

The Planning Commission of the Village of North Syracuse held a **Special Planning Commission Meeting** on **Thursday, May 6th, 2021** at **6:15 p.m.** in the Village of North Syracuse Community Center at 700 South Bay Road, North Syracuse, New York 13212.

Planning Board Members: Greg Lancette (Chairperson), Jeff Bachstein, Emily Sharp, Vera Desimone, Connie Irick, Paul Kolodzie, Sam Mondello (Alternate) and Lisa Lioto (Training).

Personnel Present: Neil Germain (Atty.), Brian Johnstone (Codes Enforcement Officer), and Pearl Fuller (Secretary).

Personnel Absent: Chris Strong, (Liaison) Work (Signed in over Facebook).

Agenda:

- Approval of the 08/20/2020 Planning Commission Meeting's Minutes (**approved**)
- Site Plan Review with Special Permit, Michael Lembo (Salt City Arms LLC. d/b/a Founders Arms Co.), 104 Wadsworth Rd. (**denied**)

MEETING STARTS

Chairperson Lancette called meeting to order at 6:16 PM. He stated Russ Gustafson resigned from the Planning Commission. Lisa Lioto is here tonight and will be training to take replace him. She is in a training tonight and not a voting Planning Commission member. He went took role call and all members were present except Chris Strong Liaison who signed in on Facebook.

MINUTE APPROVAL

Chairperson Lancette stated next we have the approval of minutes for August 20, 2020 for Brolex Properties. Mrs. Sharp made a motion to approve the August 20, 2020 minutes. The motion was seconded by Ms. Desimone. All in favor.

LEGALS

Chairperson Lancette stated we have some housekeeping to address for our applicant, Michael Lembo, Founders Arms Co. He verified the agenda was sent to the paper. Mrs. Fuller stated yes, it was. Chairperson Lancette continued Special Meeting Legal Notice put in paper. Mrs. Fuller continued yes, it was. Chairperson Lancette added surrounding neighbors notified. Mrs. Fuller added yes, they were. Chairperson Lancette stated all legals appear to be in order.

**MICHAEL LEMBO (SALT CITY ARMS, LLC d/b/a FOUNDERS ARMS CO.
104 WADSWORTH RD.**

Applicant: Michael Lembo

Applicant Representative: Michael Lembo

EMERGENCY CIRCUMSTANCES

Chairperson Lancette announced due to the emergency circumstances caused by the Covid-19 pandemic, and the Mayor of the Village of North Syracuse, the public shall not be allowed to attend due to Covid guidelines. However, are allowed to watch over Facebook.

PROJECT INTRODUCTION

Chairperson Lancette stated the Applicant before us tonight is Michael Lembo representing (Salt City Arms LLC. d/b/a Founders Arms Co.) of 104 Wadsworth Rd. He is seeking Site Plan and Special Permit Approval for a Home Occupation for a Fire Arms Dealer Business. Has stated this will be by appointment only and the maximum number of vehicles will be no more than 4 at any given time which complies with Code § 240-3 (4) requirements.

REPRESENTATIVE ADDRESSES BOARD

Chairperson Lancette stated the applicant before us tonight is Michael Lembo representing Salt City Arms LLC. d/b/a Founders Arms Co. of 104 Wadsworth Road. He is seeking Site Plan and Special Permit Approval for a Home Occupation for a Fire Arms Dealer Business. He has stated in his application it will be by appointment only and the maximum number of vehicles will be no more than 4 at any given time which complies with Codes §240-3 (4) requirements.

Chairperson Lancette invited the applicant to the microphone and asked him to state his name for the record. The applicant stated his name was Michael Lembo. Chairperson Lancette went on to say this meeting was not advertised as a Public Hearing, but people were encouraged to send written comments/concerns by email, fax or mail. He stated we have received some correspondence on this application. Chairperson Lancette stated the emails were forward to the Planning Commission as questions were coming in; Mrs. Fuller was forwarding them to Michael Lembo, the applicant. He continued the applicant was answering them, and then Mrs. Fuller was redistributing the email threads in a very timely manner, he stated for the record.

