

town of union

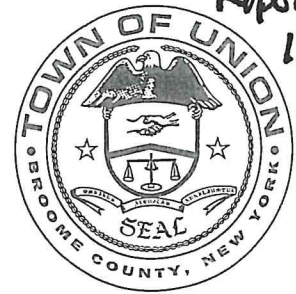
Code Enforcement / Permits Department

3111 East Main Street • Endwell, New York 13760-5990

Phone (Voice/TTY) (607) 786-2920

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Town Clerk



November 15, 2021

James M. Kinne,
Chairman
Zoning Board of Appeals

Anthony Guthmuller
1005 Irving Avenue
Endicott, NY 13760

Re: Zoning Board of Appeals Decision
Application 2021-011
1005 Irving Avenue

Dear Anthony,

Attached, please find a copy of the decision from the Town of Union Board of Appeals. The decision was rendered at a regular meeting of the Zoning Board of Appeals held on August 23, 2021.

After review of the testimony on August 23, 2021 Member Carden made a motion to approve the variance to grant construction of a covered porch 22 feet from the front property line at 1005 Irving Avenue. Member Davis seconded the motion. Members Carden, Kruczkowski, Dorrell, Roberto, Woodruff, Davis and Kinne voted Aye. The motion was approved by a unanimous vote of 7-0.

I, James M. Kinne, Chairman of the Zoning Board of Appeals do hereby certify that a resolution was adopted at a regular meeting of the Zoning Board of Appeals held on August 23, 2021 granting the requested variance.

Very truly yours,

James M. Kinne
Chairman, Zoning Board of Appeals

JMK/tmb

Attachment



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NOV 22 2021

TOWN OF UNION CLERK

TOWN OF UNION
ZONING BOARD OF APPEALS
APPLICATION NUMBER ZB-2021-011

Applicant: Anthony R. Guthmuller

For Applicant: Anthony R. Guthmuller

Date of Hearing: August 23, 2021

Relief Requested: Area Variance to permit to construct a covered porch 22 feet from the front property
Instead of the required 25-foot.

Location: 1005 Irving Ave, Town of Union, New York
Tax Map Number: 141.23-1-35.

Members Sitting: James Kinne, Chairman, Lee Kruczkowski, Daniel Carden,
Joseph Roberto, Mark Woodruff, Norm Davis, Amanda Dorrell

Decision of the Board:

Based upon the factual and legal basis of this appeal, the Board heard and deliberated upon this appeal. This Decision is dispositive of the requested variance.

Pursuant to Chapter 300 of the Town of Union Zoning laws, and the following public hearing, the Zoning Board of Appeals voted 7-0 to grant the applicants requested relief.

The application submitted in this appeal and all other evidence taken in these matters, as well as all exhibits, are considered part of the Board's records of proceedings and are incorporated herein.

Facts and Procedural History

The Applicant is seeking a three-foot variance from the front yard setback to construct a front porch. The applicant desires to construct the porch over his front door which currently has no cover from the elements. In addition to protection from the elements, it will improve the looks and value to the home. Other homes on his street have covered porches and it would not detract aesthetically from the neighborhood.

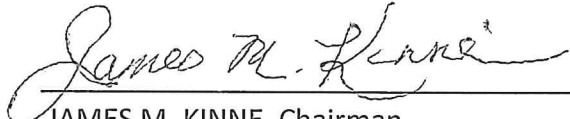
The Board considered Section 300-24.4, Table 20-3. Residential, Area and Setback Requirements, which states a front yard setback be 25 feet. The Board having no concerns or questions, the chairman opened up the meeting for public to comment on the requested variance request. Seeing that no one came forward to speak, the chairmen then closed the portion of the public comment.

Findings of the Board

The Board then evaluated the five factors necessary when making the determination on an application for an area variance. The Board balanced the benefit to be realized by the applicant against the potential detriment to the health, safety and general welfare of the neighborhood or community if the variance were to be granted. After reviewing and discussing the five factors the chairman asked for a motion to approve the variance as submitted.

