

Town of Union Planning Board Minutes
Tuesday, July 22, 2008

A regular meeting of the Town of Union Planning Board was held on Tuesday, July 22, 2008 at the Town of Union Office Building, 3111 East Main Street, Endwell, New York.

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

Members absent: J. Rotella

Others present: Paul Nelson, Marina Lane, Alan Pope, Scott Weissmann, Henry Weissmann, Anthony Mattioli, Ferne Mattioli, Mike Tomanocy, Matt Napierala, Bill O'Brien, Shirlee O'Brien, Mark Westcott, Steven Grossman, George Haus, Nancy LaBare

A. CALL TO ORDER

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

B. APPROVAL OF MEETING MINUTES: June 17, 2008

Chairman McLain asked for a motion to accept the June 17, 2008 meeting minutes as written.

Motion made: B. Seliga

Motion seconded: L. Miller

MOTION: Approving the minutes from June 17, 2008 as written.

VOTE: **In Favor:** S. McLain, T. Crowley, A. Elwood, L. Miller, B. Seliga, R. Signorelli

Opposed: None

Motion Carried

C. NEZUNTOZ, 800 HOOPER ROAD: Dumpster Fence Revision

Site Plan approval for this property included a dumpster Fence Plan for a 12 x 12 area with a vinyl fence. The owner recently sold the business contingent upon installing the fence. The owner requested to revise the plan to reduce the limits of the fencing to a 12 x 8 area and change the material from vinyl to a pressure treated and stained wood.

Chairman McLain asked for a motion to approve the dumpster fence revision plan.

Motion made: L. Miller
 Motion seconded: R. Signorelli
 MOTION: Approving the request to revise the fence plan.
 VOTE: **In Favor:** S. McLain, T. Crowley, A. Elwood, L. Miller, B. Seliga, R. Signorelli
Opposed: None
 Motion Carried

D. 1017 MIDDLE STELLA IRELAND ROAD, MATTIOLI WAREHOUSE: Parking Space Waiver

Ms. Lane explained that the owner of this property has submitted a Site Plan to modify the use of his property to sell mattresses. He is requesting that the Board waive the number of parking spaces required under Town Code because the proposed paving of the driveway and parking lot would yield stormwater runoff in estimated volumes greater than that permitted by the Broome County Highway Department. Currently the area is hard packed gravel and supports a dog care/training business. The owner of that business told Ms. Lane that typically her business uses only one parking spot at a time with an occasional hour-long training session when six to eight spots would be used. The mattress warehouse is by appointment only with occasional tractor trailer deliveries. The Planning Board has the option to waive some of the parking requirements as long as there is adequate space. Mr. Nelson shared pictures submitted by a neighbor that showed drainage backing up during a recent rain. The drainage problem appears to originate at the neighboring fire house but the County will not increase the stormwater drainage in that area. Reducing the paving required under Town Code might result in a zero increase in storm runoff and would allow Mr. Mattioli to use his property. Mr. Nelson explained to Mr. Mattioli that if his request is approved and more parking is needed in the future, he would have to return to the Planning Board for permission and, if approved, some type of mitigation would be required. Also he explained that if the Board does grant the waiver, the area where the parking spaces are removed will have to be clearly marked "reserved for future parking" on the Site Plan.

Chairman McLain asked for a motion to grant the parking space waiver with the minimum number of parking spaces removed in order to achieve a zero net increase in runoff.

Motion made: A. Elwood
 Motion seconded: R. Signorelli
 MOTION: Approving the request to waiver parking spaces.
 VOTE: **In Favor:** S. McLain, T. Crowley, A. Elwood, L. Miller, B. Seliga, R. Signorelli
Opposed: None
 Motion Carried

E. MANLEY’S CAR WASH, 3121 WATSON BOULEVARD

1) SEQRA Determination

Mr. Napierala, engineer for the project, described the proposed development of this property which was originally presented to the Board at the last regular meeting. Based on the comments from that meeting, minor changes were made to the proposed plan. One issue that was addressed was the stormwater impact which had shown a nominal increase. Since no increase is allowed, the site plan now includes a catch basin to take run-off from the north and west areas of the site and then directs it toward the storm sewer lines in Watson Boulevard. The County did drainage analysis and gave approval on condition that the basin is certified by Engineering during construction. The catch basin was described as a grass depression with a four feet drop and a maintainable grass sloped area. Mr. Nelson cautioned that cross easements need to be done for drainage in case the property is ever sold in the future.

Mr. Napierela also discussed the fence that will be erected on the north side of the property. The existing 6-foot fence will be extended to Beckwith Avenue but will graduate to an 8-foot height to protect the privacy of the neighboring homeowner. Spirea and juniper trees will be planted alternately around the perimeter of the development. The opening onto Beckwith was discussed. The owners want the driveway for convenience and for better operation of the site, such as snow removal. The driveway would be closed during peak times when cars are required to stack on the property. The developer is proposing to use a galvanized chain when the driveway is not in use, but Board members were concerned with the aesthetics of such a chain as well as safety of customers who normally use the entrance and might not realize the chain is there during those peak times. There was discussion on the best way to block the entrance when not in use. Since it was agreed that hanging a sign or flags from the chain would not be aesthetically pleasing, other systems were suggested such as removable bollards or removable candlesticks. Mr. Crowley expressed concern about the noise from carwash blowers disturbing neighbors. It was decided that the doors on the north side will be closed during car wash cycles.