APPLICANT PRESENTATION

Chairperson Lancette asked Mr. Lembo to address the Board. Mr. Lembo stated he moved to the Village last May, and grew up in Cicero just down the street. He continued he started Founders Arms Co. with his brother, Mark Lembo. He added it is not their full time job, he explained he is a CPA that works for a large healthcare company and works out of his home. He went on to say his brother works for Camillus Police Dept. He stated as you know we applied for a Special Use Permit for a Home Occupation. He continued he is there to answer any questions you may have; as you have all had been of receipt of the Narrative. He spoke of in consideration to the responses received from some residents is this is not a commercial store front, we are not holding inventory, no one can walk in off the street and browse fire arms to

buy. He explained this is a transfer and background service which is heavily regulated and approved by the ATF, pending their review. He offered to answer any questions.

BOARD QUESTIONS

Mrs. Sharp clarified that he is holding 12 guns in his safe. Mr. Lembo stated he believed he stated a maximum of 10 would be held at any given time, and added that is a very conservative estimate; he does not expect them to have near that many. He added that would include complete firearms and lower receivers which is the legal part of a firearm that is considered the firearm, it is just a component. He added they do not expect the volume to be that high. He stated as he noted in the narrative, they expect most of their customer base to be law enforcement. He continued his brother is connected with and members of the hunting community we would work closely with as well. Mrs. Sharp asked if he is fixing guns and putting them together. Mr. Lembo stated yes, so we applied for 2 licenses with the ATF. He continued the 1st license is a Type 7 which allows for manufacturer, he stated he knew that sounded scary, but it really is not. He added it permits us to assemble components either to customize a rifle for a specific application, probably more often to make it state compliant. He went on there are a lot of gun control restrictions, so there are certain features that guns cannot have and there are ways to modify non-compliant rifles to make them compliant with the state law. Mr. Lembo stated the other Type 8 Importer which is not going to be a large chunk of their business, but we want to be able to act as an agent for anyone that wants to make a purchase from an overseas auction or vendor. He shared some people buy World War II weapons from Europe or whatever; we know some people who collect, so it will allow us to act as an agent to legally import that.

Ms. Desimone stated that she took a ride by the house and there is not much room on the side, of each side of your house to the next house. She would like to know how many feet are in between those two houses on either side. Mr. Lembo stated he did not know. He continued he could tell them that he has room for 3 vehicles, 1 in the garage and 2 in the driveway; he only has 2, himself at the house and the house street specifically he does not know how many feet. Ms. Desimone asked how many people will be living in that house. Mr. Lembo added himself, his girlfriends and a 7 yr. old son, he has 1/2 time.

CONCERNS FROM THE PUBLIC

Chairperson Lancette asked if there were any letters or concerns from the neighbors. Mrs. Fuller stated yes there was. Chairperson Lancette spoke of the following correspondence received from:

- Evelyn Essig, 241 Chestnut St.-Called, after answering her questions; no problem with the Fire Arms Dealer Home Occupation.
- Stephanie Sobon of 313 Chestnut St.-Does not like guns, but does not feel it is her right to say whether this man opens a business, she hopes he will follow the rules; she

believes everyone has the right to their version of the American Dream, if Mr. Lembo is opening Salt City Arms, that is what should happen.

