

**PLANNING BOARD**

**Town of Lewiston 1375 Ridge Road Lewiston New York**

**Thursday – May 18, 2023**

**Agenda Dipietro (A)**

**Present: Burg, Baker, Conrad, Lilly, Lattanzio, Taczak, Waechter**

**Presiding: William Burg, Chairman**

**Burg: Good evening everyone welcome to the Planning board meeting for the Town on Lewiston May 18<sup>th</sup>.**

**Roll Call**

**Berg: Alright form has been established. Has everybody looked at the minutes from last meeting and everyone have a chance to review them.**

**A motion to approve the minutes of April 20, 2023, was made by Taczak, seconded by Baker and carried.**

**Burg: All in favor**

**Members: AYE**

**Burg: Alright we have one item on the agenda. Mr. Dipietro. Ok could you step up**

**Dipietro: Sure**

**Burg: State your name address for the record and tell us what your project is.**

**Dipietro: Dave Dipietro 5805 Fairview Drive Sanborn New York 14132. My project was I own the property 5830 Buffalo Street in Sanborn. My intension is I'd like to put a farm market road side stand on that property which is currently used as parking for my building across the street at 5835 Buffalo Street. Road side stand sell farm products and other sale items there on the property on that parking lot.**

**Burg: What do you mean by other items?**

**Dipietro: Well farm related type stuff jellies, just stuff like that. That are that they sell at farm stands.**

**Burg: So mostly perishable item right**

**PB2023-05A**

Dipietro: Right. Could turn into pumpkins I am not sure what it would involve. You never know it's not even there yet you know we will see hopefully it will grow in the area. There's nothing really there so I want to try something that's what I want to do.

Burg: Ok

Dipietro: My thoughts are I put something there, there's plenty of room for parking, there's a good traffic flow, there's in and out Elm Street, Buffalo Street they can enter from and exit from. There's Elm Street that would come out to a stop sign they can turn left or right. Plenty of parking it's all stone. There is a lot of room for parking there shouldn't be a traffic issue or parking issue for anyone. There's plenty of room there. The proper set back from the road. That's my intention. I thought it would help business that are there also. Anytime you get someone to stop they look around and it might help the other businesses that are there, there are 4 other business in the building across the street. There's haircut print shop take out restaurant and a record store. That's what I am trying to do is grow.

Burg: Ok. And you're going to move one of the existing sheds?

Dipietro: Correct.

Burg: Is that over in front of the current light pole

Dipietro: Correct yes

Burg: Is that shed 16x10

Dipietro: Correct

Burg: What's not depicted in this drawing is the shed that's closest to the garage you have to pull that off the property line.

Dipietro: I went to the review board that there I got a request for a zoning variance. Which I got a granted variance for that which I am not really crazy about that variance because I think it's going to deter the parking for this project so I might actually get rid of that shed. Because once I move the other shed for the stand, I want to look at it to see about parking and if I don't like it then it's done. I don't think I like where they told me I had to put honestly because it's ridiculous.

Burg: I didn't know if on the north side you I imagine you have drawing there

Dipietro: There's a garage that was left previously from a house that burned down

**PB2023-05A**

**Burg: Right**

**Dipietro: That's I had put a shed next to it at first then I went for a permit and they told me I couldn't put the shed next to the garage because of the rear set back and they wanted me to put it in a place I don't want to put it. Which is in front of the garage.**

**Burg: On this drawing here this square rectangle.**

**Dipietro: Can I come up**

**Burg: Yes please. What is that proposed building?**

**Dipietro: That is a whole different that's plan B part B to**

**Burg: So that's not you moving that shed over**

**Dipietro: No.**

**Members talking**

**Dipietro: That's the farm stand only. I know to go back to the mic.**

**Conrad: How would you control traffic? Like the in and out because there are no curbs there it's just stone**

**Dipietro: There is no curbs in the front. There is curbs on Elm Street there is curbs there**

**Conrad: Ok**

**Dipietro: People park right now how every they really want to park there is all stone**

**Taczak: There's going to be no control with pedestrians walking around cars driving in and out. There's no control of any type.**

**Dipietro: There isn't now.**

**Baker: I have a question. So right now, we are just looking at this one structure right. We are not considering what may happen in the future.**

**Dipietro: No**

**Baker: But you have to combine them**

PB2023-05A

Dipietro: I have an A and B part to this. The B

Baker: Is not part of this discussion

Dipietro: We are not discussing that part right now. This is strictly the A of the farm market I am sorry the farm stand. I spoke with Mr. Masters and we discussed the potential of another part phase of this. Which wanted to discuss phase A and we will get to B after if that's ok.

