

Town of Union Planning Board Minutes

Tuesday, May 8, 2007

A regular meeting of the Town of Union Planning Board was held on Tuesday, May 8, 2007 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.

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

Members absent: none

Others present: Theodore E. Lauve, Scott Farr, Dean Rypkema, Brian Seachrist, Bill Hall, Rev. Jim Murphy, David Farr, Ron Phillips, Sarah Campbell, Michael Keenan, Jim Chambers, Matt Napierala, Jim Franz, Sandra Chambers, Michael Kodey, Matt Warner, Jeremy Evans, Irene Kodey, Kathy Gibbs, Paul Rydzik, Debbie Rydzik, Jeff Hoskins, Sandy Berchtold, Ray Berchtold, Bill Holmes, George Bagnetto, Roger Thorp, Bob Murphy, Salvatore Julian, Chris Stastny, Nancy LaBare, Paul Nelson, Alan Pope, Marina Lane

A. CALL TO ORDER

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

B. APPROVAL OF MEETING MINUTES: April 24, 2007

The approval of the April 24, 2007 minutes was postponed until May 22, 2007.

C. FIRST BAPTIST CHURCH: 1327 REYNOLDS ROAD

1. A Public Hearing was held at 7:00p.m.
2. Special Permit Decision

The proposed project involves the construction of a new church building with associated parking on the same site. The project area is zoned Agricultural (AG) and a church is an allowed Institutional use by Special Permit under Town Code 205-80. The Planning Board approved the SEQRA Negative Declaration on April 24, 2007.

Ms. Lane read the staff recommendations as follows:

The project meets the requirements for Special Permit application to construct a church in an Agricultural Zone, and the staff recommendation is to approve the Special Permit, with the following stipulations:

1. Church service hours will be staggered by the half hour at a minimum with the adjacent church's service hours in order to mitigate potential traffic impacts.
2. Special permit modification approval will be required if there are any changes to the site plan or change in use of the property.

Mr. Crowley suggested the Planning Board recommend the Church stagger their hours with the adjacent church, rather than stipulate, as the First Baptist Church members have no control over the Calvary Love Church service hours.

Chairman McLain asked for a motion to approve the Special Permit to construct a church in an Agricultural zone.

Motion made: T. Crowley

Motion seconded: A. Elwood

MOTION: Approving the Special Permit.

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

Opposed: None

Abstained: J. Rotella

Motion Carried

D. GOOD SHEPARD VILLAGE AT ENDWELL, INC: Preliminary PUD Plan

1. Advisory Opinion to the Town Board to rezone 1606, 1704, & 1708 Farm to Market Road and 1700, 1725, & 1750 Cummings Road from Agriculture (Ag) to Planned Unit Development (PUD)

Chairman McLain advised the visitors that the Planning Board may entertain questions at this meeting, but that it is not a public hearing, and that there would be a public hearing scheduled soon with the Town Board and, if the PUD is approved, another Public Hearing is possible with the Planning Board.

Chairman McLain referred the Summary of Citizen's Concerns to all the members, and suggested that the Board address each topic and then representatives from Good Shepherd could respond.

1. House facing entranceway:

The main entrance is directly opposite home of Kyle Doyle:

Mr. Keenan offered to landscape the front of Mr. Doyle's house to minimize the effect of headlights shining through. Ms. Sarah Grace Campbell indicated that they are looking into an option to put a slight "jog" in the driveway entrance.

Construction entrance:

Will the proposed construction entrance for this project be the same as the proposed main entrance? A construction entrance for such a project will bring dust, dirt, noise and worse dangerous conditions to the citizens of the already busy Farm To Market Rd: How will they mitigate this? How is the construction phased?

Ms. Campbell indicated that they are open to negotiate the location of the construction entrance(s). The work is expected to take 19 months, moving largely from the cottages to the apartments. Mr. Napierala stated that because the erosion and sediment control facilities must be in place first, there is the possibility that more than 5 acres of earth will be exposed at a time, requiring a 60-day SWPPP review by the NYS DEC. Due to the soil types (largely clay), the soil conditions are water-sensitive, and they would prefer to work from June through August for any major earthwork. Any fill piles would be covered to prevent over-saturation of the earth piles.

Taxes:

Will the residents of Good Shepherd Village pay any taxes?

