 through 320-45, Paragraph A(1), Subparagraph (a) – (i) of the Lysander Town Ordinance.

Dated: August 22, 2018

Richard Jarvis, Chairman
Lysander Zoning Board of Appeals

TOWN OF LYSANDER

ZONING BOARD OF APPEALS

APPLICATION

Application Number 2016-026 Date 8-15-18 Fee \$75-

Type of Application

- Special Use Permit
- Permit for Temporary Structure/Occupancy (explain need on page 2)
- Extension of Permit for Temporary Structure/Occupancy (explain need on page 2)
- Appeal of Decision made by the Code Enforcement Officer
 - Area Variance (provide details on page 2)
 - Use Variance (use requested _____)
- Informal Interpretation (describe issue on page 2)
- Other _____

Applicable Sections of the Zoning Ordinance

Article XIV, Section 330-21
Paragraph (1) Auto Repair -
accessory to his existing auto sales

Review by Onondaga County
Planning Board
 Required Not Required

Review by Town of Lysander
Planning Board
 Required Not Required

Applicant

Name James Abear Jr DBA Abear Auto
Street Number 2916 Belgium rd Municipality _____
State NY Zip Code 13027

Property

Street Number (as above) Municipality _____
State _____ Zip Code _____
Tax Map Number _____
Owner (if different than applicant)
Name Carmen Cesta
Address Immobilive Properties, LLC
Zoning District P4D Overlay Control Highway Overlay
Size of Property 35,000 +/- acres
Existing Structures/Uses Conforming Nonconforming

franchised Bids & Uses

* Article XVIII, Section 330-42 through
330-45, Paragraph A(1)(a--i) Page 1 of 2

Need and Description

For temporary permits, explain why a permit is needed. For area variances, attach a copy of a current survey and any drawings or plans - if reducing or enlarging documents that **do not** include a graphic representation of scale indicate the percentage of reduction or enlargement. Attach additional pages if necessary.

Looking for permission to provide general service and repair to the public. I would like to provide my sale customers an option to return to the facility for maintenance and service repair work.

Area Variances

- Residential
- Nonresidential
- Principal Structure
- Accessory Structure

- Front Yard Setback
Required Setback _____ feet
Variance Requested _____ feet
- Individual Side Yard Setback
Required Setback _____ feet
Variance Requested _____ feet
- Lot Dimensions/Coverage/Floor Area
Type _____
Requirement _____
Variance Requested _____

- Rear Yard Setback
Required Setback _____ feet
Variance Requested _____ feet
- Total Side Yard Setback
Required Setback _____ feet
Variance Requested _____ feet
- Other
Type _____
Requirement _____
Variance Requested _____

Alternatives

Explain in detail why the proposed action cannot be conducted where a variance would not be required, or where a smaller variance would be required (attach additional pages if necessary).

Sworn this 15th day of August, 2018



Notary Public

KAREN A. RICE
Notary Public, State of New York
Qualified in Onondaga County
No. 4855987
Commission Expires May 12, 2022


Applicant/Representative Signature

Owner/Representative Signature

617.20
Appendix B
Short Environmental Assessment Form

USE for
initial
application
for Auto-
mobile sales
2-28-2018

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			
Name of Action or Project: Abeer Auto			
Project Location (describe, and attach a location map): 2916 belgian rd unit 2			
Brief Description of Proposed Action: Small car repair facility. Mainly repair or maintenance work on cars. occasional retail of a few vehicles.			
Name of Applicant or Sponsor: James Abeer Jr		Telephone: 315-741-0983	
		E-Mail: jabeerjr@yahoo.com	
Address: 4795 persimmon path			
City/PO: Liverpool		State: NY	Zip Code: 13090
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 checked="" type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval: NYS DMV - Repair Dealer License			YES <input checked="" type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		_____ acres	
b. Total acreage to be physically disturbed?		_____ acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		_____ acres	
4. Check all land uses that occur on, adjoining and near the proposed action.			
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input checked="" type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____			
<input type="checkbox"/> Parkland			