Conclusion:

Mr. Carden made the motion to approve the variance to grant construction of a covered porch twenty two feet from the front property line at 1005 Irving Avenue. Mr. Davis seconded the motion. The motion passed with a vote of 7-0.

A handwritten signature in cursive script, reading "James M. Kinne", written in black ink over a horizontal line.

JAMES M. KINNE, Chairman

Town of Union Zoning Board of Appeals

Members Present – Vote

James Kinne	Yes
Lee Kruckowski	Yes
Daniel Carden	Yes
Giuseppe Roberto	Yes
Mark Woodruff	Yes
Norm Davis	Yes
Amanda Dorrell	Yes

Town Clerk town of union

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November 15, 2021

James M. Kinne,
Chairman
Zoning Board of Appeals

Kevon Othman
3623 George F Highway
Endwell, NY 13760

Re: Zoning Board of Appeals Decision
Application 2021-010
3623 George F Highway

Dear Kevon,

Attached, please find a copy of the decision from the Town of Union Board of Appeals. The decision was rendered at a regular meeting of the Zoning Board of Appeals held on August 30, 2021.

After review of the testimony on August 30, 2021 Member Dorrell made a motion to grant the area variance to allow a parking space setback 0 feet, 0 inches from George F. Highway, where 10 feet is required. Member Roberto seconded the motion. Members Kruczkowski, Dorrell, Roberto, Davis and Kinne voted Aye. The motion was approved by a unanimous vote of 5-0.

I, James M. Kinne, Chairman of the Zoning Board of Appeals do hereby certify that a resolution was adopted at a regular meeting of the Zoning Board of Appeals held on August 30, 2021 granting the requested variance.

Very truly yours,

James M. Kinne
Chairman, Zoning Board of Appeals

JMK/tmb

Attachment

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NOV 22 2021

TOWN OF UNION CLERK

TOWN OF UNION
ZONING BOARD OF APPEALS
APPLICATION NUMBER ZB-2021-010

Applicant: Kevon Othman

For Applicant: Kevon Othman

Date of Hearing: August 30, 2021

Relief Requested: Area Variance to permit a parking space setback of 0'0" along 3623 George F. Highway

Location: 3623 George F. Highway, Town of Union, New York
Tax Map Number: 142.17-4-38.

Members Sitting: James Kinne, Chairman, Lee Kruckowski, Joseph Roberto, Norm Davis, Amanda Dorrell

Decision of the Board:

Based upon the factual and legal basis of this appeal, the Board heard and deliberated upon this appeal. This Decision is dispositive of the requested variance.

Pursuant to Chapter 300 of the Town of Union Zoning laws, and the following public hearing, the Zoning Board of Appeals voted 5-0 to grant the applicants requested relief.

The application submitted in this appeal and all other evidence taken in these matters, as well as all exhibits, are considered part of the Board's records of proceedings and are incorporated herein.

Facts and Procedural History

The Applicant is seeking a zero-foot setback from the required ten feet for parking spaces. The applicant explained that when he purchased the parcel, he didn't realize the footprint of the lot because the previous owner had cars parked

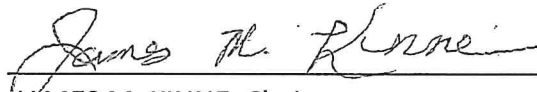
The Board considered Section 300-51.6 (L) and (M). General Requirements, which states that parking may not be located within 10 feet of street frontage unless proper screening or decorative fencing is installed and off-street parking in commercial and industrial districts may be provided in any yard space, but shall not be closer than 10 feet to any front property line. The Board then discussed where the variance would be and the need for it. Having no other questions, the chairman opened up the meeting for public comment on the requested variance request. Seeing that no one came forward to speak, the chairman then closed the portion of the public comment.

Findings of the Board

The Board then evaluated the five factors necessary when making the determination on an application for an area variance. The Board balanced the benefit to be realized by the applicant against the potential detriment to the health, safety and general welfare of the neighborhood or community if the variance were to be granted. After reviewing and discussing the five factors the chairman asked for a motion to approve the variance as submitted.

Conclusion:

Member Dorrell made a motion to grant the area variance to allow a parking space setback 0 feet, 0 inches from George F. Highway, where 10 feet is required. Member Roberto seconded the motion. Member Davis seconded the motion. The motion passed with a vote of 5-0.



