

Town of Union Planning Board Minutes

Wednesday, November 8, 2006

A regular meeting of the Town of Union Planning Board was held on Wednesday, November 8, 2006 at the Town of Union Office Building, 3111 East Main Street, Endwell, New York. Chairperson McLain opened Planning Board meeting at 7:00 p.m. Unless otherwise noted, the Chair does not vote on motions.

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

Members absent: T. Crowley

Others present: Paul Nelson, Marina Lane, Philip Akel, Alan Pope

A. CALL TO ORDER

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

B. APPROVAL OF MEETING MINUTES: OCTOBER 25, 2006

Chairman McLain asked for any changes or corrections to the minutes from October 25, 2006.

Ms. Elwood recommended changing the boilerplate for these minutes to read, "Unless otherwise **stated**, the Chair does not vote on motions." Chairman McLain indicated this change would be made to the boilerplate future meetings.

Chairman McLain asked that the paragraph at Page 5, Item D, Paragraph 4 be changed to read: " Chairman McLain informed Mr. Kashou that no recommendation for site plan revision or perimeter landscaping can be made until a complete and accurate as built Site Plan is received and reviewed."

Chairman McLain asked for a motion to approve the minutes from the meeting held October 25, 2006, as amended above.

Motion made: B. Seliga

Motion seconded: L. Miller

MOTION: Approving the minutes from meeting held October 25, 2006, as amended.

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

Opposed: None.

Abstained: None

Motion Carried

C. CVS: 800 HOOPER ROAD PARK MANOR PLAZA

SEQRA Declaration

Site Plan Review/Decision

Mr. Nelson advised the Board that this was a new SEQRA submission with the revised submission of the different construction material.

Ms. Lane distributed the Negative Declaration under SEQRA dated November 8, 2006. She read the Description of Action as follows:

The proposed project includes the construction of a 13,225 square foot free-standing commercial building within the existing plaza zoned Planned Unit Development (PUD) with existing commercial and recreational uses. The total area of existing buildings and the proposed building is 169,168 square feet and the required number of parking spaces is 677. The actual number of parking spaces will be 678. The site is served by public water and sewer.

A motion to approve a Negative Declaration for the project using a standard split-faced block product was defeated. Subsequently, the applicant changed the construction material in an effort to mitigate concerns about the visual appearance of the structure.

Ms. Lane read the Reasons Supporting This Determination:

Under the requirements of section 617.7(c), the proposed project was examined for the construction of a new 13,225 square foot CVS/Pharmacy, including related storm water management structures. Since the area to be disturbed is greater than 1-acre (1.66-acres), a Storm Water Pollution Prevention Plan was required. The proposed building is to be built on an area that is currently paved, and therefore will not increase the area of impervious surface. As presented, the application meets the requirements for Site Plan Review.

The project location is in an area of the Town of Union that is highly visible from the Town's premier recreational facility, Highland Park. Unlike other commercial areas in the Town, the project is located in a substantially residential area. The site is also located along Hooper Road and has been designed to face away from the road, therefore, situating the rear of the building toward Hooper Road. The developers must ensure that the façade of the building be attractive from all sides, and the Planning Board members have requested a decorative exterior, of polished, architectural masonry block, similar in color to the plaza anchor, GIANT Markets and with columns for linear relief. The specific details of the new material for use on the proposed CVS Pharmacy, as stated in a letter from the applicant dated November 7, 2006 are:

Color: Main Walls – Carolina Clay #310, Polished Finish with Double Score, by Cemex

Color: Accent Panels (4) – Old Windrift, Polished Finish with No Score Lines, by Cemex

All other architectural features are intended to remain the same as submitted on the September 22, 2006 elevations.

This Negative Declaration only applies to the above referenced building materials, which shall not be altered in any way without the express written approval of the Town of Union Planning Board.

Ms. Lane read the Description of Action as follows:

The proposed project includes the construction of a 13,225 square foot free-standing commercial building within the existing plaza zoned Planned Unit Development (PUD) with existing commercial and recreational uses. The total area of existing buildings and the proposed building is 169,168 square feet and the required number of parking spaces is 677. The actual number of parking spaces will be 678. The site is served by public water and sewer.

A motion to approve a Negative Declaration for the project using a standard split-faced block product was defeated. Subsequently, the applicant changed the construction material in an effort to mitigate concerns about the visual appearance of the structure.

Chairman McLain asked for a motion approving the Negative Declaration under SEQRA.

Motion made: L. Miller
Motion seconded: R. Signorelli
MOTION: Approving the Negative Declaration under SEQRA.
VOTE: **In Favor:** A. Elwood, S. McLain, R. Signorelli, L. Miller
Opposed: None.
Abstained: B. Seliga.
Motion Carried

The site plan was presented to the Board.

