

Town of Union Planning Board Minutes
Tuesday, October 9, 2007

A regular meeting of the Town of Union Planning Board was held on Tuesday, October 9, 2007 at the Town of Union Office Building, 3111 East Main Street, Endwell, New York. Vice Chair Signorelli opened the Planning Board meeting at 7:00 p.m.

Members present: R. Signorelli, A. Elwood, L. Miller, J. Rotella, B. Seliga,

Members absent: S. McLain, T. Crowley

Others present: Paul Nelson, Marina Lane, Alan Pope, Jeff Hoskins, Mike Kodey, Kathy Gibbs, Nancy LaBare

A. CALL TO ORDER

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

B. APPROVAL OF MEETING MINUTES: September 25, 2007

Vice Chair Signorelli asked for a motion to accept the September 25, 2007 meeting minutes.

Motion made: A. Elwood

Motion seconded: B. Seliga

MOTION: Approving the minutes from September 25, 2007 as written.

VOTE: **In Favor:** R. Signorelli, A. Elwood, L. Miller, J. Rotella, B. Seliga

Opposed: None

Motion Carried

C. REZONING PETITION: Discussion re: 3901 and Portion of 4101 Watson Blvd.

Vice Chair Signorelli asked Ms. Lane to update the Board on the status of this petition. Ms. Lane said she had spoken with Jim Walsh about the timeline for the Army Corps of Engineers' decision on the wetlands on this property. Mr. Walsh said that it is going to be assigned to an Army Corps of Engineers investigator in Auburn within the next couple of weeks, but that a full report could take as long as six months. The wetlands study completed by Barnes & Williams was submitted on August 28, 2007. Ms. Lane also spoke with Frank Evangelisti, Chief Planner for Broome County, on what significance the decision of the Army Corps of Engineers

would have on rezoning. He feels it will have jurisdiction over the wetlands, but it shouldn't have an impact on a rezoning decision. Ms. Lane said that Mr. Walsh still wants the northern portion above Watson Boulevard to be rezoned from RU-M/O to Commercial Retail. His hope is that the wetlands could be filled and then be remediated by adding wetland area to the south. She questions whether that is possible as the northern wetland is created by natural drainage. Mr. Nelson added that a lot of the run-off during recent flooding was due to a detention pond built on Dogwood Court that was never maintained. It is not clear who owns the detention pond. Mr. Pope said Mr. Walsh is clearly not the owner. The poor maintenance and resulting damage to Watson Boulevard during the flooding shows why maintenance is important and why it should be publicly maintained. Mr. Walsh also expressed a desire to have an entrance to the property on Country Club Road. Ms. Lane suggested it would be almost impossible because the entrance would be on a difficult curve on a busy road.

Mr. Walsh estimates that about 4 acres of the 14 acres are developable right now. The other ten acres have steep slopes and the wetland, which makes development very difficult. Ms. Lane has told Mr. Walsh that the Planning Department would recommend a single ingress/egress to the property. It is not clear what type of client they hope to attract. Ms. Lane read a list of retail businesses that would be allowed if the rezoning were approved.

The Board members unanimously expressed reluctance to issue an Advisory Opinion for the rezoning of the property at this point. The information from the Army Corps of Engineers is critical. Digital flood maps will be distributed in February 2008 showing existing flood elevations. It was agreed that to rezone to Commercial Retail without more information might ultimately allow undesirable development. It was agreed that more time is needed to make a decision.

D. ADVISORY OPINION TO ZBA: Raymond Agnew, 1151 Union Center-Maine Hwy.

Ms. Lane distributed a letter from Raymond Agnew regarding his request to rent part of his property to a second business. She showed pictures of the property including the building and parking lot. The front of the building houses a small office for his used car sales business. Mr. Agnew is requesting the Zoning Board allow him to rent space in the rear of the building for auto repairs.

Both uses, used car sales and auto repair, are allowed in that area. The problem arises when they are in the same location. Under the Town code a new car dealer may have an auto repair area for accessory use, but a used car dealer may not. Mr. Rafferty is requiring an area variance because of the lot size. The parking restrictions are lenient and it appears he will not have a problem meeting those guidelines.

There was discussion as to whether a site plan review would be needed. Mr. Nelson was concerned about the need to stripe the parking lots and Vice Chair Signorelli was concerned about restrictions on floor drains and disposal of contaminants in the repair area. Mr. Nelson said that if a site plan is needed, it would be minor.

Ms. Lane read from her memorandum to the Planning Board concerning the Variance Request and Staff Findings (see memo dated October 9, 2007). After discussion, it was decided to make a motion to recommend the ZBA approve the variance with conditions.

Vice Chair Signorelli asked for a motion to approve the Area Variance Request with the understanding that if the ZBA grants the variance, the applicant must submit a site plan to the Planning Board to be approved prior to the issuance of a Certificate of Occupancy.

Motion made: A. Elwood

Motion seconded: L. Miller

MOTION: Approving the variance request with conditions.