Burg: Ok. What is the process so before he am I correct that before he can go to plan B he would have to come before us again?

Masters: What I told him was to bring the potential for plan B if you were all ok with it then we would just run with it as a future almost 2<sup>nd</sup> phase. But if you guys were at adverse with the idea then he will just run with phase A for now.

Taczak: Well, if he's not sure as to what he's going to do once he gets the move if he's not sure then how can, we be sure.

Masters: Right

Waechter: Yeah

Burg: I just don't feel like we have enough information to go off of to approve a plan B

Dipietro: Well, the other part there is no actual rules or anything about the plan B. Am I correct Sir

Masters: There's not a in the code there's not a section on if I want to have a farmers' market like the village does. There is nothing in our code to say you need to be so far back from a property line it's kind of silent on it. It is a business zoned property so personally I don't have a problem with him doing a farm market. As long as there was control where's the vehicles coming in and out, I know that was Pat's issue

Conrad: Yeah, signage or something too

Masters: Anything like that. I don't have an issue with the use

Conrad: I was thinking it would be nice being in Sanborn it would be nice to see something done with that plot. It just sits there. If it's done right, I would like it

Waechter: Alright. I have a couple of questions.

**PB-2023-05A**

**Dipietro: Sure**

**Waechter: And obviously it's all based around traffic flow. Based on your plan A drawing where do you propose people are going to park. Because as far as safety and pedestrian it would be nice to have a delineated parking weather, you're going to have them parking on the north part in front of the garage facing north and south. Or if you are going to have them, go all the way to the back lot and they are facing east and west or if. Because I think you are going to run into problems that people are going to whip in and either try to park directly behind your shed and then you're going to have people trying to access from Elm and Buffalo. I think your going to get into issues. And then if you implement plan B which it seems to appear that you have 10x16 sheds that you are going to line that with and I see other farm vendor or craft vendors so it will actually become like a farm artisan market. Then I think you're really going to run into issues as far as your parking based on how you have your stands set up. I need a little more explanation as far as that goes. If it's going to be permanent sheds on plan B**

**Dipietro: No, they won't be permanent then they could park in front they would be not permanent. They would be all moved and they would be able to park in front of those.**

**Waechter: East west**

**Dipietro: That would be east to west on the back line and then north to south in front of each one**

**Waechter: Are you going to have those delineated?**

**Dipietro: I can make them delineated**

**Waechter: Ok. Because then I would suggest if you do go with plan B, you're going to have to back that parking up because you're not going to want to have the cars to close parking east and west because if anybody hits the gas rather than if they are in reverse or break, they would have to come down that center line of that property and have delineated parking through that center.**

**Conrad: Wounder if it would be almost easier to do like a one way in and one way out kind of thing. Where you could park on either side of one lane or something and kind of keep the traffic flow going in one direction.**

**Dipietro: So, if they are coming off of Buffalo Street, I don't know how you tell them that they have to come in a certain way.**

**Members talking**

**PB-2023-05A**

**Waechter:** Because you have 3 entrances and exists so if you were to cut off one of those from Buffalo and just have one from Buffalo and one from Elm. Because I don't know I have seen people whip in and out of the one up here on Ridge.

**Taczak:** It would almost make sense to just have Buffalo as in and Elm as out.

**Lilly:** Yeah, and eliminate that one that's closer to the corner of Buffalo. Which actually you could utilize that for some smaller stands

**Taczak:** Another Stand

**Dipietro:** Block it off with a stand. In here out there

**Waechter:** And that has no curb correct

**Dipietro:** Correct

**Waechter:** Would there be a way for you to put any kind of concrete planters or anything like that to limit that access.

**Dipietro:** There is a planting there but I am sure I can block that off

**Conrad:** You could do something tasteful

**Dipietro:** If I had something going on there I could do you mean on the B phase or just in general.

**Waechter:** I think just in general because if you have 3 traffic patterns coming in you might get into a little bit of an issue. I think it's just easier to have just one delineated driveway off of Buffalo and one off of Elm.