JAMES M. KINNE, Chairman

Town of Union Zoning Board of Appeals

Members Present – Vote

James Kinne	Yes
Lee Kruczkowski	Yes
Daniel Carden	Absent
Giuseppe Roberto	Yes
Mark Woodruff	Absent
Norm Davis	Yes
Amanda Dorrell	Yes

**TOWN OF UNION
LOCAL DEVELOPMENT CORPORATION
MEETING MINUTES
THURSDAY, SEPTEMBER 23, 2021**

RECEIVED

NOV 18 2021

Reports# 1

12/1/21

TOWN OF UNION CLERK

SYNOPSIS OF MEETING

The Town of Union Local Development Corporation remotely met for a regular meeting on Thursday, September 23, 2021 at the Town of Union Office Building, located at 3111 East Main Street in Endwell, New York.

I. THE MEETING WAS CALLED TO ORDER AT 8:02 A.M.

MEMBERS PRESENT: Stephen Trichka, Gary Leighton, James Peduto,
Mary O'Malley-Trumble, Jeffrey L'Amoreaux,
Timothy Strong

MEMBERS ABSENT: Diane Julian

OTHERS PRESENT: Rosemarie Pope (LDC Board Attorney)
Richard Materese (Town Supervisor)

STAFF PRESENT: Joseph Moody (LDC Director), Robin Shimer (Admin Asst.)

II. APPROVAL OF THE MINUTES

The Minutes of the regular LDC Board Meeting of August 19, 2021 were reviewed and approved, as written.

Motion: Jeff L'Amoreaux
Motion 2nd: Tim Strong
Motion: To approve the regular LDC Board Meeting Minutes of
August 19, 2021, as written.
Vote: Motion approved [6- Yes, 0 - No, 1 - Absent, 0 - Abstain]

III. PRESIDENT'S REMARKS

President Trichka welcomed all attendees. He commented about the importance of the LDC Board members' dedication and work, and thanked them for their participation.

IV. DIRECTOR'S REMARKS

Director Moody noted the agenda topics for Board consideration.

V. OLD BUSINESS

A. Mr. Moody initiated discussion about American Rescue Plan Act (ARPA) financing and potential town economic development projects. He plans to establish a 3-person committee, on which Messrs. L'Amoreaux and Leighton volunteered to serve, for determining project parameters. Mr. Moody asked Supervisor Materese if there were updates about Town Board approval of the federal ARPA funds for LDC allocation. Supervisor Materese said a funding level decision may occur on October 1, 2021.

VI. NEW BUSINESS

- A. Mr. Moody presented a request by Mr. George Taylor of Taylor's Pizza, Inc. for Central Business District (CBD) Loan Program financing in an amount not to exceed \$50,000.00, to be paid back over a 10 year term at a fixed 2% interest rate. The loan will assist in the acquisition of property and a building at 3003 Watson Boulevard in Endwell, New York. The loan shall apply to the purchase of the building only. Mr. Taylor and his wife currently operate a pizza and sandwich business at 3017 Watson Boulevard. They will relocate from that venue if LDC loan financing is approved.

Following Board discussion, President Trichka requested a motion to approve a Central Business District loan to Mr. George Taylor and Mrs. Patricia Taylor of Taylor's Pizza, Inc. in an amount not to exceed \$50,000.00 for 10 years at a fixed interest rate of 2%. Requirements include the provision of personal guarantees, life insurance, building hazard insurance, cross-guarantee by Taylor Pizza, Inc., an appraisal if required by the private lender, acceptable loan-to-value ratio, and an Assignment of Rents.

Motion: Tim Strong
Motion 2nd: Gary Leighton
Motion: To approve Town of Union Central Business District (CBD) Loan Program financing to Mr. George D. Taylor and Mrs. Patricia M. Taylor of Taylor's Pizza, Inc. in an amount not to exceed \$50,000.00 for a 10 year term at a fixed interest rate of 2.0%. The loan shall assist in the acquisition of the property and building located at 3003 Watson Boulevard in the Central Business District in Endwell, New York.
Vote: Motion approved [6 - Yes, 0 - No, 1 - Absent, 0 - Abstain].