VOTE: **In Favor:** R. Signorelli, A. Elwood, L. Miller, J. Rotella, B. Seliga

Opposed: None

Motion Carried

E. GOOD SHEPHERD VILLAGE AT ENDWELL PUD:

1) Motion to Approve Request for Extension

2) Procedural Timeline and Fees Discussion

3) Discussion of Public Work Session Schedule

Mr. Nelson updated the Board on this project. He attended a meeting with the developers to discuss some of the outstanding issues, such as water studies, park fees, and revised landscaping plans. He expects a final landscaping plan within the next week to ten days. After meeting with selected neighbors, the developers have tried to satisfy their concerns by adding additional screening and maintaining existing vegetation wherever possible. The hill that can be seen when coming up Sally Piper Road has been terraced and will be landscaped to make it more attractive and provide a visual buffer to the buildings that will be constructed at higher elevations.

Water supply issues were discussed. A water study being done is looking at different alternatives for supplying water. It will be recommended that the Town purchase software that will allow them to more easily analyze water distribution options.

Sewer issues were discussed. There is quite a bit of infiltration taking place in the sewer system. The Public Works Department located a number of manholes that may need to be raised because water rises over the top of the covers and seeps through holes in the top. The manholes are located in an easement on private property. All of them will have to be located and then corrected. Pump tests will be done very soon.

Fees were discussed. Mr. Nelson explained that the Planning Department has informed developers in this area of the Town that they will have to contribute toward the cost of the water supply study and will be paying the fee during the site plan review process. The fee is expected to be approximately \$100 per unit for the water study and an additional charge toward the dedicated parks fund. He said that fees for the parks fund are sometimes reduced or waived if the developer is providing recreational amenities, such as a clubhouse, walking trails, picnic areas, etc. as part of the site plan.

Ms. Lane asked about the improvements that may be needed at the Elton Drive water tank. Mr. Nelson said that if it is determined that a third pump is necessary to get additional capacity, the developers are aware they will be partly responsible for the cost of approximately \$50,000.

Mr. Nelson said the Planning Board agreed to have some kind of a public comment meeting to discuss the landscaping plan and final site plan. This could be done, not as a formal public hearing, but as a neighborhood meeting. He suggested scheduling this for the November 13, 2007 meeting. Mr. Nelson expects to have results of the pump tests at that time. A presentation would be done, followed by questions or comments from the community. He also said that he could arrange to have the plans available in the Town Hall that day for neighbors to see ahead of time. Those who could not attend the meeting would have the opportunity to view the plans and send in written comments.

Vice Chair Signorelli asked for a motion to approve the extension to 24 months.

Motion made: L. Miller
Motion seconded: A. Elwood
MOTION: Approving the extension to 24 months.
VOTE: **In Favor:** R. Signorelli, A. Elwood, L. Miller, J. Rotella, B. Seliga
Opposed: None
Motion Carried

F. COMPREHENSIVE PLAN: Discussion

Mr. Nelson stated that the Comprehensive Plan is close to completion. The level of detail that should be put into the plan in the Mixed Use categories is a concern. Providing more detail for the intended uses will help avoid any misinterpretation of what the plan is recommending. Vice Chair Signorelli asked if that was the purpose of the Neighborhood Studies section of the plan. Mr. Nelson said that it could be done as part of that section but that the first draft of the Comprehensive Plan will be complete before neighborhood meetings will be held. The Future Land Use Map, and Technical Background Data that support the Future Land Use Map and The Goals And Objectives should be finished by the end of the year, but the Neighborhood Studies will not.

Mr. Nelson then explained that the proposed Comprehensive Plan will go to the Town Board at which time they must hold one or more public hearings. Before going to the Town Board, however, the Planning Board must have some type of formal or informal public hearing. One or more neighborhood meetings would satisfy this requirement. Mr. Nelson is recommending five neighborhood meetings to be held between Thanksgiving and Christmas, one in Johnson City, one in Endicott and three in the Part-town area. The meetings could be held in public buildings in each of the areas, allowing residents from those communities an opportunity to see the plan and ask questions. Several of the members expressed concerns that the public would be less likely to attend during this busy time of year. It was decided that the Public Meetings would be held during the month of January. There will be a PowerPoint presentation highlighting the goals and objectives in each part of the plan. Mr. Nelson is hoping that members of the Planning Board will be available to assist in facilitating these meetings. Notification to residents could be done through advertisements, the Town of Union website and/or press releases.

Vice Chair Signorelli brought up the circled areas on the Future Land Use Map that still require refining and suggested that the completion of those designations be on the agenda at the next Planning Board meeting. It was agreed that it will be on the next agenda.

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

Mr. Nelson gave information to the Board members regarding three upcoming seminars. Anyone interested in attending should contact him or arrange to go and then request reimbursement.

H. ADJOURNMENT

Motion made: B. Seglia
Motion seconded: J. Rotella
MOTION: Adjourning the meeting at 8:48 p.m.
VOTE: **In Favor:** R. Signorelli, A. Elwood, L. Miller, J. Rotella, B. Seliga
Opposed: None
Motion Carried

Meeting Date

The next meeting of the Planning Board is scheduled for Tuesday, October 23, 2007 at 7:00 p.m.

Respectfully submitted,

Dawn Foti