

Town of Union Planning Board Minutes
Tuesday, February 10, 2009

A regular meeting, including a Public Hearing, of the Town of Union Planning Board was held on Tuesday, February 10, 2009 at the Town of Union Office Building, 3111 East Main Street, Endwell, New York.

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

Members absent: S. McLain, B. Seliga

Others present: Alan Pope, Paul Nelson, Marina Lane, Ken Jackson, Linda Jackson, Steve Grossman, George Haus

A. CALL TO ORDER

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

B. APPROVAL OF MEETING MINUTES: January 13, 2009

Vice Chairman Signorelli asked for a motion to accept the January 13, 2009 meeting minutes as written.

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

C. DEVELOPMENT IN FLOODPLAIN FRINGE: 3725 River Road

1) SEQR Determination

Vice Chairman Signorelli read the Description of Action and Reasons Supporting This Determination from the Negative Declaration for this project. There were no additional questions or discussion.

Vice Chairman Signorelli asked for a motion for approval of the SEQR Negative Declaration.

Motion made: T. Crowley
Motion seconded: L. Miller
MOTION: Approving the SEQR Negative Declaration.
VOTE: **In Favor:** R. Signorelli, T. Crowley, A. Elwood, L. Miller, J. Rotella
Opposed: None

Motion Carried

2) Public Hearing, 3725 River Road

Vice Chairman Signorelli called the public hearing to order at 7:06 p.m.

He read the Notice of Public Hearing:

The Town of Union Planning Board will conduct a Public Hearing relative to a Special Permit application for development in the flood plain by Ken and Linda Jackson for the construction of a three-car garage. The property is located at 3725 River Road, Endwell, New York, Property Tax Map #142.18-2-27 and is situated in the 100-year flood plain. The Public Hearing will take place on Tuesday, February 10, 2009, at 7 p.m. in the Town Board Meeting Room, second floor of the Town of Union Office Building located at 3111 E. Main Street, Endwell, New York. Individuals with special needs requiring accommodations may contact the Planning Department at 786-2975 at least 24 hours prior to the scheduled Public Hearing.

He then asked anyone wishing to speak to state their name and address for the record and advised that comments should be limited to three minutes.

Vice Chairman Signorelli asked the applicants to give a brief summary of their request. Mr. Jackson explained that he and his wife are working on the historic home at 3725 River Road. They purchased only the home and are in need of a garage. They want to build a three-bay garage in the same location as the original carriage house using the trim from the relocated carriage house that was demolished after the flood. The garage will be used for parking cars and tractors and will have a storage area above.

Vice Chairman Signorelli asked for questions from the Planning Board or members of the audience. There were no questions or comments.

The Public Hearing was closed at 7:10.

3) Decision

Ms. Lane explained that the only change to the original paperwork sent to Board members for review was a page added from the New York State Residential Code. It was added for information purposes only because the County had recommended it. Vice Chairman Signorelli read the Staff Recommendations. Ms. Lane emphasized the importance of the requirement that a Certificate of Occupancy will not be issued until the Building Official has received a professional engineer's certification of proper floodproofing practices and the elevation certificate.

Vice Chairman Signorelli asked for a motion for approval of the Special Permit.

Motion made: A. Elwood

Motion seconded: L. Miller

MOTION: Approving the motion for the permit.
 VOTE: **In Favor:** R. Signorelli, T. Crowley, A. Elwood, L. Miller, J. Rotella
Opposed: None
 Motion Carried

D. DENTAL OFFICE SITE PLAN REVIEW: 947 Harvard Street

1) SEQR Determination for Site Plan Review

Before discussion began, Mr. Crowley stated that he is a patient at the dental office and that he had abstained on a previous vote on this project. He said that he had spoken with the Town attorney and decided to vote on the project tonight because he felt he could be impartial.

Ms. Lane explained that a full environmental assessment form was submitted when the project went for rezoning some time ago. The Town Board was the lead agency for the rezoning, and made a Negative Declaration. After speaking with Mr. Nelson it was decided that the full environmental assessment form did not require any amendments. She prepared a Negative Declaration for the Site Plan Review as nothing had changed since the rezoning approval.