- Letter received from Anonymous Neighbor on Wadsworth Rd. - who has grave concern over the safety of loved ones, given the current events in the nation; strongly against it and urges the Board to consider denying them.
- Kathleen Mc Mahan of 103 Wadsworth Rd.-is against it, she lives directly across from their property. This would bring unwanted characters to our street and cars parking in the front of her house. In the winter time the plows would have to go around them and take out a good bit of her yard. Over the last several years there have been more police calls on street, selling guns would not be a good thing; she votes no.
- Sharon Sabatini of 106 Edden Ln.-she is opposed, it would add traffic and become a target of potential criminal activity. She is not opposed to firearm sales, it is not appropriate in a residential area, and does not feel comfortable with this business being run in my backyard.
- Andrea Vasquez-German of 106 Wadsworth Rd.-she has concerns regarding added traffic, parking in the street, proximity to houses; likelihood of damage, injury, or even death if there is an accidental discharge.
- Sue Stampf of 303 Chestnut St.-she is for Salt City Arms to have a business in their home.
- Deborah & DeForest DeVaul of 118 Wadsworth Rd.-are 100% against; vote no.
- Gary Rainbow of 214 Tolbert Rd.-called and inquired about project, questioned selling/storing of ammunition at the property. Email also received stating woods between neighborhoods could possibly assist perpetrators who wish to burglarize the subject premises with intent to steal weapons/ammunition. He stated no information was issued to the public that enhanced security measures will be taken with the exception that the goods to be sold/distributed will be stores in a safe and asked if that is adequate security for the safety of surrounding neighbors. He spoke of added traffic, parking, Police making physical property checks in the business district; he was not in favor of home businesses in residential areas.
- Nicholas Demers of 110 Helen St.-he supports and approves starting the Fire Arms Business. He added he hoped in the future to support Salt City Arms.
- MaryAnn Begay of 102 Wadsworth Rd.-she is not in support of this, due to concerns of safety, wellbeing of herself, neighbors and children.
- Michael Skloda of 111 Wadsworth Rd.-he called and asked questions, stated he would discuss with his wife, if they had concerns they would send in a letter, if no written correspondence than they were good with the project. No written correspondence was received from them.
- Albert & Mary Stalsonberg of 117 Wadsworth Rd.-has no objection as long as all safety precautions are enforced and routinely monitored.

DPW/FIRE/POLICE

DPW: Chairperson Lancette read the DPW report which stated it looks good, and they have no concerns. The project does not have any negative impact on the DPW or its operations.

Police Dept.: Chairperson Lancette read the Police Report which stated on 4/30/21 he did a site impact review, based on the safe flow of traffic during the normal traffic hours. Most FFL Dealers in residential settings perform shipping transfer/transactions and do not conduct normal storefront hours. Most transactions are by appointment only and do not create anywhere near the volume of traffic as a store front firearms shop. FFL Dealers are required by ATF to maintain all weapons in an approved level 3 gun safe and inspect the licensee approximately every 12 to 24 months to ensure all federal and state standards are being met. Mr. Lembo has already supplied me with a copy of his application package as required by AFT

Fire Dept.: Chairperson Lancette continued the Fire Dept. reported they had no issue with the site or special use permit at this time.

Chairperson Lancette stated if the Planning Commission will allow, he has a series of questions that we will be asking the applicant and if there are any other questions that arise, out of either the answers or something that has yet to be asked by the applicant, we will go into another series of questions.

SECURITY

Chairperson Lancette asked Mr. Lembo what security will be provided. Mr. Lembo stated we have a compliant gun safe that is like an industrial gun safe that weighs 400 lbs., on a manual dial lock combination. He continued in addition to that, every entry way into his house is secured with sensors, and he has a home security system.

GUNS/AMMUNITION

Chairperson Lancette asked where the guns will be kept, some of these may seem redundant, but we would rather ask more than less. Mr. Lembo added specifically that safe is located in his 1st floor master bedroom on the back corner of the house. He stated he supplied architect plans of the house with an "X" marking the location of the safe.

Chairperson Lancette asked what the maximum guns that will be stored on the property at one time. Mr. Lembo stated the estimate for business purposes would be 10 which are conservative; we do not expect it to be that high. He continued usually when you receive a shipment, the person comes within a 1-2 days to pick it up; the turnover is pretty high.

Chairperson Lancette asked if he will be keeping ammunition on the premises. Mr. Lembo stated no, not for resale, not for business use; non what so ever.

Chairperson Lancette asked if he will be selling ammunition to people who stop at the premises, online or both. Mr. Lembo stated we will not be selling it, we will accept a shipment of ammunition if the vendor will not ship direct to a consumer in New York State, they can ship it to an FFL; but we are not going to buy and hold an inventory of ammunition or components to manufacture ammunition.

