

Town of Union Planning Board Minutes
Tuesday, March 25, 2008

A regular meeting of the Town of Union Planning Board was held on Tuesday, March 25, 2008 at the Town of Union Office Building, 3111 East Main Street, Endwell, New York.

Members present: S. McLain, A. Elwood, L. Miller, B. Seliga, R. Signorelli

Members absent: T. Crowley, J. Rotella

Others present: Paul Nelson and Marina Lane

A. CALL TO ORDER

Chairman McLain opened the regular meeting of the Planning Board at 7:00 p.m.

B. APPROVAL OF MEETING MINUTES: March 11, 2008

Chairman McLain and Ms. Lane asked that the minutes be amended as follows:

The second paragraph on Page 2 should read: At tonight's meeting Mr. Mechling handed Chairman McLain a Certificate of Underground Line Testing dated June 25, 2007 indicating the safety of the gasoline storage tanks. Ms. Lane will forward the report to the Broome County Groundwater Specialist, Ron Brink.

On Page 2, under Variance Requests, Number 3 should read: Section 205-27 of the zoning Ordinance states that the street setbacks shall be unobstructed, except for the 6 exemptions listed in the Code Book. Enclosed refuse structures are not listed as an exemption. A variance is required to allow the refuse structure within the street setback.

Chairman McLain asked for a motion to accept the March 11, 2008 meeting minutes as amended.

Motion made: A. Elwood
Motion seconded: R. Signorelli
MOTION: Approving the minutes as amended.
VOTE: **In Favor:** S. McLain, A. Elwood, L. Miller, R. Signorelli
Opposed: None
Abstained: B. Seliga
Motion Carried

C. COMPREHENSIVE PLAN DISCUSSION

Mr. Nelson reminded the Board that the Comprehensive Plan will consist of three bound sections: 1) Technical Background, 2) Goals and Objectives and 3) Neighborhood Profiles. He gave each Board member a copy of three more sections of the Goals and Objectives for review: Introduction (Section 1), Community Profile (Section 3) and Culture, Arts and Entertainment (Section 15).

Ms. Lane had written much of Section 15, and she asked that the members review it carefully and let her know if anything should be added or changed. Mr. Nelson said he will add specific projects that have been funded with block grant money, such as improvements done for EPAC and the Goodwill Theatre.

Mr. Signorelli asked if an Introduction might be appropriate for the Neighborhood Profile section since it is undoubtedly the section that residents will read most often. Although intended to be a stand-alone section, Mr. Nelson said it is closely tied to the Goals and Objectives and therefore he believes the Introduction for that part should be adequate to serve both sections.

Mr. Nelson said that he would like members to think of two more questions that would be helpful for the Frequently Asked Questions in the Introduction and to forward any suggestions to him. He also said there are minor details yet to be finalized such as an amendment process for the Plan and completion of a full environmental review. Such a review, done as part of the Plan, would be appealing to developers as it would streamline the application process and minimize the waiting period for SEQRA reviews to be completed when a site plan is brought in that is consistent with the Plan.

Ms. Elwood asked how residents would be notified of the upcoming open houses. Mr. Nelson stated that the Press and Sun Bulletin advertisement is ready except for the exact days and times. He is waiting to hear from the Endicott Visitor's Center on when a Saturday date is available. If there is not one available, it was suggested that Union Endicott High School or the American Red Cross building be considered. Once that date is established, he will schedule the other four open houses (Ann McGuinness Elementary School, JC Senior Center, Western Broome Senior Center and Highland Park Recreation Center). Board members are encouraged to attend as many open houses as they wish in order to greet residents and assist Mr. Nelson and Ms. Lane with questions.

Members were again asked to review the proposed Comprehensive Plan and send changes and suggestions to Mr. Nelson as soon as possible.

OTHER SUCH MATTERS AS MAY PROPERLY COME BEFORE THE BOARD

- Broome County and the Department of State will be offering a training session on April 8, 2008, from 5:30 to 8:30. Members are encouraged to attend and will be able to earn three of the four required hours of training.