5. Is the proposed action, a. A permitted use under the zoning regulations?	NO	YES	N/A
	<input type="checkbox"/>	<input checked="" 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? If Yes, identify: _____	NO	YES	
	<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 service(s) 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 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? If the proposed action will exceed requirements, describe design features and technologies: _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
10. Will the proposed action connect to an existing public private water supply? If No, describe method for providing potable water: _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<i>already connected</i>
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<i>existing</i>
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places? b. Is the proposed action located in an archeological sensitive area?	NO	YES	
	<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? b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input checked="" type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input type="checkbox"/> Suburban			
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
16. Is the project site located in the 100 year flood plain?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? <input type="checkbox"/> NO <input type="checkbox"/> YES b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____	NO	YES
_____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____	NO	YES
_____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____	NO	YES
_____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor name: <u>James Abear Jr</u>	Date: _____	
Signature: <u>James Abear</u>		

Part 2 - Impact Assessment. The Lead Agency is responsible for the completion of Part 2. 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:		
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"/>

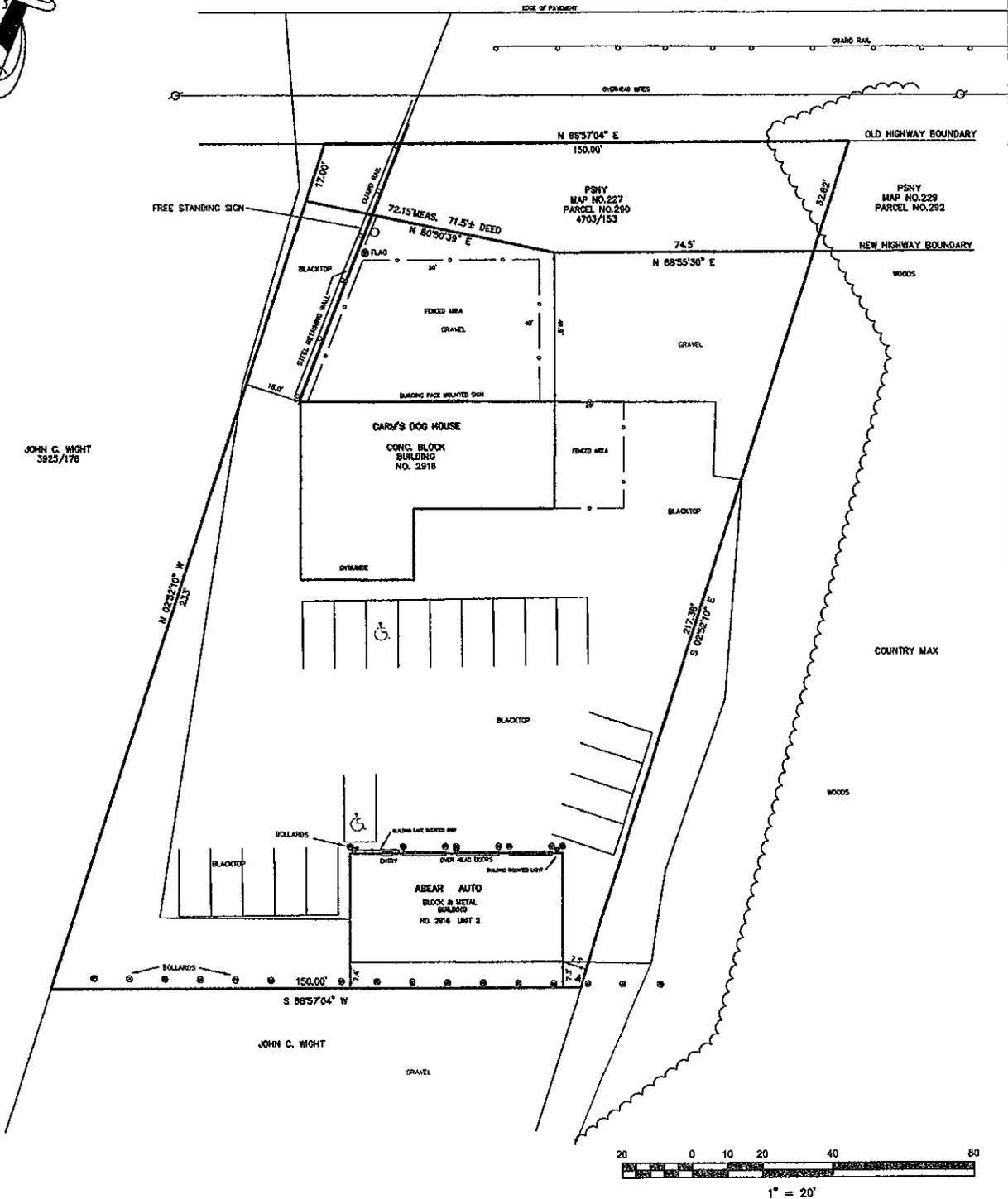
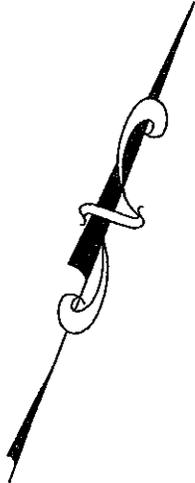
	No, or small impact may occur	Moderate to large impact may occur
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Part 3 - Determination of significance. The Lead Agency is responsible for the completion of Part 3. 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.

