

**Town of Union Planning Board Minutes**  
Tuesday, November 27, 2007

A regular meeting of the Town of Union Planning Board was held on Tuesday, November 27, 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, T. Crowley, A. Elwood, L. Miller, R. Signorelli

Members absent: J. Rotella, B. Seliga

Others present: Paul Nelson, Marina Lane, Jeff Hoskins, Kathy Gibb, Thad DeMulder, Bonnie Brown

**A. CALL TO ORDER**

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

**B. APPROVAL OF MEETING MINUTES: NOVEMBER 13, 2007**

Chairman McLain asked for a motion to accept the November 13, 2007 meeting minutes with the following correction:

On Pages 5 and 7 correct the spelling of McLean to *McLain*.

Motion made: L. Miller

Motion seconded: R. Signorelli

MOTION: Approving the minutes from November 13, 2007 as corrected.

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

**Opposed:** None

**Abstained:** None

Motion Carried

**C. REALTY USA – MERLE WHITEHEAD: 3628-3640 GEORGE F. HIGHWAY – Revised Sign Plan Review**

Ms. Lane presented a letter dated November 20, 2007 from Mr. Merle Whitehead, Facilities Coordinator for Realty USA, requesting approval of a new Sign Plan. The reasons given for the request were that it would be more consistent with their other locations and surrounding businesses at this new location, provide better visibility due to speed of vehicles traveling through the area, and provide better visibility of the sign in case of snow accumulation.

Ms. Lane then gave background information on this request. The site plan that had been approved in December 2006 stated that there would be a ground/monument sign. In October, Realty USA submitted a Sign Plan which showed a pole sign, 10 feet by 12 feet, and 25 feet high, which was different than the ground/monument sign that was indicated on the approved site plan. After receiving the plan, Ms. Lane presented it to the Sign Official, Mr. Rafferty, and they confirmed that the submitted sign met Code. Ms. Lane presented the new sign plan to the Planning Board on November 13<sup>th</sup>, where it was met with little enthusiasm. The Board requested that she return to the developer and see if it could be revised. In a conversation with Ms. Lane, Mr. Rafferty stated that during construction of the building, he had approved the pouring of a concrete base for the sign. Mr. Nelson had not been in the room when Ms. Lane showed the Board the Sign Plan, but after the meeting he recognized that the sign was not the type approved during the site plan review. When speaking with Realty USA about the Board's dissatisfaction and the confusion over the fact that the original Site Plan had called for a ground/monument sign, Ms. Lane was informed that Realty USA had already had the sign built at a cost of approximately \$18,000.

Discussion took place about how an oversight like this could happen. Mr. Nelson stated that Sign Plans are listed in the code as one of the items to be reviewed during site plan review process but were not always submitted with the original plans. Now this information is requested with the initial submission, although there are times when it may not be possible. He said that the Sign Ordinance passed by the Town was done partially to encourage the use of monument signs to limit the size and height of signs. The sign requested by Realty USA does meet Town Code since it is 120 square feet and could be up to a size of 180 square feet. The height is also within Code guidelines. It was agreed that vigilance is needed by the Board, Planning Department, and Code Enforcement office so that this kind of error does not happen again.

Several members expressed concern about the quality of signs in the Town and need for Code Enforcement to be more vigilant in citing violations of the Sign Ordinance as well as other Town ordinances. The effort put into this enforcement would result in better marketing of the area to future investors.

Members of the Board did agree that Realty USA has added a beautiful building to Main Street and they are grateful for the contribution to the area. Discussion then moved on to what should be done if the sign were accepted. The original Site Plan had landscaping (daylilies) around the base and it was agreed that a year-round mix of plantings would be more suitable in order to provide screening for the base of the pole. There was also concern about the setback of the sign and the need for it to be perpendicular to traffic. Mr. Crowley stated that it should be stipulated that it can never be used as a billboard. Mr. Nelson stated that the sign is larger than what is allowed in the Billboard Ordinance, but that it could not be used that way because under the Sign Ordinance a business is only allowed one sign unless there is a large amount of street frontage. Mr. Nelson asked if wall signage is also planned. Mr. DeMulder stated that wall signs are not

proposed. Mr. DeMulder agreed that they understand that only one sign is approved and that there will be no other signs allowed on the building or property without a further review and approval by the Planning Board.

Chairman McLain asked for a motion to recommend approval of the Revised Sign Plan with the contingencies that the applicant will provide an updated drawing of Sheet L-101 with revised landscaping to provide year-round screening of the base, show the setback and show the sign being perpendicular to the highway.

Motion made: A. Elwood

Motion seconded: L. Miller

MOTION: Recommending approval with conditions.