Chairperson Lancette asked what the maximum amount of ammunition that will be stored, at the property, at any given time. Mr. Lembo stated none for business purposes, as he stated if someone ships it to them, a case of ammunition is 1,000 rounds to a box; it is tough to estimate how many rounds.

Chairperson Lancette safe details and features again, he knew he stated it, but. Mr. Lembo stated there is a picture included with the application, he was not sure if everyone had seen it, but it is a Liberty safe; like an industrial safe, very heavy, manual, manual dial lock on it, fire proof, crack proof. He added his brother and himself are the only ones with the combination.

STORE FRONT

Chairperson Lancette asked if there will be a store front. Mr. Lembo stated no.

SITE

Chairperson Lancette asked if there will be any site work done. Mr. Lembo stated no.

PARKING

Chairperson Lancette asked what the maximum numbers of cars are, that will be parked on the premise, at one time. He shared that codes allows no more than 4 including the owner's vehicle at any given time. Mr. Lembo stated 4 would be the maximum, 2 of his own and then probably 1 customer at a time, since it is by appointment only; so 3 is probably realistic, but 4 would be conservative.

LIGHTING

Chairperson Lancette asked will there be any changes to lighting on the property. Mr. Lembo stated no.

SIGNAGE

Chairperson Lancette asked will there be any signage at all. Mr. Lembo stated no.

HOURS OF OPERATION/NUMBER OF EMPLOYEES

Chairperson Lancette asked what the hours of operation will be. Mr. Lembo stated it will be by appointment, sort of flexible, probably 9:00 AM to 5:00 PM. He continued he works from so he has a lot of flexibility; we have not posted specific hours yet, but likely will be a 9:00 AM to 5:00 PM Monday- Friday. Chairperson Lancette stated no home occupation shall be carried on between the hours of 9:00 PM-8:00 AM; just for your information. Mr. Lembo stated O.K.

Chairperson Lancette asked if this will be open certain hours, or are clients by appointments and if it is by appointments what are the maximum appointments per day that will be scheduled. Mr. Lembo stated appointments will probably be 1/2 hr. blocks, so he would not expect more than 3 or 4 appointments maximum a day, once we are up and going running full capacity.

How many employees will there be with this home business. Mr. Lembo stated right now there are just 2, myself and my brother; we are equal partners.

MANUFACTURING

Chairperson Lancette asked will ammunition be manufactured at the property. Mr. Lembo stated no.

Chairperson Lancette asked will you be manufacturing guns. Mr. Lembo stated under a Type 7 License we could be assembling components, but not machining anything with raw materials. He continued there is no assembly and buying of guns, it is just we want to have the ability, to add components or take components away; to modify things to make them compliant or safe.

INSPECTIONS

Chairperson Lancette stated detailed records of fire arms sales, transfers, background checks performed, and subject to periodic inspections/audits conducted by Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF); are they just scheduled inspections or do they stop unannounced or randomly. Mr. Lembo stated he is not sure, he has not met with the agent yet, he assumes there is some notice given; they do not just popped in. He continued they do audit records for completeness, accuracy for safety that will be part of the assessment when they visit the home.

TRAFFIC/STREET PARKING

Chairperson Lancette stated concerns of additional traffic and parking in the street; how would you respond to those concerns. Mr. Lembo stated again he would be complying with code and no more than 4 vehicles at once, probably 1 vehicle in the street maximum at any given time in front of his house.

ACCIDENTAL DISCHARGE/DAMAGE/ACCIDENTAL DEATH

Chairperson Lancette asked what he has in place to address concerns of accidental discharge, damage or even accidental death. Mr. Lembo stated so all firearms in his home will be stored unloaded. He continued he has been around firearms quite a while, as his brother has, he is well trained as a Law Enforcement Officer; we have a lot of training with safety. He reiterated everything is stored, unloaded with trigger locks and when people pick rifles, shotguns or whatever firearms up they will not be permitted to load it when they are in the house or on premise.