<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>Planning Board</u>	<u>2/8/18</u>
Name of Lead Agency	Date
<u>John Corey</u>	<u>Chairman</u>
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
<u>John Corey</u>	
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)

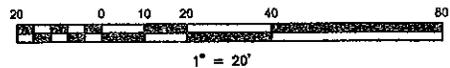
PRINT

N.Y.S. ROUTE NO. 31



JOHN C. WIGHT
3925/176

JOHN C. WIGHT



J. STEPHEN SEHNERT
LAND SURVEYOR

No. 45023

ALTERATIONS OR ADDITIONS TO THIS SURVEY MAP ARE PROHIBITED,
EXCEPT AS PROVIDED IN SECTION 7209, SUBDIVISION 2, OF THE
NEW YORK STATE EDUCATION LAW.

WHEN EXPERIENCE MATTERS
APPLIED EARTH TECHNOLOGIES
STEPHEN SEHNERT
LAND SURVEYOR
BALDWINVILLE, NEW YORK

© ALL RIGHTS RESERVED 2018

REVISED SITE PLAN OF
CARM'S DOG HOUSE
FOR
ABEAR AUTO
PART OF LOT 81
TOWN OF LYSANDER
ONONDAGA COUNTY, NEW YORK

JANUARY 30, 2018

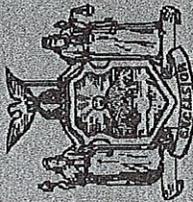
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New York State Department of Taxation and Finance
Certificate of Authority

Identification number

TF-4739635

Use this number on all returns and correspondence



AMES ABEAR JR
ABEAR AUTO
2916 BELGIUM RD UNIT 2
BALDWINVILLE NY 13027-2788

VALIDATED

12/20/2017

Dept. of Tax
and Finance

authorized to collect sales and use taxes under Articles 28 and 29 of the New York State Tax Law.

Nontransferable

This certificate must be prominently displayed at your place of business.
Fraudulent or other improper use of this certificate will cause it to be revoked.

New York State Department of Motor Vehicles
**OFFICIAL BUSINESS
CERTIFICATE**

THIS CERTIFICATE EXPIRES 04/30/20

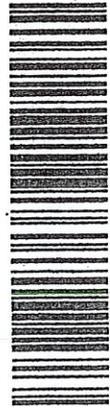
FACILITY IDENTIFICATION NO. 7123872

JAMES ABEAR JR
DBA ABEAR AUTO
2916 BELGIUM RD UNIT 2
BALDWINVILLE NY 13027

Validation Date and Number: 05/16/18 02672

This person is REGISTERED AS A
DEALER

pursuant to the provisions of the Vehicle and Traffic Law.



This document does not certify that this business complies with zoning and other local laws
POST IN A CONSPICUOUS PLACE



STATEMENT OF OWNERSHIP AND/OR PERMISSION TO USE PLACE OF BUSINESS

(Please Print)

YOUR BUSINESS

Business Name (DBA)	Abear Auto	Phone No. (Include Area Code)	315 741-0983
Business Address	2916 Belgium Rd #2		
City	Baldwinsville	State	NY
		Zip Code	13027

OWNER OF PROPERTY (This section must be filled out)

Name of Property Owner	Carmen J. Cesta	Phone No. (Include Area Code)	()
Owner Mailing Address			
City		State	
		Zip Code	
Number of Years or Months Owned?	Is this property zoned for business use?	Do you own your business property?	
	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	

PLEASE NOTE:

Whether you own or are leasing your business property, it is your responsibility to be in compliance with all state and local laws and regulations, while being considered for registration and while conducting your business.

