

**Town of Union and Villages of Endicott and Johnson City Planning Boards**  
**Joint Comprehensive Plan Meeting and Public Hearing**  
Thursday October 29, 2008

A joint Comprehensive Plan meeting with Public Hearing for the Town of Union and Villages of Endicott and Johnson City Planning Boards was held on Thursday, October 29, 2008 at the George Korutz Justice Building, 31 Avenue C, Johnson City, New York.

**Town of Union**

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

**Village of Endicott:**

Members present: E. Mooney, D. Mooney  
Members absent: E. Hausamann, K. Kunz, R. Mullin

**Village of Johnson City:**

Members present: W. Klish, J. Drimak, P. Hysell  
Members absent: G. Putman, L. Sas

Others present: Paul Nelson, Marina Lane, Stephen Hrustich, Dee Golazeski, Dino Petrilli, Larry Drumm, Charlie Wage, Charles Colley, Alberta Fiori, Roger Thorpe, Jeff Hoskins, Scott Forster, Mike Tugwell, Jeffrey Feinberg, Beverly Moyle, Jane Williams, Joanne Wage, Carl Williams, John Bernardo, Michael Arcangeli, J. Testani, several other unknown attendees.

**A. CALL TO ORDER**

Chairman McLain, Chairman of the Town of Union Planning Department, asked for a motion to call the meeting to order.

Motion made: W. Klish, Chairman of the Village of Johnson City Planning Board  
Motion seconded: E. Mooney, Chairman of the Village of Endicott Planning Board  
MOTION: Calling the meeting to order.  
VOTE: **In Favor:** S. McLain, A. Elwood, L. Miller, B. Seliga, R. Signorelli, E. Mooney, D. Mooney, W. Klish, J. Drimak, P. Hysell  
**Opposed:** None  
Motion Carried

**B. PRESENTATION OF COMPREHENSIVE PLAN**

Mr. Nelson, Planning Director for the Town of Union, did a brief presentation of the Comprehensive Plan. He began with a profile of the Town and Villages that influenced long-range planning:

- The Town of Union is the 18<sup>th</sup> largest town in New York State, Johnson City the 19<sup>th</sup> largest in villages and Endicott 22<sup>nd</sup> in total population.
- The population has dropped since 1970, with the Town of Union losing 13% in population, Johnson City 9% and Endicott 16%.
- The area is facing an aging population at a rate higher than the national average and than that of Broome County.
- Housing stock is aging.
- Brownfield sites exist, causing some contamination issues.
- There are still large “green” areas within in the town, but many have steep slopes, wetlands, and inadequate utilities making development difficult.
- The rate of home ownership is much lower in the two villages than the 67% average across the country.
- There is a need for more proactive code enforcement.

He explained that the process of preparing the Comprehensive Plan was started in the late 1990s with informal neighborhood meetings followed by a scientific survey in 2003-2004. The next step was demographic data gathering and analysis including a review of housing, income, age of population, existing land uses, and existing zoning. The demographic data for the plan was based on the 2000 census. The new data from the census that will be taken in 2010 will be available in late 2012 and that data will be used to prepare the first update of the plan. A preliminary draft plan was prepared and released for public comment in April and five open house meetings were held throughout the town and villages giving residents an opportunity to ask questions and view future land use maps, aerial photographs, and maps of existing land use. Using comments from these meetings, a final proposed plan was released on October 10, 2008. Mr. Nelson then explained that by law the Planning Boards are required to have at least one Public Hearing prior to submitting the plan to their respective elected boards for final consideration. The three elected boards must then each hold at least one Public Hearing and can adopt the proposed plan as written and recommended by the Planning Board, modify it, or choose not to accept it. He stated that although a Comprehensive Plan is not required by law, having an approved plan facilitates grant writing activities. Many state and federal programs now require that grant applications be in accordance with approved local plans.

