

## **Town of Union Planning Board Minutes**

Tuesday, January 24, 2006

A regular meeting of the Town of Union Planning Board was held on Tuesday, January 24, 2006 at the Town of Union Office Building, 3111 East Main Street, Endwell, New York. Chairperson McLain opened the meeting at 7:00 p.m. Unless otherwise noted, the Chair does not vote on motions.

Members present: A. Elwood, S. McLain, L. Miller, A. Paniccia, R. Signorelli

Members absent: T. Crowley, B. Seliga

Others present: Paul Nelson, Marina Lane, Sarah Campbell, Mike and Terry Rychlewski, Dave Marnicki, Ellen Szczerba

### **I. MAIN TOPICS:**

#### **Settlers Walk Subdivision Presentation**

Sarah Campbell of Hinman, Howard & Kattell, introduced Mike and Terry Rychlewski, owners of the subject property on Twist Run Road. The Rychlewski's are proposing to develop a 24 lot single-family residential subdivision. Individual building lots will range in size from 1 to 46 acres with the average lot size being 2.5 acres. They have been working with the Town's Engineering and Planning Departments to fulfill the necessary requirements for subdivision approval. They are asking for the Board's consideration in referring the project to the County so they can begin the 30-day time period and a public hearing can be held for approval of the subdivision.

Dave Marnicki presented the plans for the subdivision to the Board. He informed the Board that the subdivision will have very strict deed restrictions with specifications as to minimum home sizes, minimum investment, tree removal, etc. The owners will retain perpetual control of the deed restrictions. Mr. Nelson stressed that the Town has no right to enforce deed restrictions.

Water will be provided to the subdivision from the water tank at the top of Twist Run Road and individual lots will have private septic systems for sewage disposal. Utilities such as electric, phone, cable and water will be underground. The road will be a country road, which is permitted with approval of the Town Engineer, not permitted by right. The road will be 30 feet wide with a ditch on either side. There will be two collection ponds for the diversion of stormwater. From the ponds, stormwater will enter the public storm system. The owners will retain ownership and maintenance responsibility of the ponds. The ditches on each side of the road will be rock lined and the ponds will be grass lined. All road grades are less than 10%. The individual lot owners will be responsible for maintaining the swails on their property.

Mr. Nelson asked for at least two copies of the stormwater management plan to go with the 239 review along with the sets of drawings.

Chairman McLain asked for further questions from the Planning Board.

## II. APPROVAL OF MINUTES

Chairman McLain suggested the following changes to the December 6, 2005 minutes:

- Page 1 – Paragraph 4, line 5 under "Site Plan Presentation", where there **are** is changed to read "adjacent to".
- Page 3, Paragraph 3, **moving** the word "only" in line 1 as "Mr. Nelson replied that if they are doing only a wall sign ..."

Chairman McLain suggested the following changes to the January 3, 2006 minutes:

- Page 2, Paragraph 3, Line 3 to read "In a Site Development Plan Review the Planning Board has the authority to approve, approve with conditions, or disapprove a Site Development Plan." (Removing modify, deny or table.) It was also noted that Site Plan Reviews and Site Plan Presentations will now be indicated as Site Development Plan Review or Presentation.

Motion made: A. Elwood  
 Motion seconded: L. Miller  
 MOTION: Motion to approve minutes from January 3, 2006 as amended.  
 VOTE: **In Favor:** A. Elwood, L. Miller, R. Signorelli and S. McLain  
**Opposed:** None  
**Abstained:** A. Paniccia  
 Motion Approved

## III. COMPREHENSIVE PLAN DISCUSSION

Mr. Nelson provided correspondence to the Board addressing a comprehensive plan prepared by the Town of Chenango. The plan is minimal and does not cover the suggested topics in the state legislation. Mr. Nelson asked Broome County if the Town of Union could follow the same procedure (minimal comprehensive plan with the submission of a long environmental assessment form along with a proposed plan to the County). The County felt the Town of Union, being a larger municipality, should develop a more comprehensive plan. The Town of Union will be hiring a firm to draft the generic environmental impact statement for the plan itself.