- B. Mr. Moody presented a request by Mr. Josh Olson and Mr. Sean Campbell of Crooked Mouth Brewing, LLC for Town of Union Business Assistance (TUBA) Loan Program financing in an amount not to exceed \$50,000.00, to be paid back over a 7 year term at a fixed interest rate of 3%. The loan shall assist in the purchase of furniture, fixtures, machinery and equipment for the start-up business to be located at 231 Vestal Avenue in Endicott, New York.

The property is the site of the old McDonald's restaurant and prior Pat Mitchell's Ice Cream store. The site is not linked to the former K-Mart Plaza property. In addition to LDC financing, Southern Tier Region Economic Development Corporation (STREDC) will provide a \$50,000.00 Rural Initiative Fund loan in co-equal financing. Mr. Moody recommended the LDC's requesting of a co-equal second mortgage lien position.

Mr. Strong asked if the applicants received mentoring. Mr. Moody said they worked with the Small Business Development Center (SBDC). Mr. Trichka further remarked on the qualitative business plan. Besides standard conditions, approval requirements included provision of a personal guarantee from Mr. Jerry Campbell, Southern Tier REDC terms, and private lender mortgage holder terms; and LDC co-equal second mortgage lien position on the 231 Vestal Avenue building.

Following Board discussion, President Trichka requested a motion to approve a Town of Union Business Assistance (TUBA) loan to Mr. Josh Olson and Mr. Sean Campbell of Crooked Mouth Brewing, LLC in an amount not to exceed \$50,000.00 for a term of 7 years at a fixed interest rate of 3.0%.

Motion: Tim Strong
Motion 2nd: Jeff L'Amoreaux
Motion: To approve Town of Union Business Assistance (TUBA) Loan Program financing to Crooked Mouth Brewing, LLC in an amount not to exceed \$50,000.00 for a 7 year term at a fixed interest rate of 3%. The loan shall assist in the purchase of furniture, fixtures, machinery and equipment for the start-up business to be located at 231 Vestal Avenue in Endicott, New York.
Vote: Motion approved [6 - Yes, 0 - No, 1 - Absent, 0 - Abstain].

VII. OTHER BUSINESS

- A. Mr. Moody shared a Loan Portfolio review, and noted Senecka Spine's pending removal due to non-reply to prior communications. He said the one business grant of closure was Mindful Health and Wellness, LLC. Mr. Strong suggested evaluating similar programs in the future, relative to the amount of applicants, to decide administrative practicality. Mr. Peduto departed at 9:00 a.m. due to a prior commitment.
- B. Mr. Moody said DTRT Page, LLC (National Pipe & Plastics, Inc.) has met all three benchmarks for achieving complete grant financing status. He also positively remarked about the site being put back into productive reuse and its economic benefits.
- C. Mr. Moody said Endicott's Downtown Revitalization Initiative application for a \$10 million award was submitted to the state Regional Economic Development Council. Supervisor Materese mentioned the town's pleasure with the solar project at the Huron Campus, and is supportive of Endicott's DRI application.

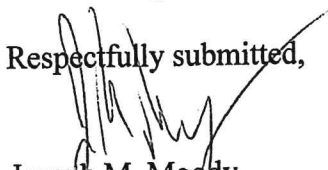
VIII. ADJOURNMENT

- A. President Trichka inquired about other potential topics for discussion. Due to there being no further items for review, he then requested a motion to adjourn the meeting.

Motion: Jeff L'Amoreaux
Motion 2nd: Tim Strong
Motion: To adjourn the regular LDC Board meeting of September 23, 2021.
Vote: Motion approved [5 - Yes, 0 - No, 2 - Absent, 0 - Abstain].

The meeting was adjourned at 9:08 a.m.

Respectfully submitted,


Joseph M. Moody
Director

**TOWN OF UNION
LOCAL DEVELOPMENT CORPORATION
MEETING MINUTES
WEDNESDAY, OCTOBER 13, 2021**

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NOV 18 2021

TOWN OF UNION CLERK

SYNOPSIS OF MEETING

The Town of Union Local Development Corporation met for a remote special meeting on Wednesday, October 13, 2021 at the Town of Union Office Building, located at 3111 East Main Street in Endwell, New York.

