

Town of Union Planning Board Minutes
Tuesday, November 21, 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, R. Signorelli, A. Elwood, T. Crowley, J. Rotella

Members absent: L. Miller, B. Seliga

Others present: Paul Nelson, Marina Lane, Alan Pope, Justin Marchuska

A. CALL TO ORDER

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

B. APPROVAL OF MEETING MINUTES: NOVEMBER 8, 2006

Chairman McLain asked for any changes or corrections to the minutes from November 8, 2006.

Ms. Lane indicated that she would like to add a chart to the discussion of the Comprehensive plan.

Chairman McLain suggested that approval of the minutes be delayed until the next meeting. All agreed.

C. INTRODUCTION OF JEFFERY ROTELLA, NEWLY APPOINTED MEMBER

Jeff was appointed by the Town Board on November 15, 2006, to fill the vacancy left by Anthony Paniccia, set to expire on December 31, 2007. He is a local construction business owner, grew up in the area, and is raising his family in the Town of Union.

D. ATTENTION-DEFICIT DISORDERS CLINIC: 100 MARSHALL DRIVE

SEQRA Declaration
Site Plan Review/Decision

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 new one-story professional office building with no basement, to be used for the Attention Disorders Clinic. The project area is zoned Light Industrial (LI) which permits the construction of professional office buildings. The new building will be approximately 2,048 square feet in size, with approximately four (4) employees. The site is served by public water, and private

septic and stormwater sewer system owned by the Marchuska Brothers Construction, LLC. The future deed of the proposed partitioned lot shall be required to include twenty-foot (20) easements for each of the septic and stormwater laterals, to the owner of the remainder of the lot.

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 2,048 square foot professional office building including related storm water management structures. Since the area to be disturbed is less than 1-acre, a Storm Water Pollution Prevention Plan was not required. As presented, the application meets the requirements for issuance of a Site Plan Review.

The project, as proposed, was found to not have a significant impact on the environment.

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

Motion made: T. Crowley
Motion seconded: R. Signorelli
MOTION: Approving the Negative Declaration under SEQRA.
VOTE: **In Favor:** A. Elwood, J. Rotella, R. Signorelli, T. Crowley
Opposed: None.
Abstained: None.
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 by June 30, 2007.
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, search lights, 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.

3. It is understood that the applicant will submit sign plans for a wall sign to be approved by the Building Official. Should the applicant change to a ground or free-standing sign, the applicant must submit the sign plan to the Planning Board for approval, with a revised site plan showing the proposed location of the ground or free-standing sign.
4. 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.
5. If the paving and striping of the parking lot, landscaping or other site improvements are not completed prior to any request for a Temporary Certificate of Occupancy, the applicant shall provide a performance bond, letter of credit, or other guarantee approved by the Town Engineering Department and the Town Attorney, for the site improvements not completed. The approved bond shall be posted to the Town Board prior to the issuance of the Temporary Certificate of Occupancy. The bond shall cover a period of one (1) year.
6. The applicant must submit a revised site plan by November 30, 2006, to be reviewed by the Town Engineer, showing the following changes:
 - a. Language shall be included in the deed of the proposed new parcel stating that the owner(s) of said parcel grant a permanent 20-foot easement for each of the existing sanitary and stormwater laterals, which cross the proposed new parcel but belong to the owners of the current parcel at 100 Marshall Drive. No permanent structures will be allowed on the easement. This is to be stated both in the deed and on the final site plan.
 - b. The finished floor elevation (FFE) must be corrected to show the accurate elevation, and
 - c. the drainage swale along the rear property line shall be revised to show accurate proposed contour lines every fifty (50) feet.

Written approval from the Town Engineering Department must be received by the Planning Department before the Planning Chairperson shall stamp and sign the final site plan. No construction of the building will be permitted until the plans are stamped and signed and presented to the Building Official.

7. Although there are minor changes that need to be made on the drawings prior to signature by the Chair, the Planning Board members have no objections to the manor in which the building is situated on the lot, and that it is unlikely that the footprint will need to be moved due to the minor revisions.
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 if there were any questions pertaining to the Site Plan.

T. Crowley raised concerns about the stormwater runoff and the capacity of the existing stormwater sewers to accommodate the proposed drainage system along Marshall Drive. J. Rotella suggested that rather than drain the site to the southwest, the drainage system might be redirected to the east, directly into the creek. J. Marchuska explained that there is a parking lot to the east which would prohibit the drainage in that direction.

It was determined that J. Marchuska must submit stormwater calculations and the appropriate stormwater detention system to the Town's Engineering Department for stormwater erosion and control measures prior to the site plans being stamped and signed by the Chairperson, and the issuance of a building permit. This condition would be added to the formal conditions for site plan approval.

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, J. Rotella, T. Crowley
Opposed: None.
Abstained: None.
Motion Carried

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

- Robert Kashou, 1500 Airport Road: Significant flooding occurred below the Sports Complex during the Nov. 17th flood. The engineering department is working with the county to try to solve the drainage problem.
- Rules for recusal versus abstaining from voting were discussed. In general, if there is the potential for a conflict of interest, meaning that a member could benefit from the some action by the applicant now or in the future, that member should recuse himself. If a member chooses to not vote for any other reason, they then should abstain from voting.

G. ADJOURNMENT

Motion made: T. Crowley
Motion seconded: A. Elwood

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

Meeting date

The next meeting of the Planning Board is scheduled for Tuesday, December 5, 2006 at 7:00 p.m.

Respectfully submitted,
Kathleen C. Carney