

Village of Scottsville  
Planning Board Meeting Agenda  
Thursday, December 8, 2022 – 7:00pm  
Unapproved Minutes

**Call to Order:** Co-Chairman Mark Smith called the Thursday, December 8, 2022 Village of Scottsville Planning Board meeting to order at 7:40pm.

**Pledge of Allegiance**

**Roll Call:**

Kevin Marks  
David Domina  
Mark Smith

**Absent:**

Steve Cullum  
Patti Brandes

**Also Present:**

Andy Fraser, Deputy Mayor  
Anne Hartman, Village Clerk  
Emily Clarke, Deputy Clerk  
Maggie Ridge, Mayor

**Attorney:**

Kristy Brightman

**Approval of Minutes:**

**Motion:** made by Kevin Marks and seconded by David Domina to approve the minutes of the Thursday, November 10, 2022 Planning Board Meeting as submitted.

**Vote:** *Carries (3-0) PB 12/8/22*

Steve Cullum	ABSENT	Patti Brandes	ABSENT
Kevin Marks	AYE	David Domina	AYE
Mark Smith	AYE		

**LEGAL NOTICE**  
**VILLAGE OF SCOTTSVILLE**

At 7:40pm Co-Chairman Smith reopened the October 13, 2022 public hearing to consider granting a special use permit for 39 Main Street, Scottsville, NY contingent on the receipt of a complete application including a site plan and SEQRA Review.

Discussion: No Discussion.

Public Hearing closed at 7:42pm

**Motion:** made by Mark Smith and seconded by David Domina to grant the special use permit for 39 Main Street, Scottsville, NY.

**Vote:** *Carries (3-0) PB 12/8/22*

Steve Cullum	ABSENT	Patti Brandes	ABSENT
Kevin Marks	AYE	David Domina	AYE
Mark Smith	AYE		

**RESOLUTION**  
**(Design Review)**

**APPLICATION** by Bears Management Group, Inc. d/b/a Bears Playgrounds (the “Applicant”) for 39 Main Street, Scottsville, New York (Tax Map No. 200.09-2-30) (the “Property”), for design review approval in connection with the Applicant’s proposed acquisition and development of the Property for manufacturing, sales, and distribution of playground equipment (the “Project”).

**WHEREAS**, the Applicant has applied to the Village of Scottsville Planning Board (the “Planning Board”) for design review approval pursuant to Section 170-26 of the Code of Village of Scottsville (the “Zoning Code”) in connection with the Applicant’s proposed acquisition and development of the Property for the Project; and

**WHEREAS**, the Planning Board has examined the application, plans, and other materials filed by the Applicant as part of the application, including Part 1 of the Short Environmental Assessment Form, and all comments from the public, and other interested and involved agencies associated with the Project; and

**WHEREAS**, on October 6, 2022 and November 10, 2022, the Planning Board held a public hearing on the application, and during the public hearing all persons desiring to speak on the matter were heard; and

**WHEREAS**, the Project constitutes an Unlisted Action under the New York State Environmental Quality Review Act, Article 8 of the Environmental Conservation Law and the regulations adopted pursuant thereto at 6 NYCRR Part 617, as amended, and the Planning Board as lead agency has previously determined that the Project will not have a significant adverse environmental impact by adopting a Negative Declaration; and

**WHEREAS**, the Planning Board has reviewed the Project and considered the standards for design review approval under Section 170-26(G) of the Zoning Code.

**NOW, THEREFORE, BE IT RESOLVED**, that after considering all the proof and evidence before it, and giving careful consideration to the facts presented, the Planning Board hereby grants the Applicant’s request for design review approval under Section 170-26 of the Zoning Code on the grounds that the Project, as proposed, is compatible with the structure on the Property and/or the surrounding properties in the Central Business District with regards to the standards set forth in Section 170-26(G) of the Zoning Code; and

**BE IT FURTHER RESOLVED**, that the design review approval granted herein is subject to the following conditions:

1. The Applicant shall obtain all other necessary permits and approvals required for the Project.

2. The Applicant is required to comply with the applicable requirements of the New York State Uniform Fire Prevention and Building Code, the New York State Energy Conservation Construction Code, and the Village of Scottsville Code.

3. The Applicant shall comply with all conditions of the use variance approval granted by the Village of Scottsville Zoning Board of Appeals

4. The Applicant shall obtain a building permit for the construction/installation of the Project from the Scottsville Building Inspector and pay the appropriate fee.

5. The color of any exterior painting of the buildings on the Property shall be subject to review and approval by the Planning Board.

6. The Applicant's proposed sign shall be oriented and scaled so as to not negatively impact the visual character of the street, and shall be approved in accordance with Article VII of the Zoning Code governing signs.

