

Town of Union Planning Board Minutes

Tuesday, August 11, 2015

A regular meeting of the Town of Union Planning Board was held Tuesday, August 11, 2015, at the Town of Union Office Building, 3111 East Main Street, Endwell, New York.

Members present: S. McLain, S. Forster, A. Elwood, T. Crowley, L. Cicciarelli.
Members absent: S. Daglio, L. Miller
Others present: Marina Lane, Robette Schubert

A. CALL TO ORDER

Chairman McLain opened the meeting of the Planning Board at 7:02 PM.

B. MEETING MINUTES

- Page 10, Item D: Changed the name “McLane” to “McLain” and the word “made” to “called for” in paragraph 3.
- Page 12, Item E: Changed the word “made” to “called for” in paragraph 3.

1. Approval of 7/14/15 Meeting Minutes

Chairman McLain called for a motion to approve the 4/14/15 Meeting Minutes as amended.

Motion Made: S. Forster
Motion Seconded: T. Crowley
MOTION: Approval of the July 14, 2015 Meeting Minutes as amended.
VOTE **In Favor:** S. McLain, A. Elwood, L. Cicciarelli, T. Crowley, S. Forster
Opposed: None
Abstained: None
Motion Carried

2. Approval of 7/14/15 Public Hearing Transcript – Special Permit for Development in the Floodplain/Floodway

Chairman McLain called for a motion to approve the 7/14/15 Public Hearing Transcript – Development in the Floodplain/Floodway as written.

Motion Made: L. Cicciarelli
Motion Seconded: A. Elwood
MOTION: Approval of the July 14, 2015 Public Hearing Transcript for Development in the Floodplain/Floodway as written.
VOTE **In Favor:** S. McLain, A. Elwood, L. Cicciarelli, T. Crowley, S. Forster

Opposed: None
Abstained: None
Motion Carried

**C. Cuillerier Two-Family; 300 Shady Drive; R. Schubert for D. M. Cuillerier
Special Permit for a Two-Family Use**

1. SEQRA Determination

Ms. Lane reviewed the short Environmental Assessment Form with members of the Planning Board. Ms. Cuillerier owns a two-family house at 300 Shady Drive, legally converted from a single family to a two-family in 1994. The top and bottom apartments each have their own kitchen, bathroom and single bedroom. The property has a two-car garage at the rear of the building with an 85-foot long driveway to the garage.

The house is in an Urban Single Family (USF) zoning district, and a Special Permit from the Planning Board is required to have a two-family use in the USF district.

The Special Permit will not have any new physical environmental effect, as the house is already used as a two-family. The parking requirement for a two-family dwelling is 2 per unit, therefore four parking spaces are required, and are available with the combination of the garage and driveway. The Special Permit is sought in order to bring the property into compliance for the purpose of selling it.

The project was reviewed by the Planning Board for all potential negative effects under 617.7 of SEQRA, and has determined that it will not create any significant negative effects on the environment.

Chairman McLain then called for a motion to approve the Negative Declaration under SEQRA.

Motion Made: L. Cicciarelli
Motion Seconded: T. Crowley
MOTION: Approve the Negative Declaration under
SEQRA
VOTE **In Favor:** S. McLain, A. Elwood, L. Cicciarelli,
S. Forster, T. Crowley.
Opposed: None
Abstained: None
Motion Carried

2. Public Hearing: Special Permit for Two-Family Use

Chairman McLain opened the public hearing related to the Special Permit for a Two-Family use in the Urban Single Family zoning district at 7:07 PM.

Ms. McLain read the announcement for the Public Hearing and since there were no visitors or questions, she then closed the Public Hearing at 7:10 PM.

3. Special Permit Decision at the Planning Board's Discretion

Ms. Lane reviewed her memorandum on Ms. Donna Marie Cuillerier's special permit application to bring her two-family house located at 300 Shady Drive into compliance. The property is zoned Urban Single-Family (USF) and the two-family use is an allowed use by Special Permit under the Town of Union Code 300-20.3, Table 20-2. The bulk requirements for a two-family use are 3,000 square feet minimum lot size per unit (total 6,000 square feet), and twenty-five feet property width per unit (total 50 feet). The property exceeds these minimum requirements. The lot is approximately 13,440 square feet, and is 62 feet wide.

The house was legally converted to a two-family dwelling in 1994, and has been used as such since. Each top and bottom unit has a kitchen and a single bedroom. The parking requirement for a duplex is two spaces per unit. There is a detached two-car garage in the rear of the building, accessed by an 85-foot driveway, which can hold four vehicles.

The applicant's proposal is considered an Unlisted Action under the New York State Environmental Quality Review Act (SEQRA). The property is subject to a 239-Review, as it is within 500 feet of State Route 17C (a.k.a. East Main Street). The Broome County Planning Department did not find any significant county-wide impacts, but made the recommendation that additional landscaping be added to the property. The NYS DOT and BMTS had no comments.

The project meets the requirements for a Special Permit for a two-family use. Planning staff recommends approval of the Special Permit with the following stipulations:

1. Special permit modification approval will be required if there are any changes to the site plan or change in the use of the property.
2. The Special Permit shall expire should the property or business be sold to another entity, per § 300-66.11. Transferability:

- a) A special permit is not transferable except upon approval by resolution of the issuing board.
- b) A special permit shall authorize only one special use and shall expire if the special use ceases for more than three months for any reason.

Chairman McLain called for a motion to approve the Special Permit for a two-family use in an Urban Single Family district by the Zoning Board of Appeals.

Motion Made: S. Forster
Motion Seconded: A. Elwood
MOTION: Motion to approve the Special Permit for a two-family use in an Urban Single Family district.
VOTE **In Favor:** S. McLain, L. Cicciarelli, S. Forster, A. Elwood, T. Crowley
Opposed: None
Abstained: None
Motion Carried

D. Other Such Matters as May Properly Come Before the Board

Ms. Lane noted that she had received a request from Neil's Archery to open an indoor archery range at 1460 Union Center-Maine Highway. Ms. Lane also noted two new small-cell antennas had been approved in the Town of Union, one at 519 Hooper Road and the other at 500 Day Hollow Road.

E. Adjournment

Chairman McLain asked for a motion to adjourn the meeting at 7:28 PM.

Motion Made: L. Ciccarelli
Motion Seconded: S. Forster
MOTION: Adjourning the meeting.
VOTE **In Favor:** S. McLain, T. Crowley, A. Elwood, S. Forster, L. Cicciarelli
Opposed: None
Abstained: None
Motion Carried

Next Meeting Date

The next meeting of the Planning Board is tentatively scheduled for Tuesday, September 8, 2015 at 7:00 PM.

Respectfully Submitted,
Carol Krawczyk