

PLANNING BOARD

**Town of Lewiston 1375 Ridge Road Lewiston New York
Thursday – February 16, 2023**

Present: Baker, Lilly, Lattanzio, Taczak, Waechter

Absent: Burg and Conrad

Presiding: Kenneth Lilly, Chairman

Lilly: Good evening ladies and gentleman Planning Board for the Town of Lewiston Thursday February 16, 2023.

Roll Call

Lilly: We will start off with the approve of the minutes of October 20, 2022, anyone have any questions? Everyone have a chance to review those any recommendation are we all in favor?

Taczak: I will make a motion to approve the minutes as written

Lilly: A motion to approve

Lattanzio: second

Lilly: All in agreement

Members: Aye

Lilly: So the minutes are good. We have one item on the agenda this evening that is the Ricchiazzi. Would you like to come to the microphone there and state your name for the record and tell us a little about your plan I know you were here I think a few months ago several month ago and tell us what's developed since you were last here.

Ricchiazzi: My name is Nicholas Ricchiazzi I have a landscaping shop down the street. We are trying to get approval of a few things. We want to put a fence up as well. I got approved for it last year.

Rajczak: Site plan as well

Lilly: You want to identify yourself for the record

Andy Rajczak

Lilly: Go ahead Andy

Rajczak: Basically, we are submitting a site plan for the lot with issues. We are storing material on there we have a few unregistered vehicles that a seasonal vehicles. We were approved for a front fence we applied for a stockade fence the fence side of the property to kind of alleviate any issues that we are having with the residential people on that side of the street. Basically, just put forth a plan to show you where the vehicles are going to be and what's going to be happening there. What kind of materials what vehicles where the parking would be.

Lilly: Ok

Rajczak: Obviously try and clean it up a little bit to the point where it is satisfactory to the residents.

Lilly: So, it's a landscaping company that you're going to utilize the property for.

Rajczak: Yeah, landscaping residential construction anything that has basically to do with a residential piece of property to rehab.

Lilly: So, you're going to have your trucks and your vehicles and equipment that operate and support the business.

Rajczak: Correct

Lilly: And you're going to have people and employees and things of that nature coming and going at various times

Rajczak: Correct

Lilly: And you're going to have parking spots for them?

Rajczak: Yes Sir

Lilly: Ok. So the last time we were here though I think you said it was a year ago now.

Taczak: About

Lilly: Ok. So, it was quite a few months. So since then, what has been completed that you were approved back at that moment? What has been completed since then? Why don't we just start with that.

Rajczak: We applied for a fence permit. The only thing we did apply for, unfortunately with trying to get laborers it's just been non-existent you know the caliber of the work force that's out there now.

Lilly: Ok

Rajczak: Were basically playing catch up on our own jobs.

Lilly: So that's been on order for a year then. So, when do you anticipate that being completed at this point?

Rajczak: When the weather clears up. We can actually pour concrete and get a fence up around it.

Lilly: Ok. The fence permit has been applied for and approved Tim it's in the works?

Masters: Yes

Lilly: Will that expire at any time will they have to

Masters: When they hit the one-year mark yeah

Lilly: So, you will have to reapply for that

Masters: They will have to renew it

Lilly: Yeah. Ok. So, you are aware of that.

Rajczak: Absolutely

Lilly: So, I think that may be one of the bigger items to get started with to show some sort of progress

Rajczak: Ok

Lilly: Is something that I think we would like to see. So moving forward though with this being here this evening your looking for some storage of materials and a studio apartment.

Rajczak: Correct

Lilly: Want to tell us a little about that?

Rajczak: Basically, the studio apartment, will never be rented to anyone it will always be either an office or it will be for family members of us or employees of us. Only for the simple fact that they have to utilize one of the garages in order to get to that apartment. For them to walk through were not just going to rent it to anybody that's just going to walk through. There are literally thousands of dollars of tools in the garage that they have to walk through. It's basically so someone is there to kind of look over.

Lilly: More for security then?

Rajczak: Absolutely, absolutely.

Lilly: You mentioned as a studio apartment but it's going to be more of an office perhaps with the capabilities of someone staying there.