LEASING INFORMATION (If you are leasing, please complete the following section)

Print the name the lease is in	James Abear Jr.	Phone No. (Include Area Code)	()
Business Address	2916 Belgium Rd #2 Baldwinsville NY 13027		Must have at least six-month lease
			Expiration Date 10/31/18

SUB-LEASING INFORMATION (If you are sub-leasing, please complete the following section)

Print the name the sub-lease is in	
Business Address	Must have at least six-month lease
	Expiration Date / /

PLEASE ATTACH ADDITIONAL PAGES, IF NEEDED.

If any of the leases will expire in the next six months, you must provide a letter from the **owner or lessor** stating the intention to renew that lease. If you do not provide this information with your application, the application will be **denied**.

CERTIFICATION (To be completed by owner/partner/officer)

False statements on this application are punishable by law and may result in denial, suspension or revocation of your business certificate(s), as authorized by Regulations of the Commissioner of Motor Vehicles. I certify that I am the owner, partner, officer or agent of the business named on this application, and that the information in this application is true.

Full Last Name of Applicant (Please Print)	First	M.I.	Date of Birth (Month/Day/Year)
Residence Street Address (Include Street Number and Name, Rural Delivery, Box and/or Apartment Number)			
City	State	Zip Code	
Signature of Applicant (Sign name in Full)			Date
Title of Applicant			

Lisa Dell, County Clerk
401 Montgomery Street
Room 200
Syracuse, NY 13202
(315) 435-2226

Onondaga County Clerk Recording Cover Sheet

Received From :
ABEAR

Return To :
ABEAR

First BUSINESS NAME

ABEAR AUTO
2916 BELGIUM RD UNIT2 BALDWINVILLE, NY 13027

First OWNER NAME

ABEAR, JAMES WILLIAM JR
4295 PERSIMMON PATH LIVERPOOL, NY 13090

Index Type : Business Certificate

Instr Number : 2017-00003404

Book : Page :

Type of Instrument : Business Certificate

Type of Transaction : Business Certificate

Recording Fee: \$31.00

Recording Pages : 2

Recorded Information

State of New York

County of Onondaga

I hereby certify that the within and foregoing was
recorded in the Clerk's office for Onondaga
County, New York

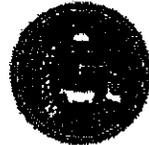
On (Recorded Date) : 12/08/2017

At (Recorded Time) : 9:51:51 AM



Doc ID - 0259014300002

Lisa Dell
Lisa Dell, County Clerk



This sheet constitutes the Clerks endorsement required by Section 319 of Real Property Law of the State of New York

Entered By: MFALCONE Printed On : 12/08/2017 At : 9:52:05AM

Business Certificate

I HEREBY CERTIFY that I am conducting/transacting business under the name
(Anyone under eighteen must state age)

BUSINESS NAME: Abear Auto

ADDRESS: 2916 belgium rd unit 2

CITY: Baldwinsville STATE: NY ZIP: 13027
Onondaga County, New York State

MY FULL NAME James William Abear Jr

ADDRESS 4295 Persimmon path

CITY: Liverpool STATE: NY ZIP: 13090

I FURTHER CERTIFY that I am successor to: none

I FURTHER CERTIFY and acknowledge that I have searched the records in the Onondaga County Clerk's Office and have found no business has the same or similar name as aforementioned in this certificate and that I hold the County of Onondaga harmless from any action thereof.

Type of Business: Car Sales and repairs Phone#: 315 741 0983

IN WITNESS WHEREOF, I have this 8 day of Dec 2017, made and signed this certificate.

X James Abear Jr

STATE OF NEW YORK
COUNTY OF ONONDAGA

On this 8 day of Dec, 2017, before me personally appeared Abear James William Jr personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person on behalf of which the individual(s) acted, executed the instrument.