Once the future land use map is in place with a degree of certainty, the plan alternatives will be developed. The Planning Department will try and finish this portion of the plan in the next several weeks.

Mr. Nelson presented Board members with neighborhood maps and a corresponding chart listing the 25 neighborhoods located in the Town of Union. The Planning Department will create the narrative on the different subject headings for community profile, emergency services, housing, economic development, etc. for the goals and objectives. The action plan within these goals and objectives will be to release the individual neighborhood plans. The future land use map will need to be completed and sent to the Town Board initially, but the individual neighborhood plans will be

released on a scheduled basis so that recommendations can be made on actual zoning changes. The Board agreed on the following order for neighborhood meetings:

1. North Endwell Union Center
2. Airport Heights
3. Roundtop
4. Union District
5. West Endicott
6. West Corners
7. Riverhurst
8. Fairmont Park
9. South Endwell, Central Endwell, North Endwell West, North Endwell East
10. Choconut Center
11. Westover
12. North Endicott, Northside West Endicott, Northside East Endicott, Central West Endicott, Central Endicott, Southside Riverview Endicott
13. Southside Johnson City, Floral Park, Central Johnson City, Northside Johnson City, Oakdale Reynolds

Mr. Nelson discussed the fact that there will not be major changes recommended in the actual densities. Changes may be made to the actual zoning categories. He discussed reducing the number of residential and commercial categories so there are not eight or ten different classifications in the ordinance.

There is no planned schedule for meeting with these neighborhoods. Mr. Nelson informed the Board that as part of the shared services committees, there has been a grant application submitted to the State under the Quality Communities Program. Under this grant, a consultant will review the three zoning ordinances (Endicott, Endwell and Johnson City) make recommendations for developing one ordinance for all three communities. The application was submitted in early January and an answer is expected by March or April.

Mr. Nelson explained that the main version of the document will be a summary of all of the communities combined. The neighborhood plans will be broken out with census information, and individual compilations for particular neighborhoods. Some of the neighborhood meetings will be combined. Paul explained that before recommendations are sent to the Town Board, a public hearing is required. The environmental review will need to be done before the release of the draft. These meetings will be announced through press releases. There will be one public hearing on the release of the draft. The neighborhood plans will be done with the individual (or groups of) neighborhoods.

The Board discussed various neighborhoods and/or areas that are currently zoned PUD that will need to be rezoned. Neighborhoods will also be reviewed to ensure that the zoning matches the current use.

The Board discussed combining zoning categories for residential, industrial and commercial areas in order to simplify the land use maps. Marina Lane will review the RS-7 zoned areas and compile an average lot size for those areas. Paul and Marina

will plot the districts out side by side on a spreadsheet and have this information ready for review by the Board at the February 28 meeting.

**IV. OTHER SUCH MATTERS AS MAY PROPERLY COME BEFORE THE BOARD**

Paul Nelson asked if any Board members recalled the discussions concerning whether or not the Zoning Board could modify a site plan. Lisa Miller recalled that Alan Pope indicated they could not – that the ZBA could not grant a variance for an applicant to avoid meeting conditions set forth on a site plan. Steve Rafferty has inquired as to when the ZBA will get a recommendation from the Planning Board on the zoning request for Tony's. Ralph Signorelli responded that the Planning Board responded to the ZBA that they did not have the authority to hear this. Minutes from late 2005 will be reviewed. Ralph Signorelli recommended that the attorneys for each board should make a decision on jurisdiction. Anthony Paniccia suggested a meeting of both the Planning Board and the ZBA together with both attorneys for a final determination on this issue.

**V. ADJOURNMENT**

Motion made: A. Paniccia

Motion seconded: L. Miller

MOTION: Adjourning the meeting at 8:43 p.m.

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

**Opposed:** None

**Abstained:** None

Motion approved.

**Meeting date**

The next meeting will be held on Tuesday, February 7, 2006 at 7:00 p.m. A second February meeting has been scheduled for February 28, 2006 at 7:00 p.m.

Respectfully submitted,  
Kathleen C. Carney  
Transcriptionist