Rajczak: Well yeah. It's been used as an office. We had an instance where a family member of mine needed a place to stay. Obviously that was set up as an apartment before so we just redid a little bit to make it livable and obviously that's not going to be the ultimate use of it forever, I would imagine. If we wanted to turn it into an office or back into an office, we just want to have it in place that we don't have to come back in front of you and say Hey you know what it's no longer an apartment we would like to use it as office. If then if situation changes where we don't need that security detailed or whatever.

Lilly: How about the bulk materials I think you listed some materials that might be stored there?

Rajczak: It's going to be basically mulch, dirt, lumber if needed, concrete we do a lot of places where we have to bust out concrete pads and stuff like that. We keep that on site so when we get a job that needs fill obviously what I pay for fill we get for free from another job. And the stuff that we store it could be there for a week, it could be there for a year obviously were not going to have 10-foot piles of concrete or a 10-foot pile of mulch or dirt or whatever. We spoke with the building inspector and we are going to relocate it to the rear of the property once we get the fence up. Most of the outlined areas are in our plan to be submitted to you basically on where the storage of the vehicle is where the parking is for employees and ourselves that we trying to keep it more towards the rear of the property obviously just so we don't have any issues with the Town.

Taczak: Are you looking like jersey barrier type delineation between materials or what do you have envisioned?

Rajczak: Just piles we don't use that much of it to the point where we would constantly need those barriers just because we don't use the same materials all the time. We are not like A1

landscaping where they have those where they have black mulch, brown mulch or whatever. Usually when we buy it, we buy it either by the truck load or dump load and then whatever's left over comes back to the shop then the next job we get we use that up first then we will buy a little bit more than if there's extra then you know it's more like a rotating stock. Then anything.

Lilly: What size truck load would you anticipate?

Rajczak: Just 7x10 dump that we use

Lilly: A single axel dump truck then, correct?

Rajczak: Yes, yes

Lilly: Ok. Now your gates are listed as 10 foot wide

Rajczak: Correct

Lilly: To me that doesn't seem wide enough 10 foot I don't know if there is a particular code or not but I would think that if you're going to have trucks coming in and out of there that we would want those to be wider. Tim is there anything in the permit that would dictate one size or another?

Masters: Shook head (NO)

Rajczak: Our widest truck is 7 foot wide and that would be the dump and that's probably 6-foot 8/9 something like that.

Lilly: Ok, just.... The truck is lined up straight you need that turning radius and things of that nature. Single axel dump truck if its another supplier if its not one of your own might have a truck that's a little larger. It's just going to damage your fence in the long run.

Rajczak: I don't foresee us using anything bigger than a single axel dump we don't buy it like that we are not. Everybody wants something different we don't buy in bulk like that somebody that is actually selling it.

Lattanzio: What about containment around stored material. Cause some of this stuff could cause a problem for erosion and sediment seeping off into the other properties. I mean do you plan on putting some type of containment around this like a silk fence or you know...

Rajczak: Depending on how again we don't have that much materials to the point where even if we had torrential down pour where it would seep anywhere near our property line and go to an adjacent property.

Baker: But there might be a concern possibly a concern by neighbors about dust admissions dust control any consideration for that. Materials dry out and it gets windy and it flies.

Rajczak: Right, in that situation most of the time with our mulches and stuff like that we cover them up just honestly once they dry out, they clump up and basically better uses. I'm sure we can have the same practice for top soil if we have top soil there. Obviously concrete and stuff like that most of the smaller pieces that would create dust are left on the job site when we break it up.

Baker: Do you anticipate on doing any composting?

Rajczak: Not that I can NO. Most of our stuff we use as a fill.

Baker: I mean grass clippings and other vegetation from the landscaping

Rajczak: We have a different area that we take all our clippings, any yard cleanups with leaves and things like that. That's not stored on site

Waechter: So, you won't be mulching on site and you won't be doing any concrete crushing?

Rajczak: No

Waechter: As far as on site?

Rajczak: Not at all

Waechter: I do have a question about your fencing. I notice that you don't have it going around the south parameter of the property.

Rajczak: Correct

Waechter: Is there a reason for that? Because I look at that the north side where you have like 6-foot stockade fence is that just for visual for the neighbors?