KATHLEEN M. GUTHRIE
Commissioner of Deeds
City of Syracuse
My Commission Expires December 31, 2017

Kathleen M. Guthrie
(Signature and Office of individual taking acknowledgment)

Planning Board: February 28, 2018

III. NEW BUSINESS

1. Controlled Site Use
Case No. 2018—001

Abear, James/Cesta, Carmen
2916 Belgium Road

Carmen Cesta, owner of the property and James Abear, tenant, were before the Board for a Controlled Site Use to allow an Auto Repair Facility & Sales.

Mr. Abear stated that he is trying to obtain a New York State Dealer's license for car sales. I would purchase a couple cars, makes any repairs, fix them up a little bit and sell them.

Mr. Cesta added that he's not going to be lining up 20 cars out front and be a car dealership. This is just something he does, six or seven cars. There won't be any flags, for sale or hot deal signs.

Hugh Kimball stated that there wouldn't be any room to do that out there anyway.

Mr. Cesta concurred.

William Lester asked what the current use of the facility is.

Mr. Cesta stated that a golf cart sales company was in there when I bought it.

John Corey, Chairman, stated that the Board previously approved an application for the golf cart facility.

Mr. Kimball questioned what you would do with the oil and grease.

Mr. Abear stated that any waste oil is picked up by a company called Safety Clean. They basically pump it out, recycle it somehow and resell it for heating perhaps.

Mr. Cesta stated that when they negotiated he told the applicant he can't have any oil tanks outside. From what I understand he's going to clean them up, fix them up and resell them. He's not going to be doing motors, transmissions or anything like that.

Mr. Kimball concurred stating that there will be times you have to change the oil, etc...

Mr. Cesta concurred.

Steve Darcangelo stated that historically it has been a repair facility, correct.

Karen Rice, Clerk, concurred stating that American Van & Accessories were a long time tenant.

Mr. Darcangelo questioned if there are any type of underground storage tanks on site.

Mr. Cesta stated that there are not.

Tim Frateschi, Esq., questioned if the applicant would have a license from the State to repair cars.

Mr. Abear stated that that's not his intention, 90% of what I'm trying to do here is just buy a couple of cars, doing my own work per say.

Mr. Frateschi reiterated that it's not a repair shop...if I wanted to come and get my car repaired you wouldn't do that there.

Mr. Abear concurred stating not at this time.

Mr. Kimball questioned if you've already started as he noticed five cars out there.

Mr. Abear stated that he has a plow truck and a couple of cars that I own personally. Anything that is there now is titled to me personally. If you buy and sell more than three (3) cars in a calendar year the State wants you to have a dealer's license. I'm just trying to do it the legal way. That's my passion...I bring back cars that are on their way out and fix them up and sell them.

Mr. Lester questioned if you do this on the classic car level.

Mr. Abear stated that he does not, not 'frame off restoration'.

Mr. Darcangelo questioned the hours of operation.

Mr. Abear stated that it will be 9 to 5

Mr. Cesta added that he explained to him that he can't interfere with his business (Carm's Dog House).

In reviewing the Site Plan, Mr. Frateschi questioned which parking spaces would be allotted to the Abear Auto?

Mr. Cesta stated that he has three employees. All of the day care client drop off and go. Nobody stays too long. The whole area between the buildings is paved if additional parking is ever needed.

There was considerable discussion as to how many parking spots is actually required as this is not a public auto repair facility at this time and Mr. Abear is the one and only employee.

Mr. Frateschi stated he'd like to see the parking designated on the site plan. Ultimately we need to make sure we have enough parking here.

Mr. Frateschi asked the surveyor if he could mark up his site plan to show the parking.

Mr. Sehnert: Please do.

Parking spaces were designated on the plan showing the parking for Carm's Dog House (9) and Abear Auto (6) with four (4) additional for overflow parking.

Mr. Darcangelo questioned how big the Dog Day Care building is and how many parking spaces are required.

Mr. Cesta stated that it is 1800 square feet.

In reviewing the Code Al Yager, Town Engineer, stated that it appears that six (6) are required.

Karen Rice, Clerk, added that Abear Auto requires even less. It goes by the number of bays. I think we needed three.

Mr. Abear concurred stating that they also need three (3) spots available for the sale of cars at any given time according to the State for the Dealer's License.

Mr. Frateschi stated that if something else comes into the site you may have a problem with parking.

Mr. Cesta stated that if he can acquire the land next to Country Max we can use that.