Vice Chairman Signorelli read the Reasons Supporting the Determination from the Negative Declaration. The original Site Plan from the 2008 rezoning petition was presented with some current changes made. Most significantly, an additional parking lot that conforms to a 2001 perimeter strip variance has been added along the east side of the building, as proposed in 2001, in order to allow additional parking spaces.

Vice Chairman Signorelli asked for a motion to approve the Negative SEQR for the project.

Motion made: J. Rotella
 Motion seconded: A. Elwood
 MOTION: Approving the motion to approve the Negative SEQR.
 VOTE: **In Favor:** R. Signorelli, T. Crowley, A. Elwood, L. Miller, J. Rotella
Opposed: None
 Motion Carried

2) Final Site Plan Review Decision

Ms. Lane said the New York State Department Of Transportation and Broome County Department of Planning and Economic Development had no concerns with the project. A photograph of the proposed dumpster enclosure was presented. The enclosure will be six-feet high and will have the same material inside and out. There will be down-lit lighting in the parking lot. The applicant does not foresee a problem, but shields can be added to the lights if a neighbor has a complaint. There is one existing wall pack on the building that will remain. Landscaping around the parking lot will be new. The existing sign will remain and no new signs will be added. The addition has a crawl space, but will not be elevated.

Vice Chairman Signorelli read the Staff Recommendation and Review. Item 8 was changed to read “The pole lights in the parking lot shall be turned off within one-half hour of the closing of the facility.”

Ms. Lane said that the Engineering Department wants it made clear to the applicants that there must be a pre-construction meeting. Concrete for the curbing will have to meet town standards. The pre-construction meeting will allow the applicants and their contractor go over all requirements.

Vice Chairman Signorelli asked for a motion to approve the Site Plan with the conditions as stated.

Motion made: L. Miller
 Motion seconded: A. Elwood
 MOTION: Motion to approve the Site Plan.
 VOTE: **In Favor:** R. Signorelli, T. Crowley, A. Elwood, L. Miller, J. Rotella
Opposed: None
 Motion Carried

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

- For informational purposes, Ms. Lane distributed photographs with an outline of the 40’ x 80’ pole barn that the Walshes are proposing to build on their property. According to Town Code minor adjustments can be done at the discretion of the Planning Board without a Site Plan Review. Mr. Rotella expressed concern that treating the new construction as an adjustment could set precedence for other new structures to be built without any review by the Planning Board. Mr. Nelson further explained that minor adjustments do not include new structures and that the provision for “adjustments” was written into the PUD Ordinance only to account for minor changes needed during construction in order to address minor field changes due to unforeseen site conditions. Mr. Pope said that the Planning Board will have to look at the request as one of two things, either an adjustment or an amendment. He said that adjustments do not have to go to Site Plan Review, but amendments do. The Planning Board will have to wait and see the plans that are submitted and make a determination on how the request is to be handled.
- Ms. Elwood said the Unified Zoning Committee is having four zoning workshops in the near future in four different locations. Anyone can attend. Mr. Nelson said it would be beneficial for members of the Planning Board to get to at least one of the Part-town area meetings.
- Mr. Nelson said that the Johnson City Planning Board recommended referring their version of the Comprehensive Plan to the Village Trustees. The Johnson City component of the plan will probably be adopted before the Town of Union component because they only had five neighborhoods. They will send it out for a 239 Review soon because they don’t expect any changes to be made to it.

The Town will be waiting until potential changes, if any, are made and Public Hearings held before sending their Plan for the 239 Review. There have been two meetings with the Town Board to discuss the Plan and progress is being made.

- A new screen and new tables have been ordered for the Conference Room so that the room can be situated in a way where Planning Board members do not have to sit with their backs to the audience.

F. ADJOURNMENT

Vice Chairman Signorelli asked for a motion to adjourn the meeting at 8:03 p.m.

Motion made: J. Rotella

Motion seconded: L. Miller

MOTION: Adjourning the meeting.

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

Opposed: None

Motion Carried

Next Meeting Date

The next regular meeting of the Planning Board is tentatively scheduled for Tuesday, March 10, 2009 at 7:00 p.m.

Respectfully submitted,

Dawn Foti