Mr. Nelson outlined the different work products contained in the Comprehensive Plan including Technical Background Reports, Goals and Objectives, and twenty-five Neighborhood Plans. As a result of creating this plan, several issues are being addressed on a regional level now such as water, sewer, storm water, hazard mitigation, regional economic development, river crossings, and Main Street corridor improvements. Several grant applications were successfully written including:

- Hazard mitigation
- Flooded property demolitions
- Completion of the flood wall in Fairmont Park area
- Restore New York money for blighted structures.
- Applications through state Main Street Program
- Environmental Protection Fund
- Park improvements

- Heritage Area Program
- Local Waterfront Revitalization Program (LWRP)
- Grant for unified zoning ordinance

Mr. Nelson said that the Planning Department has kept the public informed by holding five open house meetings and posting all documents on the Town of Union web page as well as at Town and Village Halls and local libraries.

### **C. PUBLIC HEARING**

Chairman McLain called the public hearing to order at 7:28 p.m.

Chairman McLain welcomed those present. She asked that in the interest of fairness each person speak once and that comments be kept to three minutes. If time remained, a second comment would be allowed. People were directed to be recognized by the Chairman, to stand, and to give their name and address before speaking. Chairman McLain then read the Notice of Public Hearing:

## **NOTICE OF PUBLIC HEARING TOWN OF UNION PLANNING BOARD**

**PLEASE TAKE NOTICE** that a joint public hearing is scheduled for ***Wednesday, October 29, 2008*** at 7:00 o'clock in the evening in the George Korutz Justice Building located at 31 Avenue C, Johnson City, New York (second floor training room) relative to the proposed Unified Comprehensive Plan for the Town of Union including the Villages of Johnson City and Endicott. A copy of the plan is available for review at the following locations:

- Town of Union Planning Department, 3111 E. Main Street, Endwell, NY
- Village of Johnson City Planning Department, 243 Main Street, Johnson City, NY
- Your Home Public Library, 101 Main Street, Johnson City, NY
- George F. Johnson Memorial Library, 1001 Park Street, Endicott, NY
- Village of Endicott Clerks Office, 1009 E. Main Street, Endicott, NY

On October 16, 2008 an electronic version of the proposed Unified Comprehensive Plan will also be available for review in the Planning/Zoning section of the Town of Union web page at [www.townofunion.com](http://www.townofunion.com).

**Written comments are encouraged and may be sent to the Town of Union Planning** Department at the address listed above and must be received by 3:00 PM on or before Monday, November 10, 2008. Comments may also be submitted via e-mail to [plnboard@townofunion.com](mailto:plnboard@townofunion.com).

Individuals with special needs requiring accommodations may contact the Planning Department at 786-2975 at least 24 hours prior to the scheduled public hearing.

BY ORDER OF THE  
***Town of Union Planning Board***  
Susan McLain, Chair

Chairman McLain opened the floor for questions or comments. The following summarizes the statements and questions:

- Dino Petrilli, 568 Hooper Road, Endwell, NY

Mr. Petrilli expressed concern about Neighborhoods 16 and 17 in Endwell where he feels that thirteen properties will be negatively affected by a change in land use. The Comprehensive Plan analysis used the officially recognized census boundary of Hooper Road to suggest the land use on the west side as Residential/Office mixed use. He expressed concern that commercial development could happen across from his home changing the nature of his neighborhood. He has been a resident for ten years and takes pride in his home and does not want his neighborhood to change. He stated that he had a letter, with an accompanying petition signed by his neighbors, expressing their dissatisfaction with the change in land use. Chairman McLain said the Planning Board would welcome the letter but suggested that he present it at a different time.

- Larry Drumm, 251 Endwell Street, Johnson City, NY

Mr. Drumm asked if the Comprehensive Plan offers anything for older people in the town who want to stay in their residences rather than move to senior housing. He sees little being done to encourage it. Mr. Nelson responded that there is a committee of seven residents from the part-town area and villages that make recommendations to the Town Board on how to spend federal funds each year that are set aside for people to improve their homes. Mr. Drumm added that he would like to see stronger code enforcement to encourage residents to keep their neighborhoods attractive.