**Taczak:** For me with my law enforcement background it would make more sense to have the one coming off of Buffalo coming in and Elm going out.

**Dipietro:** Then actually the market itself the stand if that was moved over as long as I had the side set back

**Taczak:** That would be absolutely fine whatever you want to do. Were just talking about the general flow

**PB2023-05A**

Dipietro: I am not set at putting it there totally everything is up to discuss. The side set back where I need it and everything and the flow is right with that. It might work out better like that. Having one in and one out and if I had that near there it might actually be a better.

Taczak: One in one out is ideal

Conrad: It would give you more... to put product in

Member: You might have room to put another stand at least. Another quote unquote farm product stand.

Dipietro: And there would be some parking east and west facing the road that way also. Instead of 3 there's only 2 entrances on that 1 on Elm and 1 on Buffalo Street instead of confusing it with a third.

Waechter: I think so I think it just would be a lot safer and I think it would be a nicer presentation.

Conrad: If you were to keep it in the one direction one in and one out you could make it narrower too.

Lilly: Tim what would be the minimum width he would need for an entrance? Would that be 20 feet 25 feet

Masters: 20 would be good because then if you had 2 people coming in you would have room as opposed to a 12-footer

Lilly: I think what we are talking about is entering the property from Buffalo Street at the north part of the property. That's one way into the location and then when the person would like to exist, they are going to exist onto Elm. And that would all be signage to help facilitate that. This sort of discussion that we are having would apply to plan A and then if you go to plan B it would already be in place. I think it would give you more footage and more square footage for stands fruit stands and things of that nature. I was there the other day and it just seem like it just wide open, anybody can drive in at any place. It really needs to be delineated with some like Sarah said planter boxes. That way they are there permanently this isn't just temporary this is something that would beautify it on a permanent basis in one way out the other and you would have a larger layout. As well. I think that's what this discussion. I think the community

Dipietro: There is a driveway that runs to that garage.

Lilly: I think the idea for the community of Sanborn is fine. I think it's just the traffic flow seems to be the largest discussion here.

PB2023-05A

Waechter: I guess what I would like to see moving forward is I would like to actually see like a measured drawing. A drawing that's to scale that shows the actual entrances and exists how wide there going to be how wide and placement of that shed is going to be. I would like to see as far as the delineated parking. I do think it's a good idea. I want you to know that but I think this drawing needs a little more work. So that we can be sure that what were looking for has been communicated.

Conrad: You also want it to be enforceable too if we were to approve something that wasn't in the amount of detail were asking for it would be tough for them to go. Say Hey it's right or it's not right or for you to be able to understand exactly what were trying to convey to you.

Dipietro: It's

Burg: I think that it would need to address signage as well

Dipietro: One of the tougher things is going to be that's open that road is open. That's a long stretch to kind of narrow down to a 20-foot opening.

Conrad: The whole idea I mean one of the things when you do any kind of development you know I got a background as developer. You want to improve what you're proposing. You want to make it better than it is. It's an opportunity to improve something in the town or hamlet I think it would benefit you and benefit Sanborn as well. With the improvements.

Waechter: It doesn't have to be like the concrete planters if you want to put like low fencing or something if you find its more economical if the planters are prohibited. Those are the types of ideas that will get flushed out when you have a drawing that's to scale

Dipietro: Right. You're looking at 90 and 85 and this is 25 and that's a lot of area to cover to make a 20-foot opening for traffic. That's a major deal to come up with you know.

Lilly: I am sorry what was that?

Dipietro: To close that up to a 20-foot opening in the front. It's going to be to make it look nice the cost of that alone it going to be huge on a stone parking lot.

Conrad: Well, its probably more beneficial than a lawsuit it there's an accident.

Members: Yep

Conrad: It's an investment



**PB2023-05A**

Waechter: There's also the way that with the set backs and stuff I don't know if you can orient your shed that was. And use the sheds as the barrier but then I know it blocks the visual. Which I think you would want the visual.

Dipietro: Yeah

Waechter: Into the property.

Taczak: Even a type of split rail fence you can hang the sign in only out only. You can hang whatever you want farmer's market. But I think people will realize what you're doing and its wide open you can see right though it the fence would not be blocking anything. It would give you some delineation as to what's going on. It would give us a little bit more teeth to make sure you're doing what we're asking you to do. And that split rail fence is just thrown out there as suggestion it's not saying that what you need but just an...