Rajczak: Yes

Waechter: Ok so you're just going to secure the current garage within a chain linked fence.

Rajczak: Correct. Yeah, the adjacent lot there is actually I believe Modern owns the one adjacent to the front but there is a hedgerow that goes all the way to the back.

Waechter: Yep

Rajczak: It does provide some type of a barrier between the neighbor on that side

Waechter: So, you're just using it for screening.

Rajczak: Correct

Waechter: I do have another question as far as we touched on the parking area with the 10-foot gate. I do notice that in the sketch plan which I would recommend coming up with an actual more delineated sketch plan as far as exactly where your parking spaces are going to be where exactly your storage is going to be. Because I noticed that your fire lane will now go through your parking lot and it does not appear that there's going to be enough room to have any type of parking there for either the people that are occupying the apartment upstairs or for employees.

Rajczak: There is there should be another paper in there with that parking it co-insides with where that lane is for the fire lane.

Waechter: What I am saying is that I would like to see an actual detail to scale. Because you may be surprised that you're not going to get your parking spaces that you think your going to get in there. So, I am looking at the hand draw I see that it appears that some of your storage for your materials kind of overlaps with your parking. I don't know if parking is going to be paved, if its going to be gravel what kind of material is going to be used. All of those things get flushed out with an actual detailed umm with a more of a detailed site plan.

Rajczak: I will add to that. We didn't even think about it. But where our chain linked fence is it's set back 10 feet from the road that area is blacktop all the way around the perimeter of the front there. Obviously we ran into an issue where we had more material that those would become parking spaces as well. There's ample parking there we actually have vehicles parked there now when we did draw that up. I pull in with a crew cap truck with a 26-foot trailer

Waechter: Ok again, what I would like to see is an actual cad drawing or something that is actually to scale.

Rajczak: Ok

Waechter: With all of this delineated

PB- 2023-2G

Rajczak: Ok

Waechter: Because I think it will help to help with your site planning and with what you wish to do with the property and it also I believe it will help this board in making its decision.

Rajczak: Sure, I gotcha. Like I say anytime you want to drive by you'll see

Waechter: I have

Rajczak: Vehicles parked there

Waechter: I've noticed there's some vehicles that are kinda parked in the back there's some kinda vehicles parked in the access road there's vehicles. So, it just would be nice to have an actual plan as to where you are going to officially put things.

Rajczak: I gotcha

Waechter: Not just a hand drawn this is what I think is going to happen

Seaman: If I can jump in a little bit. Typically, you're here for a site plan approval

Rajczak: I gotcha

Seaman: And when it gets approved, that approval becomes kind of like plan that Tim needs to go by

Rajczak: Sure

Seaman: The code for the Town of Lewiston actually requires for a site plan approval to have the submission be submitted by an architect or a surveyor or an engineer that's licensed by NYS. That being said, the planning board can waive that requirement

Rajczak: Ok

Seaman: But I think that what your hearing from Sarah is that she wants

Members: numbers on paper

Seaman: Something that's a little easier to read larger scale rather than having to flip the few different pages and figure out what's going on have it condensed into a similar place this is the plan

Lilly: I think with all do respect your drawings and sketches were a little bit confusing for me. You guys might understand it but you want us to understand it.

Rajczak: No, I understand

Lilly: Tim did you provide this drawing

Masters: Yes.

Lilly: You guys saw this drawing I think Tim put

Masters: They didn't see it

Lilly: Would you guys want to look at this? This is what we are looking at right now

Rajczak: Sure

Masters: I tried to put what you were talking about on one page to make it clearer

Lilly: So, if we want to just go around

Taczak: I got one more question before we go a little further. You mentioned about vehicle parking there's a lot of vehicles on this lot right now

Rajczak: Correct

Taczak: Are they all usable vehicles I mean is this something

Rajczak: That was part of what we applied some of them are seasonal we don't use the cube van two-wheel drive dump in the winter time and the plows all the plows that are in the front right now in the summertime there going to be all the way in the back of the lot. That's what I say even with our equipment and our storage for parking. It changes its not when I go to put something that's why it's a general lot. This is where this stuff will be and if we are trying to get away from specifically saying this is exactly where its going to be at exactly the right time because material that we use the vehicles that we use they fluctuate.