- Charlie Wage, 281 Twist Run Road, Endwell, NY

After reading the article about the Comprehensive Plan in the *Press and Sun Bulletin*, Mr. Wage detected an emphasis on increased high-density residential development in rural areas. He stated that he had experience in the Hudson Valley area with land use and that the main emphasis there was on open space. He said there are other things that can be done in the Town besides building houses and that studies show that while development on the surface appears to increase revenue for a town through taxes, higher taxes can't actually support the infrastructure required. Mr. Wage also asked how changing the open area to rural residential was going to affect anticipated gas drilling in the area and whether there would then be a necessity to apply for variances or conditional use permits in order to allow drilling. He added that one objection to gas

drilling is that it will change the character of an area, but he feels high density development would be a more severe change. Mr. Wage's last question was in regard to the Unified Zoning Ordinance planned by the Town and Villages. He was curious as to what it involves and whether it would be Euclidian zoning.

Mr. Nelson responded to Mr. Wage's questions by explaining that the article in the paper was short and not completely clear. The proposed change is actually reducing density and shouldn't conflict with gas drilling although drilling activities are governed by New York State DEC and not the town and villages. The Planning Boards are recommending less density rather than more. Regarding the type of zoning to be used, Mr. Nelson said that they will be asking the consultant to investigate the use of form-based zoning to allow flexibility in order to encourage higher quality development to take place when possible.

- Charles Colley, 1641 Nanticoke Drive, Endicott, NY

Mr. Colley expressed disfavor over allowing people to build houses where there is no sewer or water. He discussed a situation twenty years ago when the Town of Union rezoned an area along Rt. 26 in Union Center to commercial, but then never put in the promised water and sewer. He said less than a year ago 11.5 acres of the flood plain were filled in with commercial garbage, such as highway waste and construction demolition, and someone is now running a truck garage there. With no sewer, the diesel engine oil is going into the ground and into Nanticoke Creek, a New York State Trout Stream. He has complained to the Town Board and Planning Board but is not satisfied with the answers he received. Chairman McLain suggested that he return to the Town again with his concerns.

- Alberta Fiori-Gazda, 527 W. Main Street, Endicott, NY

Ms. Fiori stated that she did not realize the Comprehensive Plan was in process until a month and a half ago when she was contacted by an elected official. She stated that West Main Street is a mix of mostly residential and some commercial properties. The plan is changing the area to Corridor Commercial and she is concerned that a commercial property can be built next to a residence. She stated that the residents want a bedroom community, not a strip mall on Main Street, not a Vestal Parkway and not a mish mash of different things as found on Main Street in Endwell. She and her neighbors like the quaint neighborhood with antique lights and flags that they worked so hard with the State of New York to get. She said corridor commercial would ruin the integrity of the community.

Mr. Nelson and Mr. Hrustich responded that currently almost the entire area is commercially zoned. The plan is not really recommending a change. Corridor Commercial is a future land use category used for an area that typically carries more traffic than local streets or county roads. The land use helps a young person looking for a first home to understand the nature of the area and realize they wouldn't necessarily want to raise young children there. He added that the lots aren't deep or wide enough to allow any substantial commercial development so the potential for Main Street to become "another Vestal Parkway" is not likely.

- Roger Thorpe, 1806 Farm to Market Road, Endwell, NY

Mr. Thorpe stated that the plan shows a lot of good scientific data with beautifully detailed maps, but this implies the plan is data-driven and only encourages development by creating a wish list for potential developers who are interested in making money. He feels that it is going to ruin good neighborhoods. The population is dropping and the community needs to unite and keep their neighborhoods strong.

