

Under the laws of New York State, this Board is conducting an official meeting.

Attendance at any Public Board Meeting requires appropriate conduct.

The public has the **RIGHT** to attend, listen to and observe meetings, *without interruption or disturbance to the business transacted.*

Village Board of Trustees Resolution 2023-07-12.9

Whereas, the Village of Sherman has three official public bodies. As prescribed by the NYS Consolidated Law for Villages to incorporate, so does the NY State Consolidated Law under Village § 7-712 Zoning Board of Appeals and Village § 7-718 Planning Board require the establishment of governing boards for such purposes. All of which follow Public Officers Law (included within is Article 7 Open Meetings Law) and provisions of General Municipal Law along with any other applicable NY State Law for organizing and holding public meetings; and

Whereas, the public bodies convene to conduct the business of the Village Municipality; and

Whereas, the meeting shall be open to the general public, except when an executive session is called; and

Whereas, each Board has its own guidelines for procedures for its own purpose and it varies dependent on the nature of the meeting, i.e., purpose of the meeting, length of agenda, number of members of the public in attendance; and

Whereas, the presiding member of the public body is to be addressed accordingly, Mayor for the Village Board of Trustees, or Chairperson (Chair) of the Zoning Board of Appeals or the Planning Board; and

Whereas, the presiding member of the public body, "Board", is responsible for keeping order and ensuring the business of the agenda is completed without disruption.

Now Therefor Be it resolved, by the Village Board of Trustees of the Village of Sherman, New York, that during a *public meeting* the presiding member determines *if*, when, and for how long members of the public have to address the board; and

Be it further resolved, that at a *public hearing* the presiding member determines the amount of time allotted each member of the public their right to speak, limited to relevant points on the subject of the public hearing, while taking into consideration all in attendance, giving the opportunity of no less than two minutes per individual; and **Be it further resolved**, that the presiding member shall use a gavel for maintaining order and having the authority, retains the ability to excuse someone if their conduct becomes abusive, threatening, or falls outside of the matter at hand, by first asking them to refrain from their behavior or speech, then by asking them to leave voluntarily, or eventually having them removed; and

Be it further resolved, that the governing boards have the authority to retain a sentinel for attendance in the meetings for security and have the power to employ or contract said officer and to pay for their services, and to provide for such other expenses as may be necessary and proper.

Sherman Planning Board Agenda May 2, 2024 at 5pm

Chair Brian Bates
V Chair Garrett Spitzer
Member Bill Piazza
Member Kelly Jo Becker

The Municipal Zoning Board has asked the Planning Board to greet and introduce the proposed special use permit for the commercial property located at 104 Church St for "Sherman Self Storage, LLC".

The Planning Board reviews plans, makes suggestions, and gives guidance for projects and design according to the Village of Sherman's Comprehensive Plan.

When the Zoning Law clearly permits or prohibits use, the Enforcement Officer of Code and Zoning or the Municipal Zoning Board may approve or deny such a permit request.

Further *interpretation* of the Zoning Law and any area or use variance requested, is *determined* by the Zoning Board of Appeals.

DRAFT
Village of Sherman
PLANNING BOARD Minutes
Thursday, May 2, 2024 at 5pm
Village Municipal Building

Chairman Brian Bates called the meeting to order at 5:10pm. Planning board members, Kelly Jo Piazza, Bill Piazza and Garrett Spitzer were in attendance, also in attendance, Mayor Meeder, Enforcement Officer Gregory Gormley, Chief Operator Jay Irwin, and 9 others present, (attendance sheet attached).

The mayor explained the roles of the Municipal Zoning Board (Board of Trustees), the Zoning Board of Appeals, and the Planning Board. The Planning Board was not approving an application for a special use permit, variance, or making any determination. The Planning Board reviews and makes recommendations on design and operations with respect to the property, according to the Zoning Law, all while taking into consideration the vision for the community adopted under the Comprehensive Plan.

This was not a public hearing, but a meeting of the Planning Board which is open to the public.

She also explained the moratorium on storage is only in place for Main Street businesses, and the property in consideration today is on Church Street, therefore it is not applicable.

The board members were introduced to Andrew Calimeri and his proposed business. Then after making inquiries further into the operations and design, the members made recommendations, not only for the owner/operator of the business, but also as to whether they believed this was a special use request clearly permitted under the Zoning Law for the Municipal Zoning Board to decide, or whether the proposed business was not plainly defined and should be reviewed by the Zoning Board of Appeals first for their determination.

104 Church Street / Self-Storage Rental / Storage Structure:

Andrew Calimeri of Sherman Self-Storage, LLC along with his two brothers are applying for a special use permit to open a self-storage business providing climate-controlled rental units at 104 Church St, SBL 328.10-1-35 located in the C1 – Commercial District. They are familiar with and have experience with other self-storage operations, although this is the first time these brothers will own and operate one themselves. He explained how they intended to operate the business with walk-in keypad entry, and individual solid sided units with roll up doors. This will be for household materials, no hazardous materials, no vehicles, only the inside space would be rented therefore nothing would be outside the building, and there would be no need for a dumpster. Andrew anticipates an average traffic flow of 2-3 people per day. Regarding the building design specifically, the interior will have 5' hallways, motion activated interior lights, while the exterior would remain mostly the same, there is a new overhead door being installed at the front of the building, the outside compressors are being removed, and there will be security cameras outside.

There would be no access to 'convenience outlets', in response to the members' concern as to whether squatters could be an issue.

In consideration of the neighboring home and B&B, light pollution would need to be taken into account on any signage; the Calimeri's will be keeping lights up for security.

The final item the planning board members inquired about was the time-of-day people would be accessing the self-storage units, and it was agreed that 7am-8pm would be an appropriate time for operation, which can be programmed into the keypad entry system.

- 1.) Motion to refer the special use application for a self-storage business at 104 Church St, Sherman to the Zoning Board of Appeals (ZBA) for the interpretation of the definition of 'storage structure' and for the determination as to whether the self-storage business is a 'use permitted by right' under Section 402.B Commercial District (C1); with a possible use variance request to follow.

Moved Garrett Spitzer Seconded Kelly Jo Piazza Carried 4-0

- 2.) Motion to adjourn at 5:40pm.

Moved Garrett Spitzer Seconded Kelly Jo Piazza Carried 4-0