Waechter: Tim is there anything in the code that discusses like height could it be just like a picket? Maybe just like a 4 foot like a picket.

Conrad: Couldn't be like 3 1/2 with the street

Waechter: It could just be were not talking about

Masters: It could definitely be a decorative little picket definitely

Waechter: So, you could do that or you could do I don't know proper terms it's the ones that you just have the post

Members: Split rail

Waechter: So that's what that's called ok thank you very much.

Lattanzio: Could even be green space too. You could turn it into grass that would probably be the cheapest way to go. Strip the stone and put some topsoil and seed it.

Dipietro: There is a planter box in the corner that the town maintains.

Lilly: That's right on the street curb right.

Dipietro: That's right on the corner of Elm. There's one there.

Lilly: Are you going to be putting or are you going to operate all these stands or are you going to solicit other help or vendors to kind of set up their own stands.

**PB2023-05A**

Dipietro: Vendors on the plan B one but the main one in the center the main one in the center that my son and his wife were going to take on.

Lilly: And when you say weekend your anticipating Saturday and Sunday

Dipietro: Yeah, see how that goes

Lilly: And then the other equipment that seem to be there is trailers and things of that nature those would be moved to make more room for the future vendors.

Dipietro: Yeah, if there is enough interest yes

Lilly: And if there's not interest, they would stay there?

Dipietro: Yes

Members: If they are registered

Conrad: They are not registered right now

Lilly: I think you are aware of that right

Dipietro: Yes, we have been in discussion

Waechter: Ok

Conrad: You think about have like a food truck or anything

Dipietro: Yeah I would like to, that would be like a potential thing instead of the farm deal having a food trucks where farmers were or craft people come in, in that area where those are marked on a weekend thing. To utilize the area. Being commercial.

Conrad: What would you do during the week? Would you do anything else during the week

Dipietro: No. No week days.

Conrad: No rock concerts or anything

Dipietro: No. No intention of that at all.

Lilly: That's too bad.

**PB2023-05A**

**Dipietro:** I don't have any intention of that at all. Basically, just farm products stuff and utilize some possible food trucks or craft shows on the weekend.

**Lilly:** This would be seasonal Spring though the Fall calendar

**Dipietro:** Yes. I can't see someone standing out there in the winter we wouldn't sell anything.

**Waechter:** Well, you might. I do have one last question. Bathroom facilities so if you do have artisans that are going to be in that back or for whoever is manning the farm stand where are they able to use facilities?

**Dipietro:** If it's my son that's doing it, he lives in the apartment across the street.

**Waechter:** Ok but then I am thinking if you have vendors there that are there for the whole weekend their going to have to facilities to utilize.

**Dipietro:** I would rent a porta potty.

**Waechter:** Ok

**Burg:** Anything else from the board?

**Lilly:** Would that be the rules you said across the street it just seems it might be inconvenient for someone to go across the street especially on a larger scale. The porta potties would that be something that would be required by town code?

**Masters:** It would kind of be the only option

**Conrad:** You're talking more about for the plan B

**Lilly:** Plan A sounds like someone going to pull in grab a few items and be on their way.

**Waechter:** Yeah, yeah.

**Lilly:** Plan B seems like maybe some people kind of hanging out and more people staying there for half hour or even longer perhaps. That's where you would need a porta potty.

**Masters:** The vendors would be there all day

**Waechter:** The vendors you gotta have something for the vendors.

**PB2023-05A**

Lilly: Right. What would be the hours for the vendors? On a Sunday morning what would their hours what would dictate them.

Dipietro: I don't think we have an operational time it's noise

Conrad: 7-11 is the noise ordinance

Lilly: So, they could start at 7 in the morning if they were quiet. So, I guess...

Waechter: Depending on set up they might

Conrad: Well, they may be able to setup there

Waechter: They may be there at 7 setting up

Lilly: I think the idea is a good idea I just think that, that parking lot the way that it sits there now is kind of helter skelter with people just kind of coming in. And I think the fencing and the planter boxes and signage would just increase the visibility of people. That's a busy road there and people drove by there on Monday Tuesday, and say you know what I am going to go back there on a Saturday cause it looks nice. Created some interest. And I know that the cost might be something your kind of not in favor of but I think the traffic issue needs to be addresses.