Ms. Lane read the Description of Action and Reasons Supporting This Determination from the Negative Declaration.

Chairman McLain asked for a motion to approve the Negative Declaration under SEQRA.

Motion made: B. Seliga
 Motion seconded: R. Signorelli
 MOTION: Approving the declaration.
 VOTE: **In Favor:** S. McLain, T. Crowley, A. Elwood, L. Miller, B. Seliga, R. Signorelli
Opposed: None

Motion Carried

2) Site Plan Review

Ms. Lane read the Site Plan Review, Staff Findings, and Staff Recommendation and Review from her memorandum dated July 22, 2008. Under Staff Recommendation and Review the following changes/additions were made:

- Number 1: Include cross-easements for both access and drainage easements.
- Number 4: The date for completion of landscaping was changed from September 30, 2008 to November 30, 2008. Also, the applicant may submit cash security rather than a bond if desired.
- Number 6: It was noted that the sign plan has already been submitted. However, since the height of the proposed sign exceeds Town Code it will have to be resubmitted with the height change to 16 feet to be approved by the Planning Board and stamped as part of the Site Plan.
- Two recommendations were added: (1) Carwash doors on the north side of the building shall close during car wash cycle at all times of the year. (2) Plans for temporary closure of Beckwith entrance will be submitted. A removable bollard system, a removable candlestick system, or an enhanced chain system will be submitted to the Planning Department for review and approval prior to the plans being stamped.

Chairman McLain asked for a motion to approve the Site Plan with conditions.

Motion made: T. Crowley
 Motion seconded: A. Elwood
 MOTION: Approving the Site Plan with conditions.
 VOTE: **In Favor:** S. McLain, T. Crowley, A. Elwood, L. Miller, B. Seliga, R. Signorelli
Opposed: None
 Motion Carried

F. 947 AND 945 HARVARD STREET, 507 CARL STREET: Rezoning Petition, Advisory Opinion

Mr. Crowley recused himself during this discussion.

Ms. Lane explained that an advisory opinion had been done for this property some time ago, but because so much time had passed Mr. Pope advised that the process be started over again. She then read the Rezoning Petition, Environmental Review and Staff Recommendation from her memorandum dated July 22, 2008. Members agreed the requested rezoning was consistent with the draft Future Land Use Plan.

grubbed, strictly for information purposes. There was some discussion about the concern about slow-moving vehicles and the need for signs warning drivers. Ms. Lane will speak to the developers about that concern.

Chairman McLain asked for a motion that the following action items shall be permitted following the pre-construction meeting on the condition that payment of the recreation fee be submitted to the Town within three business days from the date of the bond closing or the developer will immediately stop work:

- Site Mobilization (move equipment and trailers to site)
- Survey Layout
- Erosion Control (silt fence placement per SWPPP)
- Construction Entrances (stone base down at construction entrances)
- Clearing and Grubbing (cutting down designated trees and brush and pulling out tree stumps)

Motion made: T. Crowley
 Motion seconded: R. Signorelli
 MOTION: Approving the motion to allow action items with stipulations.
 VOTE: **In Favor:** S. McLain, T. Crowley, A. Elwood, L. Miller, B. Seliga, R. Signorelli
Opposed: None
 Motion Carried

I. OTHER SUCH MATTERS AS MAY PROPERLY COME BEFORE THE BOARD

- Mr. Crowley expressed concern about the Manley’s Carwash project and the impact on the neighbors. He suggested that a sign should be erected by the Town that cars are not to block the Mr. O’Brien’s driveway. Ms. Lane will send Mr. O’Brien a letter stating that if it becomes a problem he should contact the Planning Department.
- Mr. Nelson explained that a Steering Committee for the new Unified Zoning Ordinance is being formed. A volunteer from the Planning Board is needed for the committee which will be made up of Code Enforcement Directors from each of the three communities, a representative from each of the three Planning Boards, and each of the three Zoning Boards along with other members. Details on meeting times or days have not been decided. Ms. Elwood volunteered to represent the Planning Board.
- Ms. Lane said that the Public Hearing planned for the Walsh project has been postponed until a hydraulic study can be completed.

- Mr. Nelson distributed copies of the minutes from the joint Town Board and Planning Board that was held on June 26, 2008. He asked that members read them for approval at the next regular meeting.
- Mr. Signorelli mentioned the excellent job done on the renovated KwikFill and what a great improvement it was for Main Street.
- There was some discussion about the concern over permits being issued for electronic message board signs. Town Code expressly prohibits their use.

J. ADJOURNMENT

Motion made: B. Seliga
Motion seconded: L. Miller
MOTION: Adjourning the meeting at 9:50 p.m.
VOTE: **In Favor:** S. McLain, T. Crowley, A. Elwood, L. Miller, B. Seliga, R. Signorelli
Opposed: None
Abstained: None
Motion Carried

Next Meeting Date

A Public Hearing and regular meeting of the Planning Board are scheduled for Tuesday, August 5, 2008 at 7:00 p.m.

Respectfully submitted,

Dawn Foti