

Town of Union Planning Board Minutes
Tuesday, August 5, 2008

A regular meeting of the Town of Union Planning Board was held on Tuesday, August 5, 2008 at the Town of Union Office Building, 3111 East Main Street, Endwell, New York. Chairman McLain opened the Planning Board meeting at 7:00 p.m. A Public Hearing for the proposed Town of Union Planning Board Rules and Procedures was held at 7:02 PM. The Planning Board meeting resumed at 7:07 at the conclusion of the Public Hearing.

Members present: S. McLain, T. Crowley, A. Elwood, L. Miller, J. Rotella, R. Signorelli

Members absent: B. Seliga

Others present: Paul Nelson, Marina Lane, Anthony Mattioli, Ferne Mattioli

A. CALL TO ORDER

Chairman McLain opened the regular portion of the meeting of the Planning Board at 7:07 p.m.

B. APPROVAL OF MEETING MINUTES: July 22, 2008 and June 26, 2008

Chairman McLain asked for a motion to accept the July 22, 2008 meeting minutes as written.

Motion made: A. Elwood
Motion seconded: R. Signorelli
MOTION: Approving the minutes from July 22, 2008 as written.
VOTE: **In Favor:** S. McLain, T. Crowley, A. Elwood, L. Miller, R. Signorelli
Opposed: None
Abstained: J. Rotella
Motion Carried

Chairman McLain asked for a motion to accept the June 26, 2008 minutes from the joint meeting of the Planning Board and Town Board as written.

Motion made: L. Miller
Motion seconded: T. Crowley
MOTION: Approving the minutes from June 26, 2008 as written.
VOTE: **In Favor:** S. McLain, T. Crowley, A. Elwood, L. Miller, R. Signorelli
Opposed: None
Abstained: J. Rotella
Motion Carried

RULES AND PROCEDURES: Public Hearing

A concern was raised about the Rules and Procedures as written. Mr. Signorelli pointed out that although postponement of a request is addressed, withdrawal of an application is not. Although historically it has not been an issue, the Board recently had an applicant withdraw their application immediately before the Planning Board was to vote on an advisory opinion for a rezoning request. Since it was only an advisory opinion, the Board chose to proceed with the vote for the rezoning referral. Mr. Nelson pointed out that, unlike a postponement, withdrawal of an application would mean that if the applicant wanted to continue with the project the process would have to start at the beginning so it would not be a decision an applicant would take lightly. The concern of the Board is that it may be unfair to those opposing the project who took time to attend the meeting and who may have also paid for their own legal representation to be in attendance. Because the situation is rare, it was agreed that it should be handled on a case-by-case basis rather than spelled out in the rules. If it becomes an issue in the future, the Rules and Procedures can easily be amended by the Planning Board with a majority plus one vote.

Chairman McLain asked for a motion to adopt the final draft of the Town of Union Planning Board Rules and Procedures.

Motion made: R. Signorelli
Motion seconded: L. Miller
MOTION: Approving the final draft of the Rules and Procedures.
VOTE: **In Favor:** S. McLain, T. Crowley, A. Elwood, L. Miller, J. Rotella, R. Signorelli
Opposed: None
Motion Carried

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

- Mr. Mattioli gave an update on his rezoning request for a mattress warehouse. He stated that he was contacted by Mike Restino from the Broome County Highway Department and told that the County will correct the stormwater runoff problem on his property. According to their discussion they will provide the labor but he will have to pay for the material. The work will hopefully be done in September, in time for the parking lot to be paved before the end of blacktop season. Ms. Lane will speak to someone at the County regarding the timing of the project. The new drainage system will have to be included on a revised site plan and the plan resubmitted for approval of the Planning Board.
- Mr. Nelson asked for members' thoughts on the rezoning of properties at a less intensive use than what has been recommended in the Future Land Use Plan. He stated that it is very conceivable that projects might be

proposed that would not fit a recommended Future Land Use category but would have a less intensive use and be beneficial to the Town. It was unanimously agreed that the Board would be open to such proposals and that the Comprehensive Plan must have room for flexibility.

- The Board discussed the remaining process for acceptance of the Comprehensive Plan. Mr. Nelson explained that the Comprehensive Plan is subject to an environmental review under SEQRA. The review will be included as part of the final Plan and a public hearing held before submitting it to the Town Board. He explained the two types of environmental procedures that are permissible under SEQRA: (1) a Generic Environmental Impact Statement (GEIS) or (2) a Long Environmental Assessment Form (EAF). The advantage of the GEIS is that if someone submits a development plan for approval and it is consistent with the Comprehensive Plan, further environmental review will not be necessary unless it involves rezoning. However, Mr. Nelson indicated that he received very little feedback from department heads when the draft of the Comprehensive Plan was released in March and therefore he is hesitant about putting a lot of work into a GEIS when he is not sure if everyone is in agreement with the Plan. He explained that the last section of the GEIS requires an explanation of the impact of what is being proposed as Future Land Use recommendations, a no-build scenario, and alternative scenarios; at this point there just has not been enough discussion on these details. There is a specific process with waiting times for the GEIS that would delay the adoption of the Comprehensive Plan. Mr. Nelson said the narrative for the EAF is almost completed and can be finished in time to have the Comprehensive Plan approved this fall.

Chairman McLain asked for a motion to have the Planning Department prepare a Long Environmental Assessment Form for the Comprehensive Plan.

Motion made: A. Elwood

Motion seconded: T. Crowley

MOTION: Approving the preparation of the long EAF.

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

Opposed: None

Motion Carried

- Ms. Lane gave an update on the Good Shepherd project. Construction entrances with silt fences for erosion control have begun. Minor complaints from neighbors have been addressed and corrected. Placement of one neighbor's mailbox, which now is in the middle of a construction entrance, will have to be handled by the Post Office. The construction manager for the project has been very responsive. Mr.

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Nelson encouraged members to check their e-mail often for any concerns or updates.

- Ms. Lane stated she has not received a plan from Manley's regarding a plan for the Beckwith entrance.

D. ADJOURNMENT

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

Next Meeting Date

A regular meeting of the Planning Board is scheduled for Tuesday, August 26, 2008 at 7:00 p.m.

Respectfully submitted,

Dawn Foti