POTENTIAL TARGET

Chairperson Lancette stated neighbors have expressed concern of being a potential target for criminal activity, theft of guns and ammunition, do you have anything that you would like to add. Mr. Lembo stated he would note that he is taking every precaution necessary to keep the residents secure. He continued he thinks it is a pretty safe neighborhood, but it does not hurt to be careful. He added that he would note that FFL's in residential neighborhoods are extremely common and you very rarely hear about anything regarding a theft or anything like that.

ADDITIONAL POLICE ACTIVITY

Chairperson Lancette stated that neighbors have also expressed concerns of having additional Police activity over the last few years and concerns of attracting unwanted characters. Mr. Lembo stated yes, understood. He continued the Police have never responded to his residence, he is a law abiding citizen. He added he understands the frustration with some of that, but that it not really anything he can control.

HELP BUSINESS WILL PROVIDE

Chairperson Lancette stated neighbors have referred to what is happening in the nation regarding guns. He asked how your business would help, in dealing with this type of activity. Mr. Lembo stated he realizes that guns are a polarizing topic right now. He added it is pretty controversial right now, because of the media, politics and everything. He continued he thinks it is important to note that FFL's play a very important role in insuring that anyone that takes possession of a firearm is legally permitted to do so. He stated that they have to fill out a form 4473 indicating that they have never been involuntarily admitted to a mental institution, and they are not a user of any illicit substances. He then would perform an NIC's check with the FBI, either on the internet or over the phone in real time. He explained a lot of steps are taken to make sure guns do not end up in the wrong hands; we feel it is a safety benefit.

SERVICES PROVIDING

Chairperson Lancette asked what services he would be providing. Mr. Lembo stated under the Type 7 License permits manufacturing, and also dealing, we would be accepting transfers of firearms whether it is from a vendor, an estate sale, or something where it a firearm has to transfer from one party to another we would be authorized to accept those pending ATF's approval via mail, FEDEX, UPS or whatever and we would then contact the person who purchased the firearm or the recipient and they would come to the residence. We would have them fill out a form, call the FBI to do a real time background check on them, then pending the results of that background check, they would be able to take possession of the firearm or there would be a waiting period or if they are declined, we would send the firearm back. He spoke of on the manufacturing side; sometimes FFL's in a state like New York where not all guns are legal, FFL's might receive something that is not compliant with the state law and you cannot transfer that legally to someone in the community. He stated as a manufacturer we would be

permitted to remove certain features or to add features that would make the gun compliant, safer and compliant with the law.

TARGET DEMOGRAPHIC

Chairperson Lancette asked what his intended target demographic. Mr. Lembo stated just members of the local community. He continued we expect most of our customer base to be law enforcement. He added his brother has a network of friends and colleagues who purchase firearms for personal and professional use. He stated we would also target people who need to transfer firearms as a result of an estate, estate sale, private sale; anyone who wants to purchase a firearm online, at auction or from online retailer. He added we would receive it for them as well.

SAFETY/CLOSE PROXIMITY

Chairperson Lancette stated there is a lot of concern among neighbors regarding safety, especially those that are in close proximity to your property, some without barriers, fences, etc. He asked how your business would help to ensure safety and security in regards to those concerns. Mr. Lembo stated he would just reiterate that all guns are stored unloaded with trigger locks. He continued guns are stored when they are not being transferred or used in a compliant safe. He added both he and his brother have extensive training; they have both been around firearms for a while, so they know how to handle them safely. He stated like he stated he has a 7 yr. old son, he is very cautious with gun safety in his home obviously. He continued yes, we are talking all the precautions to ensure gun safety.

ANYTHING TO ADD

Chairperson Lancette asked if there was anything Mr. Lembo would like to add. Mr. Lembo stated no, nothing else.

FOLLOW UP BOARD QUESTIONS

Chairperson Lancette stated back to the Planning Commission is there anybody with any questions for Mr. Lembo.