Karen added that he has a lot of blacktop area...

Mr. Frateschi concurred stating that you can put more parking in other places, but right now the designated parking is getting close.

Mr. Kimball questioned if there was a restroom in the building.

Mr. Abear stated that there is.

Mr. Cesta stated that that too is required, as well as a water source.

Mr. Yager stated that if people are going to bring you their cars for repair; if you do get your auto repair license, that will require additional requirements for a Special Permit.

Mr. Abear stated that he was unsure whether or not he needed a repair license to work on his own vehicles.

Mr. Yager stated that from the State's standpoint I don't think you do; the only thing you will need a repair license for is if you decide to repair cars for the public.

Karen stated that he knows he will have to come back and go before the Zoning Board of Appeals for an auto repair facility.

Mr. Lester questioned who owns the property.

Mr. Cesta stated that he owns all of it.

Mr. Kimball stated that the property looks very nice, you've done a great job there.

Mr. Cesta stated that a lot of people have told him it used to look like a junkyard and now it's a nice doggy day care. This is a great Town to do business with.

Mr. Frateschi questioned what the plans are for signage.

Mr. Abear stated that the Golf Cart facility has a small sign at the road and one on the building itself. That's good enough for me.

John Corey asked if the applicant anticipated putting his own sign up.

Mr. Abear stated that he mainly advertises his cars on line.

Karen added that he can have one on the existing free standing sign; it would have to be a certain size, and one on the façade of the building

Mr. Yager concurred stating for now the Board may want to just restrict signage to the existing free standing sign that's at the road (Empire Golf Carts).

Mr. Frateschi stated that if he wants a bigger one someday he has to come back.

Mr. Darcangelo questioned if signage is dictated by parcel.

Karen stated that it is not, it goes by the façade of the building...

Mr. Yager concurred.

Karen continued stating that he could probably have three. He'd have to go through the Code Enforcement Officer for a building permit for that. I think we're still working on Carm's...when he decides to go forward this may be done at that time.

RESOLUTION #4 -- Motion by Corey, Second by Lester

RESOLVED, that the Planning Board having followed the prescribed SEQR procedures and having received no comments to the contrary, hereby designates itself as Lead Agency for James Abear, Abear Auto, 2916 Belgium Road, Baldwinsville, New York Controlled Site Use Permit.

7 Ayes -- 0 Noes

The applicant has completed Part I, Project Information; John Corey, Chairman, reviewed Part Two—Environmental Assessment, with the board.

1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations? No
2. Will the proposed action result in a change in the use or intensity of use of land? No
3. Will the proposed action impair the character or quality of the existing community? No
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)? N/A
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? No

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? No
7. Will the proposed action impact existing:
 - a. public / private water supplies? No
 - b. public / private wastewater treatment utilities? No
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources? No
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, water bodies, groundwater, air quality, flora and fauna)? No
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems? No
11. Will the proposed action create a hazard to environmental resources or human health? No

RESOLUTION #5 -- Motion by Corey, Second by Kimball

RESOLVED, that having reviewed the SEQR regulations, determined this is an UNLISTED ACTION, and having reviewed the Short Environmental Assessment form, and finding no significant or adverse impacts resulting from the James Abear, Abear Auto, 2916 Belgium Road, Baldwinsville, New York, CONTROLLED SITE USE application, the Planning Board issues a NEGATIVE DECLARATION.

7 Ayes -- 0 Noes:

RESOLUTION #6 -- Motion by Corey, Second by Darcangelo

RESOLVED, that having reviewed a site plan as defined on a map dated January 30, 2018, Stephen Sehnert, Licensed Land Surveyor, associated with the application of James Abear, Abear Auto, 2916 Belgium Road, Baldwinsville, New York for a Controlled Site Use Permit for the use of an existing building and associated parking for an Auto Repair Facility, the site plan is hereby approved with the following modifications and conditions, if any:

- 1) Limit the signage to the size of the current sign; and
- 2) If it becomes a licensed automobile repair facility the applicant would have to come back in for a Special Use Permit.

DISCUSSION:

Mr. Darcangelo questioned if the existing signs are compliant and not on a variance.

Mr. Yager stated that the existing signs are compliant.

7 Ayes -- Noes

Mr. Cesta and Mr. Abear thanked the Board for their time.