**Motion:** made by Mark Smith and seconded by Kevin Marks to adopt the Design Resolution for 39 Main Street, Scottsville, NY.

**Vote:** Carries (3-0) PB 12/8/22

Steve Cullum ABSENT

Patti Brandes ABSENT

Kevin Marks AYE

David Domina AYE

Mark Smith AYE

### **RESOLUTION (State Environmental Quality Review Act)**

**APPLICATION** by Bears Management Group, Inc. d/b/a Bears Playgrounds (the "Applicant") for 39 Main Street, Scottsville, New York (Tax Map No. 200.09-2-30) (the "Property"), for design review approval in connection with the Applicant's proposed acquisition and development of the Property for manufacturing, sales, and distribution of playground equipment (the "Project").

**WHEREAS**, the Applicant has applied to the Village of Scottsville Planning Board (the "Planning Board") for design review approval pursuant to Section 170-26 of the Code of Village of Scottsville in connection with the Applicant's proposed acquisition and development of the Property for the Project; and

**WHEREAS**, in accordance with the New York State Environmental Quality Review Act, Article 8 of the Environmental Conservation Law and the regulations adopted pursuant thereto at 6 NYCRR Part 617, as amended (collectively referred to as "SEQRA"), the Planning Board must satisfy the applicable requirements set forth in SEQRA, as necessary, prior to making a final determination whether to undertake the Project; and

**WHEREAS**, the Planning Board has completed its review of Parts 2 and 3 of the Full Environmental Assessment Form ("EAF"); and

**WHEREAS**, the Planning Board has given consideration to the criteria for determining significance as set forth in 6 NYCRR § 617.7(c) and the information contained in Parts 1, 2 and 3 of the Full EAF.

**NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE PLANNING BOARD AS FOLLOWS:**

Section 1. The Project is classified as an Unlisted Action as it does not exceed any existing thresholds of the Type I list as established through 6 NYCRR § 617, and each of the Whereas Clauses in this Resolution are incorporated by reference as specific findings of this Resolution and shall have the same effect as the other findings herein.

Section 2. The Planning Board has considered the Project pursuant to the parameters and criteria set forth in applicable provisions found under 6 NYCRR §§ 617.2 and 617.3.

Section 3. The Planning Board has considered the significance of the potential environmental impacts of the Project by: (i) carefully reviewing and examining the responses to the Short EAF, and completing the analyses for Parts 2 and 3 of the Full EAF, together with examining other information and documents concerning the Project, including the plans and other documents prepared by the Applicant, to identify the relevant areas of environmental concern with respect to potential impacts to land, geological features, stormwater and groundwater, wetlands, flooding, air, historic, archaeological and other recognized and/or protected resources, plants and animals, including threatened or endangered species, noise, odor, or light, human health, critical environmental areas, open space and recreation, aesthetic resources, transportation, agriculture, community character and cumulative impacts, if any, and other potential impacts as required by applicable regulation; (ii) considering the criteria set forth in 6 NYCRR § 617.7(c); and (iii) thoroughly analyzing the identified areas of relevant environmental concern.

Section 4. Based upon a thorough review by the Planning Board of the Short EAF and supporting information and documents concerning the Project, the Planning Board hereby finds that the Project will result in no potential significant adverse environmental impacts requiring the preparation of an environmental impact statement for the Project. The Planning Board thus issues a Negative Declaration for the action pursuant to 6 NYCRR § 617.7. The reasoning supporting the Planning Board's determination of significance for the Project is more fully set forth in the Part 3 Determination of Significance.

Section 5. The Planning Board accepts the findings contained in Parts 2 and 3 of the Full EAF and directs the Planning Board Chairperson to sign and date Part 3 of the Full EAF.

Section 6. The requirements of SEQRA have been satisfied and this Resolution shall take effect immediately.

**Motion:** made by Mark Smith and seconded by Kevin Marks to adopt the Negative Declaration for 39 Main Street, Scottsville, NY.

**Vote:** Carries (3-0 )PB 12/8/22

Steve Cullum	ABSENT	Patti Brandes	ABSENT
Kevin Marks	AYE	David Domina	AYE
Mark Smith	AYE		

**New Business**

Creating a new Special Use Permit 32 Main Street Scottsville, NY.

**Old Business**

No Old Business

**Adjournment:**

**Motion:** made by David Domina and seconded by Kevin Marks to adjourn the meeting at 7:47pm.

**Vote:** Carries (3-0 )PB 12/8/22

Steve Cullum	ABSENT	Patti Brandes	ABSENT
Kevin Marks	AYE	David Domina	AYE
Mark Smith	AYE		

Respectfully submitted by,



Emily Clarke, Deputy Clerk