

**Town of Union Planning Board Minutes**  
Tuesday, March 10, 2009

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

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

Members absent: J. Rotella

Others present: Paul Nelson, Marina Lane, Gary Whistle, Mike Malarkey, Rosemary Whistle

**A. CALL TO ORDER**

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

**B. APPROVAL OF MEETING MINUTES: February 10, 2009**

The following correction was made on Page 3: Change the words "...knew he could be impartial" to read "felt he could be impartial."

Chairman McLain asked for a motion to accept the February 10, 2009 meeting minutes as corrected.

Motion made: R. Signorelli

Motion seconded: A. Elwood

MOTION: Approving the minutes as corrected.

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

**Opposed:** None

**Abstained:** S. McLain, B. Seliga

Motion Carried

**C. TWELVE-UNIT APARTMENT BUILDING: 718 Taft Avenue**

Board members viewed plans for the property, which is adjacent to another lot with an apartment building owned by Mike Malarkey. Gary Whistle, representing Mr. Malarkey, explained two variances being requested for this property. One request is for approval to allow 16 parking spaces rather than the 18 required by ordinance. The parking lot for the new building will be connected to the parking lot for the adjacent apartment building. This will allow the sharing of parking spaces between the buildings. The existing building does not use all available spaces

since the apartment units are rented by single people who do not need all the spaces allotted. The second request for a variance involves the green perimeter strip which would be 4 feet short of the 10 feet required by ordinance. Mr. Whistle explained that in effect, with the variance, there would still be sixteen feet of green area (6 feet of the owner's property and 10 owned by the Town). Mr. Whistle concluded that the impact of the variance will be minimal and, with the 30-foot area that goes around the adjacent corner, it will be almost undetectable. He said it is not an undesirable change and was unavoidable. Eventually the new and existing buildings will look like they were placed on the property at the same time.

Ms. Lane read the Environmental Impact and Staff Findings from her memorandum to the Board. Staff Findings show that the Planning Department recommends approval of the variances.

**1) Advisory Opinion for perimeter strip variance**

Chairman McLain asked for a motion to recommend approval of the perimeter strip variance.

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

**2) Advisory Opinion for two parking space variance**

Chairman McLain asked for a motion to recommend approval of the two parking space variance.

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

Mr. Whistle asked for special permission to discuss two upcoming projects that will be before the Planning Board in the near future. Chairman McLain granted him a few minutes to brief the Board. The first project is a housing development in the Twist Run Road area that Mr. Malarkey is planning. Pietro Drive would be extended and approximately 15 very large lots developed along the extension. A SWPPP would need to be



to see what the access is to the pole barn and what the contents will be in order to make a fire resistance construction rate determination. The second comment was a phone call from the County asking why the Walshes were requesting to build in an area with so many trees. As a result of that inquiry, Ms. Lane and Steve Carson went to the property and met Bill Walsh.

- They observed that trees had already been removed and that a large area (approximately one-third acre) had already been filled to level off an existing slope for the proposed pole barn. Bill Walsh told them that they had received permission for the fill from Steve Rafferty last fall. The Walshes were then asked to provide a site plan with existing contours as a part of the site plan review application. A map was submitted showing contours at only ten-foot intervals. Upon closer examination it was discovered that ten feet of fill had been added across the entire project area, including over an existing shed, which was not true and therefore indicated some inaccuracies on the site plan. When asked for yet another site plan with existing two-foot contours, they submitted a map with ten-foot USGS contours, with what appeared to be extrapolated two-foot contours and an approximated base elevation, saying it was from a recent survey. Due to these apparent discrepancies, they were asked to provide field notes. The field notes were submitted, but did not align with the submitted map. Alex Urda, engineer for Keystone Associates, also stamped a previously certified map which had the location of the proposed pole barn added to it, not realizing that the contours had changed since the time the original map had been certified. Bob Bennett, SWPPP reviewer for the Town, confirmed that the fill that was added in the fall required an Amendment to the existing subdivision project SWPPP. Mr. Nelson said that a new engineer's stamped survey certainly can be requested by the Board and added that there really is not an issue with where they filled but rather with continued discrepancies regarding changes to the property. There is also confusion about what the existing barn and the new pole barn will be used for. The Board agreed that a stamped plan with existing conditions is needed. Ms. Lane will send them a letter stating that the Planning Board will require a revised site plan, stamped and signed by a professional engineer, to accurately reflect existing site conditions.
- Mr. Nelson updated the Board on the Comprehensive Plan. Discussion with the Town Board should be done soon. One of the difficult points is the Hooper Road corridor, as was expected. Based upon initial discussions, it appears that the Town Board will likely recommend a change to some sort of commercial development designation for Watson Boulevard, west of Country Club Road on the north side, with the exception of the wetland area on the corner.

- Mr. Nelson said public meetings for the Unified Zoning Ordinance are being held. Attendance has been marginal. Residential areas are going to be the most difficult to combine because there are currently 17 designations in the three codes. Commercial and Industrial will be much easier to combine. In-fill districts were discussed as a way of handling the existing residential areas. They would require far fewer zoning categories.
- Chairman McLain highlighted topics covered from the March 4, 2009 Town Board meeting.

**F. ADJOURNMENT**

Chairman McLain asked for a motion to adjourn the meeting at 8:33 p.m.

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

**Next Meeting Date**

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

Respectfully submitted,

Dawn Foti