

**Town of Urbana
Planning Board Minutes
December 21, 2009**

Board Present	Randy Robinson	Chairman
	Betty Fitzpatrick	Board Member
	Jim Mitchell	Board Member
	Tom Marshall	Alternate Board Member
	Carly McConnell	Recording Secretary
Public Present	Mr. Soni	
	Mike Adams	

Public Hearing: Opened 5:14PM

Shree Properties Application #2009-089. Applicant has applied for a Special Use Permit to operate a convenient store/gas station on Route 54. The location is the former Easy Plus Convenient Store/Gas Station.

Public Questions/Concerns:

1. Mike Adams – Concerned that at this point the applicant did not have a special use permit and was open for business. He is concerned with the type of business. Mr. Adams has spoke to CEO, Magee regarding the applicant's lack of appropriate permits. The Board stated that they did not advise the applicant that he could open at anytime before the Special Use Permit approval. Also, that this was enforcement issue.

Board Questions/Concerns (with responses when applicable):

1. When will you be selling gas and is there any physical reason why you are waiting to do gas? Mr. Soni stated that the tanks and pumps have been inspected. He will need to changes some hoses on the gas pumps and gas is due to be delivered this week.
2. Lighting? Mr. Soni has gotten lighting put in at one entrance and is waiting for NYSEG to do the other one.

Closed: 5:25PM

Special Meeting: Opened 5:28PM

A. Old Business:

a. Special Use Permit

i. Shree Properties

1. Board advised applicant to contact the Department of Health. Also, to contact Building Inspector Terry Debuck; regarding the occupancy certificate.
2. Board advised applicant that he needs to pay the \$75 application fee to the Town Clerk.
3. SEQR Short Form Part II Completed
4. Mr. Mitchell made a motion based on the information and analysis and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts and provide attachments as necessary, the reasons supporting this determination. Unlisted classification. Seconded by Mrs. Fitzpatrick. Roll Call Vote: Mitchell-aye, Fitzpatrick –aye, Robinson-aye, Marshall-aye.

ii. Findings: Mr. Mitchell made a motion to approve the following findings. Seconded by Mr. Marshall. Roll Call Vote: Mitchell-aye, Fitzpatrick –aye, Robinson-aye, Marshall-aye.

1. No negative environmental impacts found-SEQR, unlisted classification.
 2. Application complete with the exception of the application fee.
 3. No variances required.
 4. M239 referral received from the County Planner deferring to local authority.
 5. One person present at the Public Hearing with no objections.
- iii. Mr. Mitchell made a motion to grant approval for the Shree Properties Special Use Permit application with the following conditions. Seconded by Mrs. Fitzpatrick. Roll Call Vote: Mitchell-aye, Fitzpatrick-aye, Robinson-aye, Marshall-aye.:
1. The County Route 88 ingress/egress shall remain permanently closed to public access for the duration of the special use permit.
 2. Any change of, or intensification of, use shall require review under the Site Plan provisions of the Town of Urbana Code.
 3. The wooden privacy fence shall remain at its current location and be maintained to accepted standards relating to function and esthetics.
 4. Refuse collection shall be located and screened in accordance with commercially accepted standards and be approved by the zoning officer.

A. Motion to Adjourn:

- a. Mr. Mitchell made a motion to adjourn the meeting. Seconded by Mrs. Fitzpatrick.
- b. Meeting adjourned at 5:47PM

Respectfully Submitted,

Carly McConnell
Recording Secretary