Mrs. Irick stated you speak a lot about your brother and being in Camillus, why did you not do this in your brother's house and why did you chose here. Mr. Lembo stated his brother is 22 yrs. old and still lives with family. He continued he is looking for a house, he did not know if anyone was familiar with the current market, it is really hard to find one. He added he has had several offers declined, he does not live in Camillus, and he lives in Cicero, but it is my primary residence and we just decided to use that for business if permitted. Mrs. Irick asked what kind of reassure could he give his neighbors and other people around you for that safety, especially for the children that ride their bikes, run around and take walks; this neighborhood is filled with people that love to take walks with their dogs and kids.

Mr. Lembo stated understood, he takes walks himself and like he stated he has a son in his home Saturday thru Tuesday every week. He continued he would reiterate that we are taking all the safety precautions, the home is secure with a residential security system, all entry ways are equipped with sensors. He added guns are always stored unloaded with trigger locks and a compliant safe. He stated it is not a rifle range and no one is going to be loading firearms, let alone firing them on premise. He continued they would take every precaution necessary that firearms are handled in a safe way.

Ms. Desimone stated you say that people will come to the house, and there will only be 2 cars coming in at a time, but do you for see this happening every day, or once a week. Mr. Lembo stated no, it would be very sporadic, it would not be every day; even a mature FFL like the one he go to, if he ever purchases something, they do not always have business every day, it is pretty sporadic especially in a residential setting. He continued FFL's are very common in residential settings; actually most residential FFL holders are in the country are in a residential setting. He added there is a lot of competition, there are 3 FFL's in the 13212 zip code alone, and he does not know how many are in the greater Syracuse area; probably at least 100 he would guess. He stated he is not sure, please do not quote me on that, but it is extremely common.

Mrs. Sharp asked on your security system can you see the person that is approaching your house. Mr. Lembo stated yes, currently he has 2 cameras on premise. He continued there is one if the front and one in the back and as he mentioned all entry ways are equipped with sensors. He added if the door opens and the alarm is armed within 5 sec. there is an alarm that goes off and a call that goes out. Mrs. Sharp stated how you can assure us that somebody will not approach the house with a loaded gun. Mr. Lembo stated that could happen it is not something that he could necessarily control, but that could happen anywhere. He continued his business is not going to attract people that are going to come with a loaded gun and try to do something. Mrs. Sharp continued sometimes, quite frequently, we hear of incidents that have been happening around the country that these background checks are not worth the paper they are on; so how can you be sure that background check you have on the people you are dealing with there is going to be a safe person. Mr. Lembo stated there is always a risk there, he guesses, it is conducted by the FBI. He continued we take the information and feed it into the system to work directly with the FBI to do those background checks. He went on to say he knew from reading the news that sometimes people slip thru the cracks, that is obviously a tragedy, it is really unfortunate especially when have malicious intent. He stated he cannot personally guarantee that someone is going to be 100% honest, or that they are going to be denied, if they have some disqualifying condition or whatever. He continued he would just note that the FBI is conducting them and they are as thorough as they are.

Ms. Desimone stated she is not positive, but did you buy the house last year. Mr. Lembo stated yes, he did. Ms. Desimone continued when you bought the house was it your intention to do this at the time that you bought the house. Mr. Lembo continued no, his full time job is in accounting and corporate finance, firearms have been a hobby of his and his brothers, and we

have been around them for a while. Ms. Desimone asked when did you decide to do this, after you moved into the house. Mr. Lembo stated he thought it was in January or February, we sent the application out to the ATF and he could check records and see when he corresponded with Mrs. Fuller first, he thinks it was in January. Mrs. Fuller stated she thought it was the beginning of March. Mr. Lembo stated so the beginning of March then.

