

VILLAGE OF MINOA
Planning Board Meeting Minutes

Public Hearing Thekchen Choling Application
December 14, 2017

Present: Chairman Dan DeLucia, Planning Board Members: Alan Archer, Gail Greiner, Sheri Hayner, John Jarmacz, Attorney Courtney Hills, Codes Enforcement Office Michael Murnane and Secretary Barbara Sturick.

Absent:

Also Present: Kristin Kelsey, Rob Kelsey, and Donna Flores, Michael Scully, Yiwei Qi, Robert Abbott, Diana Jaramillo, Julie Yu, Yingii Hanisco and Ann Pace.

Upon due notice, a scheduled Public Hearing of the Village of Minoa Planning Board was held on December 14, 2017 at 7:00 p.m. at the Municipal Building, in the Community Room B, 240 North Main Street, Minoa, New York.

Chairman Dan DeLucia opened the Public Hearing at 7:00 p.m., stating the purpose for the hearing was to review the application submitted by Thekchen Choling USA (Syracuse) for site plan review, more specifically consideration of a change of use for the premises situated at 109 East Avenue from the current use as a funeral home to a mixed religious/office/residential use, with the addition of office space on the second floor and residential space on the second and third floors.

Chairman DeLucia/Attorney Hills stated for the record per Village of Minoa Code Section §127-14, a public hearing notice was published in the Post-Standard (ad order #0008434459 run date 11/19/2017). Notification of the public hearing was also mailed on 11/16/2017 to the record owners of all adjacent properties within 500' radius. In addition, the notice of public hearing was posted in the Village of Minoa Library, Village Hall Bulletin Board, Post Office, Scotty's Automotive, Greiner's Hardware and Sunshine Mart.

Chairman DeLucia informed the public that the floor would be turned over to the Applicant to make their presentation and after the floor would be open to the public for any comment. Chairman DeLucia requested that each public speaker state their name and address for the record:

Julie Yu President of Organization stated the purpose of the application is to covert the Funeral Home to Buddhist Temple Assembly.

- Mrs. Yu introduced Secretary Donna Flores, Architect Diana Jaramillo, Founding Member and previous Vice President Member Michael Scully, Board Member Yingii Hanisco, and her husband Yiwei Qi to the Planning Board.
- Mrs. Yu stated there are three levels to the building. The first level, which previously functioned as funeral home service/viewing rooms, was proposed to be converted to Buddhist Temple. The second level would be utilized for office space and for other activates for temple, and the third level would be utilized for residential space for staff.
- Mrs. Yu presented pictures of the Dharma Wheel and Deer, prayer flags, and a Chinese Lantern to be placed on the porch during holidays.

Architect Diana Jaramillo

- Ms. Jaramillo went through each page of the architect prints submitted with the application providing description of the proposed modifications to each level of the building. A complete copy of the Plans and Specifications are attached hereto and made a part hereof.

Village of Minoa Codes Enforcement Officer Mike Murnane stated:

- Per Code §160-17.1K, monument/freestanding signs require a special permit issued by the Village of Minoa Board of Trustees.

Village of Minoa Attorney Hills stated:

- Any special permit issued to the prior owner for the existing monument sign, would not run with the land unless specified in the approval resolution. No such approval resolution was located and it is likely the monument sign existed prior to the Village Code provision requiring a special permit for same. As such, the applicant would need to seek a special permit from the Village Board of Trustees for its proposed monument/freestanding signage.
- NYS General Municipal Law §239 required a referral to the Onondaga Planning Commission due to the fact that the subject parcel is located within 500 feet from a County.
- The County reviewed the applicants proposals and issued two Resolutions dated December 6, 2017 Case #Z-17-445 Site Plan and Case #Z-17-446 Special Permit; both resolving “No Position with Comment,” specifically noting the issue of inadequate parking spaces per Village Code and an issue of safety due to the slope of the parking lot. True copies are attached hereto and made a part hereof.
- Ms. Hills indicated the applicant would need to seek an area variance from the Zoning Board of Appeals with respect to their parking plan.

Planning Board member John Jarmacz ask if someone was going to be a resident. Donna Fores stated that she would likely be the only resident as it is her responsibility to oversee the premises.

Code Officer Michael Murnane stated for the record that the owners have done a lot of work on the property general inspections: safety lights, fix plumbing, exit lights and they are working on doing things right.

Public Comments as follows:

Resident Robert Abbott inquired:

- Whether the property qualified for religious tax exemptions.
- How would the Village enforce the specific religious use?
- Whether a U.S. flag would be required atop of the proposed 24 ft high pole.
- Inquired as to why the applicant chose Minoa for the location of the temple.
- Whether the applicants would be housing refugees.
- Whether the temple engages in door-to-door solicitation.

Resident Ann Pace:

- Expressed concern that the business district would become larger.

Residents Rob Kelsey and Kristin Kelsey (105 East Ave):

- Expressed they attended the public hearing just to meet their new neighbors.

Planning Board discussed replies, questions and concerns:

- Codes Officer Michael Murnane stated that Fire Inspections are done on annual bases for all businesses and churches.
- The building is situated in a Commercial District and the classification of the zoning district is not changing.
- Mrs. Yu stated that they are an IRS Section 501(C)(3) organization and have applied to the Town of Manlius for Tax Exempt status.
- The Code Office can only refer to Village of Minoa Code to height, restrictions and placement of poles, and not the content of the flags.
- Occupancy limitations are regulated under State Law ("Occupancy Standards") of the New York Codes, Rules and Regulations.

A motion was made by Gail Greiner and seconded by Sheri Hayner to close the public hearing at 7:50 pm and continue with regular meeting. All in favor. Motion carried.

It was recommended by Attorney Hills that the Planning Board hold off on making a decision, noting they had sixty-two (62) days to do so, so that the applicant could appear before the Village Board of Trustees for a Special Permit relative to the proposed monument sign and the Zoning Board of Appeals for a variance on the parking regulations.

Further, pursuant to the Planning Board's advisory role under the Special Permit regulations of the Village Code, the Planning Board made a recommendation to the Village Board for approval of the Special Permit based on the information presented during the public hearing this evening – that the proposed structure currently exists (erected by prior building owner), they would be changing only the text, and the illumination of same would not violate Village Code.

The Planning Board agreed to meet again on Thursday, January 11, 2018 at 7:45 p.m., in the Municipal Building located at 240 N Main Street, Minoa, New York, regarding the continued review of this application.

A Motion made by Gail Greiner and seconded by John Jarmacz to close the Planning Board Meeting at 8:05 pm. All in favor. Motion carried.

Respectfully submitted,

Barbara Sturick
Secretary