Taczak: I guess that's not. I might be communicating. Are the vehicles that you have on your lots right now all usable vehicles for the business or are there any that are maybe sort of maybe not or just happen to be there.

Lilly: Are any of the junk vehicles

Rajczak: No, no none of them are junk

Lilly: They are just removed taken off the road

Rajczak: They are either getting repairs done to them waiting on parts or waiting on us

Taczak: That's where I was heading

Rajczak: It's never going to be a junk yard at any given time. Like I say we use the vehicles that are on that lot. If we buy a vehicle to say take the parts to put on another vehicle that vehicle is quickly

Taczak: Disposed of

Rajczak: Yeah, put in its proper spot.

Taczak: That answered my question. Thank you!

Lattanzio: I have question too. So, the I am looking at this drawing now which is what you submitted. So we have 3 areas I understand that you rotate equipment out and plows and what not but where your actual raw materials would be stored. You wouldn't want to move those around you wouldn't want piles in the front of Model City Road. You know what I mean. That's where I think we need a little more clarification is to where your materials are going to be and where the a actual parking area would be delineated

Waechter: And I think that what your site plan would help you with

Rajczak: Right

Waechter: Is that you actually delineate where these things are going to go so that we can visually see them.

Rajczak: I understand that. That's what I explained to Tim that same situation. In construction it seems to go in phases like I will do 10 bathrooms in a row or I'll do 8 kitchens in a row or mow lawn and nobody will want mulch then next week 10 people want their concrete pad taken out

Waechter: Yeah

Rajczak: So if I say we are going to put the concrete here

Waechter: No I get that its fluent just if you can delineate that this is where are material storage is going to be

PB-2023-2J

Baker: Designate the area

Waechter: Yes! That your not going to say Oh well I got so much bulk material that now I got to put it on my parking lot

Baker: The way that it is now your saying you can use any piece of this property to store materials

Rajczak: No, there are mapped out material storage here material storage here

Waechter: So that's where I would like that delineated on actual official drawings

Member: Site plan

Rajczak: I understand that I hand drew one in obviously that the numbers, I get the numbers part of it

Waechter: Yeah

Lattanzio: I think its more that you have 3 spots on your drawing front middle and back. And your saying I could dump material or put vehicles any where on the property at any given time

Rajczak: No

Lattanzio: Well that's how I understand this. Cause it's a vague note that points to 3 different areas. So that's why we want a delineation of whats going to go where at any given time. Specifically, your raw material

Rajczak: Right

Lattanzio: I think that would be the biggest concern of mine. Is not having that stuff stored in the front parking lot.

Rajczak: I understand that. Obviously we've gone over it with Tim the first staging of area would be here the second one would be in this area here and the third one if we had an over flow would be in the front. At any given we want to elevante what is going to look like a junk yard a big mess a big pile but at the end of the day if this area is full this material area is full we would have to put it there.

PB-2023-2K

Waechter: We have another question too. What are you storing in the back garage? What's going on with that are you going to be touching that is it structurally sound? Because after looking at it, it seems that it appears to lean as your looking at it to the right. So, is there plans to do like storage in that building or is there currently storage there?

Rajczak: There is currently storage there it houses about 25 mowers

Waechter: Ok

Rajczak: And as far it being structurally sound its sound

Waechter: Ok it just appears to lean. Now is your gasoline also stored in that area?

Rajczak: Correct

Waechter: I don't know if that brings up a he's not here a fire question. As far as the gasoline.

Masters: We talked about the storage and the gasoline and how would want it in the front building

Waechter: Ok

Masters: So whenever he get through the site plan approval and comes in for the actual permit to remodel the inside of the building Pat would take care what needs to be done.