Ms. Lane read the Staff Recommendations as follows:

The Planning Department recommends approval of the site plan with the following conditions:

1. The landscaping must be completed prior to the issuance of the permanent Certificate of Occupancy.
2. The applicant shall apply for a sign permit from the Building Official. The sign details shall include the dimensions of any ground or wall signs, including the proposed letter style and colors. The details shall show the height of the ground sign above the existing grade. Any ground, freestanding, or wall sign shall meet the requirements under the Town code. All temporary signs (including price signs), portable signs, searchlights, balloons, sidewalk and curb signs are prohibited. Signs that blink, scintillate, rotate, or move are not permitted. Banners, pennants, and sandwich board signs are permitted at the opening of a new business for a total of 10 days after which they shall be removed. The sign plan submitted to the Building Official shall be

identical to the plan submitted to the Planning Board as part of the Site Plan review process.

3. As a condition of site plan approval, the property shall comply with the Town's sign ordinance at all times specifically including, but not limited to, the placement of temporary signs, portable signs, and banners. The use of electronic message boards is expressly prohibited.
4. No illuminated sign located on a lot adjacent to or across the street from any residential district shall be illuminated between the hours of 11:00 p.m. and 7:00 a.m., unless the use to which the sign pertains is open for business during those hours (*Sect. 205-71.K*).
5. Given the visual prominence of the proposed building to the community, the exterior should be well-maintained at all times, and must conform to the site plan approved by the Planning Board.
6. The building elevations originally submitted and subsequent discussions indicated that the building was to be constructed of brick. This was a consideration in allowing the main entrance to the proposed building to face the main entrance to the GIANT market. The applicant now proposes to construct the building with a polished block product similar in color to the supermarket building. Specifically, the new materials, as stated in a letter from the applicant dated November 7, 2006, are as follows: 1) the material of the main walls is proposed to be colored Carolina Clay #310, polished and doubled-scored, by Cemex, and 2) the four accent panels are proposed to be colored "Old Windrift," polished unscored, by Cemex. If the Planning Board approves the change of material, the Planning Department recommends that the proposed material not be altered in anyway without the express written approval of the Town of Union Planning Board.
7. The fencing surrounding the trash compacter shall be stained or painted a color to match the exterior of the building.
8. The applicant shall be required to acknowledge all of the above conditions, in writing, prior to the issuance of a building permit. The applicant agrees to construct the project in strict accordance with the site plan approved by the Planning Board. Should the applicant change the site plan once it has been approved by the Planning Board, even if by petition to the Town's Zoning Board of Appeals, the site plan approval will become null and void and the applicant must resubmit a new site plan to the Town of Union Planning Board.

Chairman McLain asked for a motion approving the Site Plan.

Motion made: R. Signorelli

Motion seconded: A. Elwood

MOTION: Approving the Site Plan

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

Opposed: None.
Abstained: B. Seliga,
 Motion Carried

D. JUSTIN MARCHUSKA: ATTENTION DISORDERS CLINIC

Mr. Marchuska presented and described preliminary plans for an Attention Disorders Clinic on Marshall Road. Once revised drawings are completed, Mr. Marchuska will return with finalized plans for the necessary approvals.

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

- Realty USA will revise their plans to show one center curb cut from Route 17C. The site plan is being finalized.
- The proposed ordinance revision for the PUD process was explained by Mr. Nelson.
- Robert Kashou, 1500 Airport Road: Mr. Kashou was cited by the Town for conducting a soccer tournament at midnight. Mr. Kuzel has agreed to allow trees to be planted on his property as long as he determines where they are planted. He will be sending a letter to the Planning Board.
- Mr. Walsh will be meeting with the Planning Department regarding Lots 14 and 15 (at the top of Homestead Road).

F. COMPREHENSIVE PLAN DISCUSSION

Mr. Nelson discussed with the Board the most recent maps relating to the comprehensive plan. Residential parcels were mapped according to size as an indicator of density. Larger residential parcels were indicative of lower density, and vice versa. It was generalized that each parcel had one living unit, so parcels with multi-family zoning were mapped separately.

CLASSIFICATION BY ACREAGE

<i>Acreage/parcel</i>	<i>Units per acre</i>	<i>Land Use Classification</i>
43,560 +	One unit per acre	Rural Residential
14,520 – 43,559	1-3 units per acre	Low Density
7260 – 14,519	4-6 units per acre	Medium Density
35 - 7259	7 or more units per acre	High Density

Plans are to add conservation areas, a street classification system, and water and sewer lines to future maps.

G. ADJOURNMENT

Motion made: B. Seliga

Motion seconded: L. Miller
MOTION: Adjourning the meeting at 9:03 p.m.
VOTE: **In Favor:** L. Miller, B. Seliga, A. Elwood, R. Signorelli
Opposed: None
Abstained: None
Motion Carried

Meeting date

The next (work session) meeting of the Planning Board is scheduled for Tuesday, November 14, 2006 at 7:00 p.m.

Respectfully submitted,
Kathleen C. Carney