- Jeff Hoskins, 1707 Farm to Market Road, Endwell, NY

Mr. Hoskins was sympathetic with an earlier speaker who was concerned about different land uses on opposite sides of the road. Mr. Hoskins used his home as an example of how land use improperly applied can upset a neighborhood. Good Shepherd got approval to build in his neighborhood even though the existing land use is low-density. He argued that the Planning Board needs to look at an entire neighborhood and not change it. Development has to fit its surroundings. People buy their homes with anticipation that their neighborhood will remain the same. He bought a home in a rural area and now has a three-story building being erected across the street. He invited people to drive up Farm to Market and see what can happen to a good neighborhood that does not have the correct land use. Mr. Nelson explained that Good Shepherd was able to build because the parcel is 120 acres and that the number of units being constructed is consistent with the low-density land use category.

- Scott Forster, 572 Hooper Road, Endwell, NY

Mr. Forster stated that he has spent the majority of his life in Endwell and enjoys the bedroom community as a quiet place to raise a family. Adding commercial development will change neighborhoods. He stated that just because the census bureau drew a line down Hooper Road doesn't make one side different than the other. He expressed dissatisfaction about a recent variance that was granted to a dentist who is now buying other properties with the intention of putting in a strip mall to make money. Mr. Forster said the land use implies that he could conceivably have a massage parlor across from his house instead of a dentist. There is too much traffic on Hooper Road now and more businesses will create more problems. He wants the character of the neighborhood maintained.

Mr. Forster began to read the letter written and signed by neighbors that Mr. Petrilli brought to the meeting, but was asked to stop by Chairman McLain when it was evident that it was repeating issues already discussed. Mr. Petrilli was encouraged to submit the letter to the Planning Board. Mr. Nelson said the Planning Department would be receptive to revisiting the land uses and making them uniform, medium-density residential.

Mr. Forster also expressed disappointment about the daycare center on Hooper Road that was rezoned commercial. Mr. Nelson explained the reasoning behind why the zoning was changed. He also brought up the water system and Mr. Nelson's comment that the Town of Union does not have a water department. He said if you look back in history there was a time when the Village of Endicott and Town of Union

were one water department. Mr. Mooney corrected him and said the water department has always been strictly the Village of Endicott, owned by Endicott Johnson and turned over to the Village.

- Mike Tugwell, 127 Greenridge Street, Johnson City, NY

Mr. Tugwell asked about the waste water treatment situation. With the Town expanding, he wanted to know the plans for taking care of sewage and storm water over a thirty-year period. Mr. Nelson said the owners of the treatment plant have to certify that there is sufficient capacity or development cannot occur. There is no call for any substantial increased density so it should not be an issue.

- Jeffrey Feinberg, Feinberg Realty, 201 Robinson Street, Binghamton, NY

Mr. Feinberg asked if the Comprehensive Plan is approved by the elected Boards, would they have the authority to modify it at a later date if contrary to the Plan. Mr. Nelson responded that it would depend on whether or not it was a spot zoning issue that was being considered solely for the benefit of one property owner or project. The point of the Comprehensive Plan is that future rezonings should be done in accordance with what has been approved as the suggested land use. Mr. Feinberg asked if he could still submit a comment in writing and would comments be taken seriously. Mr. Nelson indicated that the public comment period is open until November 10.

- Beverly Moyle, 247 Endwell Street, Johnson City, NY

Ms. Moyle questioned if this was the only meeting held regarding the Comprehensive Plan. She also asked if the dissolution of Johnson City would have to occur before acceptance of the Comprehensive Plan and whether each elected body could make their own decision on adopting the Plan. Mr. Nelson responded that tonight is actually the sixth meeting that has been held and the last meeting until the plan is referred to the Town Board. He also said that the dissolution does not preclude acceptance of the plan by Johnson City and that each Board has the choice to adopt the plan or not. Ms. Moyle stated that there should be another meeting to allow comments from residents. Ms. Lane repeated that there were five neighborhood meetings and the Planning Boards would have welcomed more people to come, but that ample opportunity had been given through carefully advertised meetings.