Mr. Keenan: The GSV organization will provide support for residents who are unable to pay for their own care. The foundation has raised funds to keep them in their living environment. They are also part of the greater community. They provide \$5,000 every year to programs to help seniors living in the community. Annually they sponsor three scholarships at Broome Community College, two at Binghamton University, and one at an area high school to encourage people to enter health care professions.

PUD fit with surrounding land use:

Mr. Keenan explained that Good Shepherd wants to keep the residential feel. The plan calls for cottages, apartments, community center and a skilled nursing facility and a small health relief facility. Continuing Care Retirement Communities (CCRCs) are retirement communities geared toward very active, healthy seniors. On average the residents who live in CCRCs are much younger than those in traditional retirement communities. The average age of people placing reservations for GSV is 73. The average age of the residents in their other homes is 87.

Bulk restrictions:

Some parking lots and retaining walls are close to adjoining properties. There are many

“inadequate” setbacks behind buildings:

Ms. Campbell explained that only under Agricultural zoning is the rear setback equal to 60 feet, from rear of house to rear property line. All other residential zoning classifications require 25 feet minimum rear setback. They propose only two to four cottages that will be between 48 and 60 feet, all the others are greater than 60 feet rear setback. The parking lots meet Town Code, which only requires a landscaped buffer of 20 feet on a PUD, excluding driveways.

Landscaping and screening:

The landscape plan showed numerous trees and shrubs being used to screen the project from adjacent properties. The height or caliper of these seemed inadequate in some cases:

Ms. Campbell stated that Good Shepherd is trying to be environmentally and tree-sensitive. They will look at the situation with the trees along the north end of the property, adjoining the Kodeys’ property. They are striving for as much preservation as they can, as adding trees costs money.

Visual impact to neighbors:

Will there be a major visual impact upon the property owners on the upper end of Sally Piper Road? Also, what is the height of the tallest building that will be on-site, and will it be above the sight distance level from Farm to Market due to the topographic elevation difference?

Matt Napierala explained that the tallest building is the apartment building, which is 45 feet tall on the east side of the parcel. The highest elevation at the east end of the building is 1223 ft. Therefore, the highest elevation should be about 1268 ft. The elevation at the highest points on Farm to Market are 1263 ft at the corner of the first house (O’Briens’), and 1245 opposite the two-story nursing facility. The nursing facility will appear as a single story building in the line of sight from Farm to Market (1277 feet in elevation). The Commons peak elevation is at 1265 feet.

Traffic:

All the traffic to the cottages, plus traffic to some of the apartments and the Village Center will only have access onto Farm to Market Road. The second entrance on Sally Piper Road is not much better, since the visibility is restricted with the knoll in Sally Piper. Those roads are awful in the winter – Sally Piper is virtually un-travelable. Finally, current traveling speeds on Farm to Market are too high:

Ms. Campbell said that Traffic Consultant Gordon Stansbury will explain the traffic analysis during the public presentation. She reminded the Board that BMTS did review and approve the traffic study, which was actually completed for both the proposed

Petcosky residential development and Good Shepherd Village. Neither Mr. Stansbury nor the County had concerns about significant traffic impacts. Mr. Nelson stated that the Town is communicating with the County about the possibility of lowering the speed limit on both Farm to Market Road and Watson Boulevard.

Noise and light pollution

Mr. Napierala stated that the parking lot lights will conform to Town standards, and will be encased to minimize the area impacted to the parking lots. There is not expected to be any significant noise, considering the intended population.

Odors from garbage

Garbage from both the residences and the nursing facility:

An outside trash company will make weekly or biweekly visits to the site. Each cottage will have individual pick-up, and the apartment and nursing facility will have trash bins. The nursing facility is not expected to generate a significant amount of medical waste.

Water/Sewer Infrastructure:

Matt Napierala stated that he is speaking with Pete Olevano regarding sewer system and system constraints. Sterns & Wheeler looked at the water system in conjunction with the Village of Endicott to evaluate the water tower on Twist Run Road and the entire water system. He explained that a lot of the capacity issues with the sanitary sewer are caused by water inflow during periods of heavy rain, penetrating into the existing older pipe seams. This problem can be alleviated with new technologies. Mr. Nelson stated that the costs of improvements would be the responsibility of the developer.

Fire Department:

Ms. Campbell stated that they are working with Fire Chief Ruck regarding safety and development. Ms. Lane stated that Fire Chief Ruck had contacted her to let the Planning Board know that he is satisfied with the revised plans for fire protection access.