Planning Board Minutes, March 25, 2008

Because of the session, it was agreed that the Planning Board meeting scheduled for that night would be moved to April 15, 2008. Board members planning to attend the training session should notify Ms. Lane by April 3, 2008.

- Chairman McLain asked if any information had been found out about the DEC Model Ordinance for flood plain management discussed at the last meeting. Ms. Lane said she had spoken to Larry Lepak of the DEC and he had sent her a copy of the ordinance which she said was in need of quite a bit of refinement. She will be looking more closely at it in the future. She said he also encouraged her to contact the Town of Kirkwood who recently passed a stringent Flood Plain Development Ordinance. Their plan shows that developers who are allowed to fill in the flood plain are required to excavate an equal amount of land also in the floodplain to compensate for the fill.
- Chairman McLain, Mr. Nelson and Ms. Lane said they were part of the committee responsible for interviewing firms who will prepare a new Zoning Code for the Town. When making a decision on a firm they said that cost, experience and the personality of the people connected with the group are important. Two of the groups priced their products as “all inclusive” and one “plus expenses.” All three had experience in New York State and one had considerable national experience. They said that each of the three groups that were interviewed had strengths and weaknesses, but they had reached a consensus on the one they felt would be best for the Town. The committee will be making their recommendation to the Town Board who will then make the final decision.
- Mr. Signorelli brought up a concern about the intersection near the Park Manor Plaza and the danger it presents for pedestrians crossing between the CVS and the Giant. Other Board members agreed that they too have witnessed pedestrians at risk in the busy intersection. It was a potential problem that the Board had raised when the site plan was presented, but it had been minimized by the developer. Ms. Lane will speak with Phillip Akel about the concern.
- Ms. Elwood asked if there was any progress on the decision on a flood wall on the east side of Watson Boulevard. Mr. Nelson responded that a potential solution is under discussion.
- Ms. Elwood asked if the Polar Shot Driving Range was going to be allowed to bring back the trailer that they had been given only temporary permission to have on their property. It is currently not on the site. They have been operating their business from the trailer and do not have public restrooms. Similar businesses, such as Legends at Dimmock Hill, are required to follow Town ordinances and are questioning the reason they must adhere to Code when other businesses are excused. Chairman McLain will write a letter to

Steve Rafferty in Code Enforcement and request that he address the situation.

- Ms. Lane said that neighbors near the establishment at 1001 Union Center Highway have complained about the removal of bushes and trees. Despite a site plan that shows required landscaping, the owners removed all vegetation and paved their entire parking lot. Ms. Lane said the property is under new ownership and he may not be aware of his need to adhere to the site plan. Chairman McLain will include a request in the letter to Steve Rafferty mentioned in the previous item to address this situation as well. Mr. Nelson said that this is a fairly common problem and it seems to him that in the future it would be helpful to have a procedure where, for example, someone from Code Enforcement did a physical inspection, charged a nominal fee, and had new owners sign a letter showing that they know their obligations.
- Mr. Signorelli said that he drove past Jason Miller's property on Route 26 to follow up on Mr. Crowley's question about the outside storage of equipment and that he was very concerned by what he saw. Ms. Miller also expressed concern and asked if they had ever been granted a Certificate of Occupancy as she recalled only a Temporary CO being granted. There was discussion about Mr. Miller's right to have more than one use for a property, and it is unclear whether he is allowed to be storing the equipment. Ms. Lane said she will check into the situation and report back to the Board.
- Ms. Lane said that Mike Malarkey will be coming in soon with another site plan for a new property requiring a minor variance request. There is a small land dispute that must be settled before he will be in with his plan.

D. ADJOURNMENT

Motion made: R. Signorelli
Motion seconded: L. Miller
MOTION: Adjourning the meeting at 8:35 p.m.
VOTE: **In Favor:** S. McLain, A. Elwood, L. Miller, B. Seliga, R. Signorelli
Opposed: None
Abstained: None
Motion Carried

Next Meeting Date

The next regular meeting of the Planning Board is scheduled for Tuesday, April 15, 2008 at 7:00 p.m.

Respectfully submitted,

Dawn Foti