Waechter: Ok alright because if its going to be in that back building we just have to make sure that fire vehicles are able to access that building

Rajczak: Yep and that's even I know its hard to look on that one but there is a fire lane where it comes through here and goes all the way around this building here. There's defiantly direct access from where this gate is going to be to that back building there. Obviously we probably should have made this like a little bit of a curve. Because yes we don't go straight up and make a complete 90 degree I follow what you are saying. But the storage areas that I have had laid out and the vehicle placement is even for the apartment we put in a parking spot just for that person with that apartment up there. Obviously this whole area around this way is all black top are fence is inside where black top is on that property. At least 10 feet away from the road so we've got all this parking here for even employees. Which we designated an area back here for their vehicles so they are not parked on the side of the road

Waechter: That's why I think that engineered plan will actually help us.

Lilly: The fence being 10 feet your going to have a problem with the fire code cause it has to be 20 or 25 feet

Master: I haven't had a chance to talk to Pat about it but with the close proximity to the road I'm not sure if he will be as concerned about that

Weachter/Lilly: Ok

Lilly: Alright it just still seems if you don't need to have it then that's fine

Maters: I agree with you about the 10 feet police building down there and they complain all the time about the 10-foot door for a police car

Lilly: Right for a small passenger car. I would for what it's worth I don't think it would cost much more to make that larger and if your situation is fluent like your saying you might have something that's a little larger at some point down the road. Tim anything else you would like to add from the building departments perspective

Baker: I would like to mention one more thing

Lilly: Sure, go ahead Pat

Baker: Just so that you know depending on how busy you get I hope you get very busy and your successful but when you start to run out of room the Town does not like to see vehicles routinely parked in the right away. In other words right next to the pavement of the highway. Just so you know. It will become a problem if that ends up happening.

Masters: Especially in the winter

Weachter: What is your time line for completion of the project so I know that you have the fencing issue the material storage issue are you going to be rehabbing the apartment issue what is you overall time line that you see this happening in?

Rajczak: Well, obviously the fence will be first come Spring obviously if we get a couple good days we literally dug those holes 3 times in anticipation on getting the fence up.

Lilly: Do you have a fencing contractor that you've hired to do this?

Rajczak: No. We are doing it ourselves.

Lilly: Your doing it yourself

Rajczak: We rented a bobcat already 3 times to dig out the same wholes

Lilly: Ok

Waechter: Tim so this is just a question for myself. As far as with rehab of the apartment does that need to get a certificate of occupancy?

Master: Yes

Waechter: Ok. So that will be something that you will need to consider.

Rajczak: Ok

Waechter: I think that's probably better for building department.

Taczak: You got a lot of considerations. But I think you first one is as Mr. Seaman said get somebody professional to give us some solid drawing sketches and everything so we don't have these questions that are I think are somewhat overwhelming you and I know some of them just looking at it overwhelm some of us.

Rajczak: Sure it's a lot to take in

Taczak: No doubt about it

Waechter: It's difficult to improve an ambiguous plan. Because with an ambiguous plan there is an awful lot of wiggle room for different things to happen. That's just for you benefit your heads wrapped around exactly what you are going to do and the steps to fulfil it. It also helps us in getting our heads around on understanding what it is exactly that you want to do. I don't know. Are we ready for a motion?

Lilly: Not quite yet. Anything from the legal Department

Seaman: A few comments and a couple questions. Number one just so you know and for the record, the importance is a non-conforming use currently so it already exist and if it didn't already exist it would not likely be allowed in the industrial zone. But it does it already exists and Mr. Masters and myself concur that it would be used that way as a non-conforming use which will continue. Ok so I wanted that to be known for the record. Couple of questions about the fire lanes and the parking lots. I don't know the material as it is now, is it paved and do you intend to pave or do any type of paving or stone or anything or is it just milling is it just millings

Rajczak: Yeah front lot is millings, rear drive is partially stone and then when you go the actual turn around I would call it just regular grass.

Seaman: Your intention is to just leave it like that?

Rajczak: Yes

Seaman: As far delineating on the ground parking spots are you going to paint it or delineate those in any way.