Sarah Grace Campbell thanked the Board.

Chairman McLain offered to allow the public to speak, either three minutes per person, or through a spokesperson. She asked that the visitors not repeat issues which had already been addressed.

Jeff Hoskins, 1707 Farm to Market Road: expressed concerns about elderly drivers exiting onto Farm to Market Road close to the school bus stops.

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Paul Rydzik, 1695 Farm to Market Road: expressed concerns about changing the nature of the area; felt this project was “bringing in a small city.”

George Bagnetto, 525 Twist Run Road: concerned about the accuracy of vehicular estimates. He asked about the number of employees and trucks.

Sandra Chambers: spoke in favor of the project, commented that 130 parties have committed.

Sandy Berchtold, 1731 Farm to Market Road: expressed concerns about increased traffic, between delivery trucks, employees, and garbage trucks. She suggested the possibility of a traffic control device.

Mike Kodey, 1810 Farm to Market Road: was concerned about the proposed setbacks and the impact on his tree farm. Stated that trees do not grow as quickly as was suggested by the developer, and therefore they would not provide an adequate screen for many years.

Chairman McLain thanked everyone for his or her comments. Chairman McLain asked for a motion to make an advisory opinion to the Town Board to approve the rezoning of the project properties from Agricultural to Planned Unit Development.

Motion made: T. Crowley
Motion seconded: L. Miller
MOTION: Advisory Opinion to the Town Board to rezone 1606, 1704, & 1708 Farm to Market Road and 1700, 1725, & 1750 Cummings Road from Agriculture (Ag) to Planned Unit Development (PUD)
VOTE: **In Favor:** S. McLain, L. Miller, B. Seliga, T. Crowley
Opposed: R. Signorelli, J. Rotella, A. Elwood
Abstained: None
Motion Carried

T. Crowley requested that a recommendation be included to reduce the speed on Farm to Market Road to 30 miles per hour. J. Rotella voiced his approval with the plan for Good Shepherd to pay an impact fee equivalent to the amount that would be paid by a similar development that is not designated not-for-profit, and he expressed his concerns about the potential impact of increased traffic in the area. R. Signorelli commented that he is not comfortable with the PUD zoning category.

Chairman McLain asked for a motion to make an advisory opinion to the Town Board to approve the Preliminary Development Plan for the Good Shepherd Village at Endwell PUD.

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Motion made: L. Miller
Motion seconded: T. Crowley
MOTION: Advisory Opinion to the Town Board approve the Preliminary Development Plan for the Good Shepherd Village at Endwell Planned Unit Development (PUD)
VOTE: **In Favor:** S. McLain, L. Miller, B. Seliga, T. Crowley
Opposed: R. Signorelli, J. Rotella, A. Elwood
Abstained: None
Motion Carried

D SOUTHERLY HILLS PUD: Final Development Plan Discussion

Chris Stastny of Griffiths Engineering gave an overview of the development plan, which had been approved in August 2005, but needed re-approval as no construction had been started with one year following approval of the preliminary development plan by the Town Board. Mr. Stastny summarized aspects of the site, including access, roads which will be built to Town standards and subsequently turned over to the Town, and drainage ditches.

Sal Julian said the homeowners association had been approved by the state. Discussion centered on the required water tank (116,000 gallons) on Deyo Hill Road, versus the proposed 470,000 gallon tank which the Town and Village of Johnson City are offering to help purchase. Mr. Julian is working with the Department of Public Works to coordinate laying 4000 feet of water main along East Maine Road.

Ms. Lane stated that the attorneys for the Town, Village and Mr. Julian will be meeting to discuss the logistics of the water tank, its administration and fees issues. Efforts will be made to bring the project before the Planning Board for final review in a comprehensive format, with outstanding

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

None

F. ADJOURNMENT

Chairman McLain asked for a motion adjourning the meeting.

Motion made: B. Seliga

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Motion seconded: J. Rotella
MOTION: Adjourning the meeting at 10:00 p.m.
VOTE: **In Favor:** L. Miller, B. Seliga, A. Elwood, R. Signorelli, S. McLain,
T. Crowley, J. Rotella
Opposed: None
Abstained: None
Motion Carried

Meeting date

The next meeting of the Planning Board is scheduled for Tuesday, May 22, at 7:00 p.m.

Respectfully submitted,
Heather Gaughan