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

**Opposed:** None

**Abstained:** None

Motion Carried

#### **D. COMPREHENSIVE PLAN DISCUSSION: DEFINITIONS, FUTURE LAND USE**

Mr. Nelson reviewed the revisions that have been made to the Future Land Use Map as a result of previous discussions. Revisions have been made to West Corners where it will be classified as Professional Office. The area across from the Giant and Fire Department will also be Professional Office where the dentist's office is located. Mr. Nelson said the dentist is apparently planning on buying the lot next to his office and the adjacent house in order to expand and provide better parking.

The Westover area was discussed. The parcels that front Main Street would stay Corridor Commercial to keep consistent with the rest of Main Street through the town and villages. When ordinances are written for that area the goal will be for some uses to be restricted by special permit. In time, the Corridor Commercial would continue through Johnson City and Endicott. This would allow the same regulations, such as setback and signage, to be consistent all the way. Mr. Crowley is concerned about the electronic message boards that are in Johnson City. Mr. Nelson agreed that they need to be addressed in the new unified Zoning Ordinance that will be prepared, in order to continue to restrict them within the part-town area.

The area leading up to Oakdale Road was classified as Professional Office, as it is currently zoned RU-MO. The residential density based on existing lot sizes was medium and BAE and the power plant are Mixed Use. The only issue is Riverside Drive where there is currently a mixture of uses. There are existing businesses including a body shop, florist and houses that might be suitable for Professional Office. The recommendation is to keep it consistent. Mr. Crowley asked if BAE should be classified as government property since it is owned by

the Air Force, perhaps with a different color, but it was agreed that the use is Light Industrial and should be reflected as such on the map.

River Plaza is recommended to continue Corridor Commercial with changes through special permit.

The Fairmont Park area was discussed. It was decided that the south side of Watson Boulevard, from Barton Avenue east, would be classified as Neighborhood Commercial. Properties north of Watson Boulevard (3901 and 4101 Watson Blvd.) will be classified as Professional Office to keep it consistent with the existing RU-M/O zoning. The area to the south of Watson Boulevard at 3901 and 4101 Watson was recommended for Recreation, as it falls under the Limited Development overlay due to the fact that it is in the floodplain.

Mr. Nelson will be sending Board members sample text for the Agricultural Section of the Comprehensive Plan. Since elimination of the Agricultural category is being recommended in the new zoning ordinance, the text will not be substantial.

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

- Mr. Nelson and Ms. Lane updated the Board on the progress of the Good Shepherd project.

The Board reviewed the Sign Plan which showed a 6 foot high monument sign on a brick base. The sign is 16 feet across and will be backlit. Two signs will be made, one placed at the main entrance on Farm to Market Road and one on the corner of Farm to Market Road and Sally Piper Road.

In response to the neighbors' concerns, Mr. Nelson also said that the trees along Mr. O'Brien's property will be kept and the slope of the embankment modified, making the retaining wall a little bit higher. The corner of the main entrance where the water pipe will run has been regraded so the water will flow away from the homeowner's property to the south of the main entrance. Landscaping has been added along the main entrance and the fences have been removed. In response to the comment raised by Mr. Rotella at the last meeting, radon will also be addressed by slab ventilations systems when the cottages are constructed.

The water issues are close to being resolved. Since the roads are private, the Village of Endicott has indicated that the water lines must also be private. Therefore, Good Shepherd will have to have a master meter pit. They are now addressing the possibility of having a separate water line for the nursing home in case there is a break in the main water line. The sewer system will also be private. Mr. Nelson said that there will be a number of negotiated extractions that will be required and included as conditions of

approval. They will be for the water supply study, for water improvements to install a second pump, park improvements, and sewer improvements.

Hopefully the project will be finalized by the December 18 meeting, but there are still details to be worked out.

- Mr. Nelson told the Board that the Town of Union is cooperating with several nearby towns to have a consultant come in to prepare a Local Waterfront Revitalization Plan. The Town Board has given a letter of support for the application and the application is due by December 7, 2007. It is believed that the shared services and joint effort of several towns will bolster the application. The joint project will give better access to funding at the state level for capital projects such as walking trails.

## F. ADJOURNMENT

Motion made: L. Miller

Motion seconded: R. Signorelli

MOTION: Adjourning the meeting at 9:15 p.m.

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

**Opposed:** None

**Abstained:** None

Motion Carried

## Meeting Dates

The next meeting of the Planning Board will be a Training Session scheduled for Tuesday, December 4, 2007 at 7:00 p.m. The next regular meeting will be scheduled for Tuesday, December 18, 2007 at 7:00 p.m.

Respectfully submitted,

Dawn Foti