- Jane Williams

Ms. Williams asked if taxes would change as a result of the plan. Mr. Nelson explained that assessment is based on actual usage, not zoning. If the use changes on one property then the assessment on that property may be changed. The neighborhood around it would not necessarily be affected.

- Joanne Wage, 218 Twist Run Road, Endwell, NY

Ms. Wage was concerned about the number of people that attended the meeting and felt there should be more involvement. She feels she wasn't adequately notified. She asked where the meeting notices had been posted. It was explained that it was in the legal section in the newspaper. A press release was also sent out on October 10 to all the print and electronic media. Television stations and the newspaper have the ultimate choice to cover the meeting. For first five open house meetings there were interviews on TV with Mr. Nelson, legal notices, and full color print ads in addition to the information being posted on the web page. Mr. Nelson said the webpage had over 1,000 people visit it.

- Beverly Moyle, 247 Endwell Street, Johnson City, NY

Ms. Moyle said that it was the article in today's paper that got people to tonight's meeting. She asked if it was in six times as a paid legal ad. Mr. Nelson said that for the open house meetings it was a paid, full-color print ad that listed all the dates and locations. It ran for five days, including Saturday and Sunday.

Ms. Moyle asked how the Public Hearing for the elected Boards would be announced. Mr. Nelson said the Town will publish a legal notice and issue a press release, but it will be up to each body to decide how to notify the public.

Mr. Bernardo said it is the Town's intention to hold the Public Hearing in December.

- Alberta Fiori-Gazda, 527 W. Main Street, Endicott, NY

Ms. Fiori asked if she understood the steps correctly: comments can be submitted by November 10, then Public Hearings will be held by each elected Board and it is up to the individual elected Boards whether to accept it or not. Mr. Nelson confirmed that she has the correct process.

- Carl Williams, 529 Leon Drive, Endicott, NY

Mr. Williams wanted to know if any modifications will be made to the Comprehensive Plan as a result of tonight's meeting and if so, how will the changes be communicated. Mr. Nelson said that if the individual Planning Boards want to make modifications that they may choose to conduct a second Public Hearing before referring it to the elected bodies. There were changes made as a result of comments submitted at Open Houses and there may be changes from this Public Hearing. There will be a summary of comments received tonight posted on the web page.

- Dino Petrilli, 568 Hooper Road, Endwell, NY

Mr. Petrilli expressed concern that the Comprehensive Plan does not encourage young people to settle in the area. He feels the plan should address jobs and economic development to retain people. Mr. Nelson responded that the Comprehensive Plan has a section on economic development that addresses this concern.

- Jeff Hoskins, 1707 Farm to Market Road, Endwell, NY

Mr. Hoskins asked for clarification on whether the Town and Villages would be automatically rezoned to the future uses in the Comprehensive Plan. Mr. Nelson responded that rezonings would be implemented only after the new Zoning Ordinance is written and adopted. Mr. Hoskins asked to be on record that Farm to Market should be made rural. Low density didn't save them from the Good Shepherd development and they don't want any more changes to their neighborhood.

- Larry Drumm, 251 Endwell Street, Johnson City, NY

Mr. Drumm expressed concern that land use sets a tone for zoning. He mentioned a rezoning for a car lot on Main Street in Westover that has resulted in the opening of numerous used car lots.

Chairman McLain asked for any additional comments or questions.

The public hearing was closed at 8:50.

#### **D. ADJOURNMENT**

Motion made: E. Mooney

Motion seconded: W. Klish

MOTION: Adjourning the joint Comprehensive Plan meeting at 8:50 p.m.

VOTE: **In Favor:** S. McLain, A. Elwood, L. Miller, B. Seliga, R. Signorelli, E. Mooney, D. Mooney, W. Klish, J. Drimak, P. Hysell

**Opposed:** None

Motion Carried

Respectfully submitted,

Dawn Foti