Rajczak: Once the fence is up we can up parking signs obviously its grass so to paint anything obviously it would go right away. But that area obviously would stay once we get the drawing with the numbers out you would be able to see that its unused space now that we don't use just because were trying to keep the neighbors on that side happy that we don't put anything there. That's why we were figuring we should put it up closed to the road but then that creates another problem for everyone driving by. So we come up with a plan to put it closer to with a fence stockade fence so it kind of limits their view on what's stored over there is an eyesore not that we are trying to hide costing material or anything like that. And then the chain link for the front with it being so close to the road we actually walked over to Modern across the street and took the tape measure out and measured to see how far their fence was away from the center of the road and I believe we went 2 feet more just to be safe and try to stay well within the code. As far as it being chain linked as well obviously when you get to the corner of Fenton to see on coming traffic either way we took that into consideration as well.

Seaman: Have you given any thought or do you know what the maximum height limit would be for your storage materials mulch concrete or what have you

Rajczak: I would say less than 6 feet high

Seaman: Signage

Rajczak: Not at the moment just yard signs that are currently there and the advertising along the front.

Seaman: Then my last comment is I think Tim already mentioned that we reach out to Pat Martin and get his comments for the next meeting since he's the fire inspector.

Masters: I thought he was going to be here tonight

Seaman: And he will comment on the fire lanes and the width of your gates as well

Rajczak: Under your recommendation we will widen them obviously it make since we thought we went little bit .. we were actually going to go 8 but we went 10

Members: Laugh

Rajczak: We got some skilled drivers. Even the way that we have the fire lane marked out there obviously this area here for us to even use it we need to have it with an arch in there

Members: Right

Rajczak: Obviously we have some work to do

Waechter: Well you've got a good start but yeah

Rajczak: The numbers game too where its easier look at numbers and break it on down I just went with the physical aspect that theres vehicles right here now. We still literally can I can pull my full size truck in with a 26 foot trailer and turn around back it in do what ever I have to do. So we are under the impression that if we use it as it is right now it basically other than the vehicle that is parked in the back right in the back driveway there its basically how its going to be. Other than our material storage and equipment storage are kind of the same in our language. Its either going to be 2x4's or railroad ties for a job. I understand that you like that portion of it broken down a little bit.

Waechter: That can be true if its material storage. In the long run it just protects you to have this done and to have it spelled out.

Rajczak: Sure

Waechter: Because if there is any kind of dispute between the Town and with yourself its just nice to be able to go back and say this is what we gave you this is what was approved. It actually is official with the numbers and that type of stuff

Rajczak: I gotcha

Waechter: I am not trying to do it to make it more difficult for you because I know that your small business and that type of stuff. But I think that in the long run its going to benefit you.

Lilly: Anybody else we have 2 gentlemen in the audience any comments from you. I don't know what the Motion would be. I don't think we can approve what you have brought in front of us this evening. I think you need to go back to drawing board I think you got some comments here this evening.

PB-2023-2P

Rajczak: I already we have spoken having an architect go in for the building with the apartment in it to appease the fire code and stuff like that. So when hes out there what I will have him do take a quick look at what we have jotted down and have it printed with numbers on it.

Lilly: How long have you been in operation? Not necessarily where you are on Model City Road but in..

Rajczak: Under Rajczak enterprises two year

Lilly: Ok

Waechter: Tim are they required to have handicap parking

Masters: Yes

Waechter: Ok so that's something else to take into consideration

Taczak: Is this something we should table or can we just leave it open or

Seaman: You can just leave it open and take no action tonight and leave it on the agenda for next month

Taczak: Ok

Lilly: So would someone like to make a motion for that

Taczak: I will make a motion that we just leave it open but waiting further input from you and your architect

Rajczak: Ok

Waechter: Second

Lilly: All on favor

Members: AYE

Lilly: Ok gentleman. Any other business here miscellaneous business we haven't been together for 3 months so hope everyone had a Merry Christmas and Happy New Year and Sandy will be here every month as well I guess. Anything else

Taczak: I make a motion that we adjourn the meeting

PB-2023-2Q

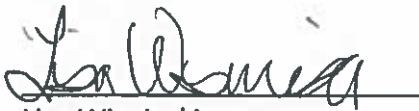
Waechter: Second

Lilly: All in agreement

Members: Aye

Lilly: Ok hopefully we will see each other next month.

Respectively submitted,



Lisa Wisnieski
Building Dept Clerk



Kenneth Lilly
Planning Chairman