

# Town of Saratoga Plan Commission

July 10, 2013

## *Plan Commission Members*

Dan Forbes, Chair	Dave Barth
Gordon Wipperfurth, Co-chair	Sarajane Snyder;
Tom Grygo, Secretary	Lorelei Fuehrer Alternate

## *Public Present*

Six  
Craig and Sue Zolnik

## PUBLIC HEARING

Dan Forbes opened a Public Hearing at 6:30 P.M. on July 10, 2013 in the Saratoga Town Hall for the consideration of a Conditional Use Permit to allow a Collision Repair Center in the RR-1 District at 5009 Mill Avenue. The public hearing was officially noticed.

Carol Cherney asked what is being built. Craig Zolnik responded he wants to move his existing collision repair center to 5009 Mill Avenue. Development would include; possibly adding onto the existing pole building, adding a spray booth, operating approximately between the hours of 7:30 A.M. to 4 P.M., operating as “a one man shop”

Forbes asked Grygo to explain the requirements of a conditional use permit (CUP). Conditions may include requirements and restrictions such as hours of operation, parking, signage, noise, fencing and review requirements (such as annual review to assure compliance) and whether the CUP is personal to the applicant or runs with the land.

Cherney questioned the use of a spray booth. Zolnik said his spray booth meets OSHA standards. Cherney commented she is aware of two OSHA standards regarding spray booths. Zolnik said he meets the OSHA standard which applies to design and age of his spray booth.

Fuehrer said Zolnik has not purchased the property, but did discuss his plans for a collision repair center with the adjacent landowners

Barth said a CUP may be revoked if work has not started within one year after the permit is issued.

Zolnik said he has no intention of growing his business and wants to consolidate the business into one building. He also said he anticipates working on one to three cars per week, does not want a junk yard, and will be a good neighbor.

Fuehrer commented that a condition of the permit should be no outside storage of parts. Zolnik said he might temporarily store damaged parts in an existing wood shed and periodically remove them to a salvage yard. He said no outside storage of parts as a condition would not be a problem.

Barth asked about signage. Zolnik said he would not have a large sign. Fuehrer asked if the business is considered a destination or drive by. Zolnik said it is a destination; he has been in business 16 years and keeps the existing property neat.

Snyder commented about restricting the hours of operation regarding noise.

Wipperfurth said the Nuisance Ordinance would deal with noise; we do not want to place restrictions on businesses.

Cherney said without restrictions what's to stop another business from moving in.

Forbes said the CUP will be reviewed and if violated can be revoked. He asked if there were any further questions, hearing none, he thanked the participants for attending and participating in the public hearing.

Motion by Barth to adjourn the public hearing, second by Snyder, motion approved.

The public hearing was adjourned at 6:50 by Forbes.

#### PLAN COMMISSION MEETING

Dan Forbes opened the meeting of the Town of Saratoga Plan Commission at 6:51 P.M. on July 10, 2013 in the Saratoga Town Hall. The meeting was officially noticed.

No public attendance.

Motion by Barth to approve the minutes of June 12, second by Wipperfurth, motion approved.

Fuehrer said a condition of the permit should be no outside storage of motor vehicle parts. There was a discussion regarding the term "outside storage" as the structure Zolnik has designated for storage is three sided. It was agreed that since this structure is enclosed on three sides and has a roof use of this structure would not be considered outside storage.

Forbes asked the question about what happens to the CUP if Zolnik quits his repair business. Grygo read section 12.4.4 of the Zoning Ordinance (Expiration for Failure to Engage in Conditional Use). Discussion followed.

There was a discussion on issuing a CUP to an individual or running with the land. It was generally agreed if significant construction is required for the business or use the CUP would run with the land, otherwise it would be issued to a person(s).

The following conditions were recommended:

- (a) No outside storage of motor vehicle parts
- (b) Sign Permit is required

Motion by Wipperfurth to recommend to the Town Board approval of the CUP to Craig Zolnik with the conditions of; no outside storage of motor vehicle parts, and requiring a

sign permit, second by Barth, motion approved (Barth, Forbes, Snyder, Wipperfurth, Yes; Grygo, No).

Forbes said the issue of crops on land owned by Nathan Wolosek is being reviewed for the Town by attorney Paul Kent and attorney Connie Anderson.

Snyder asked about signing or somehow designating the public access to Nepco Lake in the Great Northern Timber Development. She is concerned if the access is not designated the adjacent properties will eventually take over the access. Forbes said the access is very steep and only provides walk in access to the lake, and the Town does not have any immediate plans for improving it.

The next meeting is scheduled for August 14, a review of the Comprehensive Plan section 4.7 Action Plan will be on the agenda.

Motion by Wipperfurth to adjourn, second by Barth, motion approved.

Forbes adjourned the meeting at 9:01 P.M.