Mr. Bachstein asked why work out of your house instead of a store front or a small office. Mr. Lembo stated basically overhead, like he stated he works from home, so he can be physically present there. He continued he feels better about that, than if he were to lease a commercial space and have firearms stored someplace that he is not physically present, but it really comes down to financials and overhead. He added he does not have any capital to rent a commercial space right now, pretty young, he is getting started, and he cannot really afford to lease commercial property. Mr. Bachstein asked if his brother would be with him during transactions. Mr. Lembo stated not always, but often, if he is working his schedule is like 6 on 3 off. Mr. Bachstein stated potential that means that there could be 3 cars that belong to you guys, before someone comes. Mr. Lembo continued yes, if he is there and like he stated 1 appointment at a time, so if he was at home; my girlfriend is home and his brother is there, then that leaves 1 car, if there was an appointment. He added appointments would be blocked for probably 1/2 hr. and we would probably utilize an app like Schedulizer, we would not allow appointments to overlap, one person at a time. Mr. Bachstein asked would you collect any money. Mr. Lembo stated yes, for transactions, for transfers, yes there would be a fee for any firearms transfers. Mr. Bachstein inquired do you sell any products. Mr. Lembo continued not that we buy and store for resale, products flow through us, but we do not actually sell anything, we just perform a service to transfer items that have been sold by another party. Mr. Bachstein asked do you accept guns from if there was a death in the family from someone and they did not want to dispose of them. Mr. Lembo added he was not sure about disposal, we could probably coordinate, he is not sure if law enforcement typically takes disposals. He went on to say but if someone had an estate, wanted to transfer ownership to someone else, and conduct the necessary background checks to transfer them or sell them to another party; if their family did not want to keep them, then we would allow for that.

Mrs. Sharp stated you stated the access to the safe was manual. Mr. Lembo stated yes. Mrs. Sharp asked if there was an alarm in case somebody came in to tamper and you were a sleep. Mr. Lembo continued yes, the entire residence is secured with motion sensor alarms; every entry way has a motion sensor, a door sensor on it, so if the entryway is breached, the alarm would sound and a call would go out to law enforcement. He added the safe itself, does not have an audible alarm, if that is what you are asking, but it is manual combination lock.

Ms. Desimone asked are you obligated to pay the Village any fees conducting this business in your house. Mr. Lembo stated not that he is aware of, no, other than the application fee. Ms. Desimone verified that he could run this business with no charge, correct. Mr. Lembo continued correct, he believed so, correct. CEO Johnstone stated there is no licensing fee to run a business out of your home or any other commercial property; there is no licensing fee to run a

business in the Village. Ms. Desimone continued of this type. CEO Johnstone continued any type. Ms. Desimone continued of any type. CEO Johnstone added any business. Ms. Desimone asked what would be another type of business. CEO Johnstone stated bike sales, a sub shop; there is no licensing fee to run any business in the Village.

Mr. Mondello stated like an estate sale, they do not know where to get rid of them, are you going to assist in the sale of the guns too. Mr. Lembo stated like they want to auction them, they do not have a specific party in mind. Mr. Mondello continued he has guns hypothetically, he passes away and his wife does not know what to do with them and she contacts you, can you take them and sell them for her. Mr. Lembo continued yes, if she wanted to auction them, there are sites like Gunbroker; we could take pictures and auction them off and legally transfer them to another FFL local to the person that purchases them that FFL would perform a background for the purchaser.

Chairperson Lancette asked in a setting if someone wanted to buy a gun like via an auction or online retailer, the homeowner is prohibited from having a gun shipped to their house directly, correct. Mr. Lembo stated correct, it has to go through a licensed FFL. Chairperson Lancette clarified so it has to transfer like the person selling the gun via a licensed FFL and they would have to transfer it to someone like you that has an FFL in order for the client to pick the gun up. Mr. Lembo continued correct. Chairperson Lancette asked that is after they go through the background check with the federal government. Mr. Lembo added yes.

COUNTY PLANNING

Chairperson Lancette stated County Planning Resolution is not required per Municipal Agreement dated 12/12/1993.

SEQR MOTION

Chairperson Lancette asked if we need to go through the Short Environmental Assessment Form to determine the SEQR. Atty. Germain stated you could probably get away with a simple Negative Declaration to the SEQR which would be a resolution, if you do not have it prepared he can certainly give it to you, if you so move. The Chairperson stated he think we would rely on you counsel to give us the resolution.

