

# Town of Greenville Planning Board

PO Box 38  
Greenville, NY 12083

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September 7, 2016

## Minutes

**Attendees:** Planning Board Members: Arnie Cavallaro, Don Teator, Bud Bear, Ken Elsbree, Mark Wilcox  
Attorney: Tal Rappleyea, PB Clerk: Hope Nugent.

**Guests:** Town Supervisor: Paul Macko, Town Clerk: Jackie Park, Code Enforcement Officer: Mark Overbaugh, Julia Khomut, Ken Simon, Michael Junghans and Audrey Matott, Greg Davis, Virginia Mangold, Mary Ellen Neppl, Barbara Walter, Terry Williams, Robert Neppl, William Bardel, Michael Maxwell, Sandy Garden, and Jennifer Heinze.

**Meeting opened** by Don Teator at 7:00 pm with the Pledge of Allegiance

### **Michael Maxwell 51.03-1-16**

Mr. Maxwell came before the Board tonight to see if the original approval for his subdivision at 9395 & 9397 SR 32 Freehold, from February 2015 would still be acceptable since he did not file the associated signed maps with Real Property. Mr. Maxwell stated that he had not been told that he needed to file the approved paperwork within 30 day.

The Board members reviewed the file and original subdivision. The file stated that there was a problem with the area being wet and with sewage leaking as well as needing another well for the second property. The paperwork stated that a French drain had been put in place and that the problem seems to have been fixed. The area in question was still spongy this spring according to Mark Overbaugh, but no evidence of sewage was present.

Mr. Maxwell stated that there is no indication of septic failure as a family of 5 just moved out last month. Tal asked if a dye test was a possibility to make sure that the septic was indeed working. Mark Overbaugh stated that you would need to run a least 2,000 gal. water through the system and that would be difficult due to that fact that there is no one living in the residence at the present time.

Bud read from Notice of Action that the septic issues and new well had been addressed and were approved by the Code Enforcement officer. Since the requirements were met Bud feels that the Board should move forward, since all previous issues had been addressed. Ken agreed. Don said that he would leave any issues concerning the septic in the Code Enforcement Officers hands and that if anything needed to be fixed that Mr. Maxwell address any problems. Mr. Maxwell was informed that he would need to bring in a Mylar and at least 3 copies of the plans so that they can be resigned.

*Motion made to resign the approval for the Maxwell subdivision made by Ken Elsbree. Seconded by Bud Bear. All in favor: 4, opposed: 0, motion carried.*

Arnie Cavallaro Enters and is present for the Public Hearing

### **Public Hearing For Greenville Center Associates LLC - Tops Plaza - Mavis Tire – 12.02-1-19**

After a brief overview of the proposed new style of the building, and materials that will be used by architect Julia Khomut, Don asked for a motion to open the Public Hearing.

*Motion made to open Public Hearing at 7:29 pm made by Mark Wilcox. Seconded by Bud Bear. All in favor: 5, Opposed: 0, motioned carried.*

The Public Hearing was opened with a review of the proposed project by Michael Junghans, the engineer from VHB. He stated for all those present that the building would be located on the site of the old gas station. All the access points off of Route 32 would remain the same. Parking would not be an issue as Mavis would have 14 dedicated parking spots for customer parking to the south of the building. They will have to do a grade change to make the area flat and they will tap into the existing drain system so that any storm water will not impact Dunkin Donuts. He also stated that they will produce less traffic than that of the prior gas station.

Don asked if there was any input from the audience:

Will Bardell asked about any landscaping that would be done since the building takes up such a prominent space. He thought that there should be plantings to help break up the road frontage. Ken Simons, the owner of the plaza, stated that there would be grass put in. He said that they have tried in the past to put in trees and other bushes, but they do not do well do to the amount of salt used on the roads in the winter. Mr. Simon said that he would like to speak with Mr. Bardell to see if he has any suggestions for plantings that would survive.

Mark Overbaugh was concerned that the building would be placed were the old gas tanks had been removed. He stated that the ground had not been compacted the way it needed to be. Mr. Junghans said that the area would be checked and properly addressed before the building was put in.

William Bardell asked about any illuminated signs. Ms. Khomut stated that the only illuminated sign would be the Mavis sign on the front of the building.

Bob Neppel asked what the hours of operation would be. Mr. Simon stated that the hours are potentially from 8am to 8pm Monday thru Saturday, and a shorter day on Sunday. He said that the hours would not be any more than those stated.

Virginia Mangold asked what the feasibility of traffic would be. Mr. Junghans stated that there would be a decrease in the traffic flow as compared to the gas station that was previously on the site.

Don asked if they were adding any lighting to the area. It was stated that they will be using the existing area lighting. The only new lighting would be added to the building and light downward for any walk way by the doors.

Tal asked about where the HVAC unit would be now that the roof is peaked. Ms. Khomut stated that unit would be housed in the attic area above the showroom part of the building.

Don was concerned about where the refuse containers would be located. Mr. Junghans stated that there will be an enclosure behind the building that will be screened and gated. Any of the old tires will be stored inside the building until removal.

Jennifer Heinze asked if propane would still be used. Mr. Junghans stated that it would be and that they will be located at the back of the building.

*Motion made to close Public Hearing at 7:45pm made by Mark Wilcox. Seconded by Ken Elsbree. All in favor: 5, Opposed: 0, motioned carried.*

### **Discussion**

A discussion was held by the Board. Don brought up the fact that a SEQRA was completed a year ago and a negative declaration was made then. Tal stated that it could be repeated or that the Board could adopt the previous negative declaration.

*Motion made to adopt the previous Negative Declaration by Ken Elsbree. Seconded by Mark Wilcox. All in favor: 5, Opposed: 0, motioned carried.*

*Motion made to approve the Mavis project by Ken Elsbree. Seconded by Mark Wilcox. All in favor: 5, Opposed: 0, motion carried.*

**Minutes**

*Motion made to approve the minutes from August 3,, 2016 made by Bud Bear. Seconded by Ken Elsbree. All in favor: 5, opposed: 0, motion carried.*

*Motion made to approve the minutes from August 17, 2016 made by Mark Wilcox. Seconded by Ken Elsbree. All in favor: 5, opposed: 0, motion carried.*

**Close Meeting**

*Motion made to close the meeting at 8:00 pm made by Ken Elsbree. Seconded by Mark Wilcox. All in favor: 5, Opposed: 0, motion carried.*