I. THE MEETING WAS CALLED TO ORDER AT 8:00 A.M.

MEMBERS PRESENT: Stephen Trichka, Diane Julian, Gary Leighton,
Mary O'Malley-Trumble, Jeffrey L'Amoreaux,
Timothy Strong

MEMBERS ABSENT: James Peduto

OTHERS PRESENT: Rosemarie Pope (LDC Board Attorney)
Richard Materese (Town Supervisor)
Thomas Augostini (Deputy Town Supervisor)

STAFF PRESENT: Joseph Moody (LDC Director), Robin Shimer (Admin. Asst.)

II. APPROVAL OF THE MINUTES

There were no completed prior LDC Board Meeting Minutes to review.

III. PRESIDENT'S REMARKS

There were no remarks by the LDC Board President.

IV. DIRECTOR'S REMARKS

There were no remarks by the LDC Board Director.

V. OLD BUSINESS

VI. NEW BUSINESS

- A. Mr. Moody informed the Board of a request by Mr. James Kirkwood of Engineering Manufacturing Technologies, LLC (EMT) for release of corporate guarantees of EMT for two outstanding Town of Union Local Development Corporation (LDC) loans with 17 Kentucky Avenue, LLC. Such release is necessary for the processing of a corporate restructuring with Gladstone Capital Corporation and League Park Advisors, LLC. Mr. Kirkwood's request will also require 17 Kentucky Avenue, LLC to provide early payoff to the Town of Union LDC of the balance of 17 Kentucky Avenue, LLC's \$200,000.00 UDAG loan. Additionally, the prior loans' personal guarantees and their life insurance assignments to the LDC will remain in effect.

Following thorough Board discussion, President Trichka sought a motion to approve the requested release of EMT corporate guarantees for two prior LDC loans (\$200,000.00 UDAG and \$230,000.00 CDBG) to 17 Kentucky Avenue, LLC. He also stated the correlative supplemental requirements applicable to request approval.

Motion: Tim Strong
Motion 2nd: Gary Leighton
Motion: To approve a request from Engineering Manufacturing Technologies (EMT) to release the corporate guarantees of EMT for two outstanding Town of Union Local Development Corporation loans (\$200,000.00 UDAG and \$230,000.00 CDBG) to 17 Kentucky Avenue, LLC. Such approval also requires payoff of the balance of the \$200,000.00 UDAG loan, and maintaining by the LDC of the personal guarantees and the life insurance policies assignment of 17 Kentucky Avenue, LLC. The \$200,000.00 UDAG loan payoff is to occur by or upon the corporate restructuring agreement's closing date involving Gladstone Capital Corporation and League Park Advisors, LLC.
Vote: Motion approved [5 - Yes, 0 - No, 1 - Absent, 1 - Abstain (Mr. L'Amoreaux)].

VII. OTHER BUSINESS

- A. Mr. Moody informed the Board members that a decision about potential enhancement to the town of federal American Rescue Plan Act (ARPA) funds may be forthcoming soon.
- B. Mr. Moody said a decision about the potential awarding of Downtown Revitalization Initiative (DRI) funds by NYS is pending. The Village of Endicott, City/Town of Ithaca and City of Norwich are the three competing finalists.

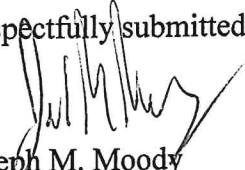
VIII. ADJOURNMENT

- A. Due to the completion of discussion of desired topics, President Trichka requested a motion to adjourn the meeting.

Motion: Tim Strong
Motion 2nd: Mary O'Malley-Trumble
Motion: To adjourn the special LDC Board meeting of October 13, 2021.
Vote: Motion approved [6 - Yes, 0 - No, 1 - Absent, 0 - Abstain].

The meeting was adjourned at 8:19 a.m.

Respectfully submitted,


Joseph M. Moody
Director