Mr. Mondello made a motion to move for an adoption of a resolution that the Planning Commission of the Village of North Syracuse hereby determines based upon the applicant's complete environmental assessment, the information presented by the applicant, the Planning Commissions person knowledge of the Site, and all other information presented and proceedings had herein that the proposed action will not have a significant effect on the environmental and that his resolution shall constitute a **Negative Declaration** for the purposes of Article 8 of the Environmental Conservation Law of the State of New York. **The motion was seconded** by Mr. Kolodzie. All in Favor.

SUNSET CLAUSE MOTION

Chairperson Lancette stated we have a provision called a Sunset Clause, in this case what date would you expect to have the copies of the license to the Codes Department. Mr. Lembo clarified the federal license, the FFL, correct. Chairperson Lancette continued yes. Mrs. Fuller asked the Chairperson as he is making his determination and we heard earlier that some of the licenses are taking up to 6 mos. to come through, so as he projects his time, just know that things are not moving, as quickly because of the Covid. Mr. Lembo stated his understanding is the ATF is required to give you a response within 60 days that is what the agent that he spoke with, Don Burke told him. He went on that we had submitted an application, but because of the time of the Planning Committee, we had to withdraw the application; because this meeting was not going to happen within the 60 days of our original application. He added pending approval, we would resubmit the application and then within 60 days from that date and he will probably send it out tomorrow, so within 2 mos. we would probably expect to receive the license. Chairperson Lancette added we have been told at times that there are delays in the system, and if it is allowed and moves forward we would like to have you build a little cushion in a time frame window like 6 mos.-8 mos. Mr. Lembo continued that would be fair 6 mos.-8 mos.

Mrs. Irick made a motion to approve an 8 month sunset clause to expire on January 6th, 2022. **The motion was seconded** by Mrs. Sharp. All in favor.

Chairperson Lancette explained if the applicant cannot complete the project by the Sunset Clause date, they will need to contact the Codes Officer prior to that date to request to come back before the Planning Commission to request an extension Mr. Lembo. He asked if he understood that. Mr. Lembo stated yes.

SITE PLAN MOTION

Mr. Mondello made a motion to approve the Site Plan contingent with the conditions listed below. **The motion was seconded** by Mr. Kolodzie. Roll Call Vote: J. Bachstein-No. Chairperson Lancette asked Ms. Desimone for her vote. Ms. Desimone stated she was sorry, what was the question. Chairperson Lancette explained it was on the motion that had been brought forth and seconded to approve the Site Plan Application. Mrs. Fuller stated she did not think she heard the conditions. Chairperson Lancette apologized and stated the motion was made to approve the Site Plan with conditions of a copy of the ATF License to be given to the Codes Department with the note that failure to comply with the above condition will result in the Special Permit for a Home Occupation to be revoked; that was the motion. He continued we started with Mr. Bachstein on the voting, you are next up Ms. Desimone, in favor of or against. V. Desimone-Yes, E. Sharp-No, P. Kolodzie- Yes, C. Irick-No, G. Lancette-Yes, S. Mondello-Yes. 4, Voting in favor. 3 Opposed. Ms. Desimone asked if she could change her vote. Atty. Germain stated she already voted. Motion Approved.

SPECIAL PERMIT MOTION

Mr. Mondello made a motion to approve the Special Permit. **The motion was seconded** by Mr. Kolodzie. Roll Call Vote: J. Bachstein-No, V. Desimone-No, E. Sharp-No, P. Kolodzie-Yes, C. Irick-No, G. Lancette-Yes, S. Mondello-Yes. 3, Voting in favor of. 4 Opposed. Motion denied. Chairperson Lancette announced the application failed in total. Chairperson Lancette stated Mr. Lembo, the application failed in total based on the votes just cast here.

Chairperson Lancette asked for a motion to adjourn the meeting. **Mrs. Irick made a motion** to adjourn the meeting at 7:00 PM. **The motion was seconded** by Ms. Desimone. All in favor.

Respectfully submitted,



Pearl Fuller
Secretary