Dipietro: Buffalo Street is the main concern of that cause of the fencing or the barrier type stuff.

Baker: I think it's more so that they are directing traffic in though the entrance. So, if you can delineate that some how without expanding all the way down Buffalo Street is all you really have to do. I believe there's curb cuts on the exit side.

Dipietro: Yes

Baker: So, signage in some way to kind of direct the traffic out that way. That's plan A plan B who knows.

Conrad: I think. I don't know. I agree with everyone else here I think we need something a little more formal as far as like a site plan. In order to you know to approve it. That's my opinion but I don't know how everyone else feels.

Waechter: I will have to agree. I would like to see an actual site plan with actual measurements an engineered drawing. And then it would be nice to have the overlay for plan B. Because I think that chances are that's probably the route your gong to take. It will make a nice addition to Sanborn. So it would just be nice to see that progression.

**PB2023-05A**

Dipietro: So we have to kick it another month. Is that how it goes?

Burg: I think what our next step would be to table it and keep. We could make a motion to approve or disapprove. Do we have anything from the Fire Department?

Pat Martin: No you actually addressed everything. I was worried about the traffic flow.

Burg: Ok

Baker: At some point you would be concerned about maybe not know what plan B really entails. If there's storage of any flammables and stuff like that.

Martin: That if we were going to get into the food truck area that's going to be something we would take a look at.

Lilly: I think if you go right to plan B, and you get approved for that we are all in agreement, that doesn't mean that you have to actually do that every weekend. You could always still do plan A. So don't come before us and get plan A approved and then a month later then come for plan B. It all seems like it's all part of the same function of this corner property.

Baker: Just call it phase

Lilly: And right you don't need....

Conrad: He can phase it himself right

Members: Right

Waechter: Absolutely

Lilly: You could pull the trigger on plan B at any time.

Dipietro: Right. I am going to get it all out and see where we are at.

Conrad: It would be good to formalize it all and that way you know what your headed toward and you could progress in that direction and not have to reconfigure everything for your next phase. If you really think it out and formalize it, I think it's a good idea. I think you would be a lot further ahead.

Burg: I think it would give you a better blue print of where you can go.

**PB2023-05A**

**Dipietro:** Do I have to get actual prints made or how do I go about this? I have no idea really what to do.

**Waechter:** Right there

**Masters:** I guess my question is do you guys are you mandating engineered drawing or are you mandating a large two scale drawing he can do himself?

**Lilly:** I think you can do it yourself. A drawing that has actual measurements that would show vendor #1 has an area of 12x12 vendor #2 his spot is over here and so on so forth around. Show the fencing or landscaping whatever your barrier is going to be. Show the entrances are going to be your entrance off Buffalo Street is going to be 20 foot wide. Parking spots and then your exit is going to be on Elm Street and that's going to be 20 foot wide. You're going to have a sign that's going to say ZXY over here. Entrance over here exits over here; you could have arrows on your drawings that show the flow. That actually be arrows you would put in the parking lot. So, people coming in will see those as well you have a stone parking lot which makes it difficult to paint stone but it can be done.

**Members:** Signage as well

**Waechter:** It's just a drawing to scale. So if you think you are able to do that drawing to scale great. If you feel that you need help with it I am sure that there are places out there that will do it for you.

**Lilly:** I would rather see you do it yourself and not spend your money on an engineer and put that money toward a fence or something of that nature.

**Dipietro:** Alright I will be on for the next meeting

**Lilly:** I think we like idea.

**Taczak:** We need a motion to table it?

**Lilly:** I will make a motion to table applicants application

**Taczak:** Pending the drawings

**Waechter:** Second

**Lilly:** Pending the drawings by the applicant

**Taczak:** I will second it

PB2023-05A

**Burg: All in favor**

**Members: Aye**

**Burg: Any other business in front of the board?**

**Lilly: Motion to adjourn**

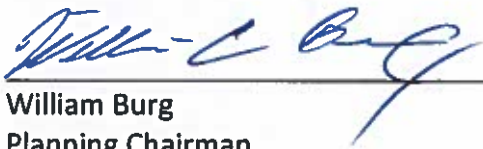
**Taczak: Second**

Respectively submitted,



---

Lisa Wisnieski  
Building Dept Clerk



---

William Burg  
Planning Chairman

