

Town of Union Planning Board Minutes

Tuesday, October 13, 2015

A regular meeting of the Town of Union Planning Board was held Tuesday, October 13, 2015, at the Town of Union Office Building, 3111 East Main Street, Endwell, New York.

Members present: S. McLain, L. Miller, S. Forster, S. Daglio, A. Elwood,
L. Ciccirelli

Members absent: T. Crowley

Others present: Marina Lane, Kurt Schrader, Jason Ford, Jessica Ford,
Richard Sanguinito, Dominic Emilio, John Sokol,
Maxwell Bendert, Scott Shaw, Karen Klecar

A. CALL TO ORDER

Chairman McLain opened the meeting of the Planning Board at 7:00 PM.

B. MEETING MINUTES

1. Approval of 9/8/15 Meeting Minutes

- Page 5, Item 1: Changed the word "OK" to "okay" in the last sentence of the first paragraph.
- Page 5, Item 1: Deleted the word "be" and added a period to the last sentence in the third paragraph.
- Page 5, Item 2: Added a period to the last sentence of the first paragraph.

Chairman McLain asked for a motion to approve the 9/8/15 Meeting Minutes as amended.

Motion Made: A. Elwood

Motion Seconded: L. Miller

MOTION: Approval of the September 8, 2015, Meeting Minutes as amended.

VOTE **In Favor:** L. Miller, S. McLain, A. Elwood,
L. Ciccirelli, S. Forster, S. Daglio

Opposed: None

Abstained: None

Motion Carried

2. Approval of 6/17/14 Public Hearing Transcript – Special Permit for New Telecommunications Tower

Approval of the June 17, 2014 Public Hearing Transcript was postponed until the next meeting.

**C. Jade Hair Salon, 103 Brink Street; J. Ford/J. Yonkoski
Special Permit for a Personal Services Business**

1. SEQRA Determination

Ms. Lane reviewed the Short Environmental Assessment Form with members of the Planning Board. She noted that Part 1 of the EAF had two highlighted questions which had not been checked. These questions involved whether the project required legislative action or required funding from a governmental agency and the answer to both questions was "no." She also noted that during the 2006 and 2011 floods stormwater did not come on the property, a question that had been raised during review of the project.

Ms. Lane then presented her report to the members of the Planning Board. Jason and Jessica Ford own an existing two-story house at 103 Brink Street, and would like to convert it to a hair salon. The hair salon is a personal services use, and is permitted by Special Permit in the Industrial zoning district. The project includes construction of a twelve-space parking lot, associated stormwater drainage system, and a handicapped-accessible ramp to the front porch.

The proposed use will not have any significant physical environmental effect, as the house is existing and the parking lot will have appropriate drainage. The small increase in traffic will be minor as they propose only four styling stations. There will be no significant impact to wildlife, or increases in noise or odors. The area is not subject to flooding.

The building is located among other businesses, and multi-family and single-family residences, and the proposed use will not change the character of the neighborhood.

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

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

Motion Made:	L. Cicciarelli
Motion Seconded:	S. Forster
MOTION:	Approval of the Negative Declaration under SEQRA.
VOTE	In Favor: L. Miller, S. McLain, A. Elwood, S. Daglio, S Forster, L. Cicciarelli Opposed: None Abstained: None Motion Carried

2. Public Hearing: Special Permit for a Personal Services Business; Decision at the Planning Board's Discretion

Chairman McLain opened the public hearing related to the Special Permit use as a personal service business at 7:10 PM.

Ms. McLain noted that at this point the board could not vote because there was some information that was missing. Ms. Lane summarized her report by saying that Engineering required a stormwater management plan due to the addition of the twelve parking spaces. She noted that the site plan did not include the proposed storm water control measures or the proposed contours of the parking lot showing how the parking lot was going to drain. The Building Permits Department also required that the changes in elevation and distances for the handicapped-accessible ramp be shown to assure that the ramp shown on the site plan is approvable. She noted that the handicapped ramp on the site plan supported only a two foot rise; since the state requires a one foot rise for every twelve feet of land, calculations for the correct design of the ramp need to be shown on the site plan. Ms. Lane also stated that Code Enforcement would like to have a copy of the floor layout to show how the hair styling rooms would be placed to determine whether the parking requirements were appropriate. She concluded her report by stating that Planning, Engineering and Building Permits staff recommend that the Board delay the vote for the Special Permit until the site plan was approvable.

Ms. Lane stated that the applicants would have sixty days to submit the floor layout to Code Enforcement and to submit a revised site plan with a drainage plan and an approvable handicapped-accessible ramp before the Planning Board votes on the Special Permit. Once the revised site plan and floor layout are received, the Planning Board could vote on the Special Permit and have the Site Plan review at the same meeting. Mr. Cicciarelli asked whether there was anything that could be done to expedite the process so that the applicants could pave the parking lot. Ms. Lane replied that the applicants had mentioned that they would not be paving the lot until next year, and that it is up to the applicants to meet the requirements.

Chairman McLain closed the Public Hearing at 7:12 PM.

D. Henry B. Endicott School Expansion; 26 Kentucky Avenue; S. Shaw Advisory Opinion to the Zoning Board of Appeals

Mr. Dominic Emilio of Delta Engineers started the presentation by introducing his co-workers Richard Sanguinito, John Sokol, and Maxwell Bendert from Delta Engineers; and Scott Shaw, the owner of the project, and Karen Klecar, the real estate broker for the project. Mr. Emilio noted that this was a unique project because the development of the 23 Jackson Avenue Housing Project

is bisected by the Village of Endicott and Town of Union boundary line. Mr. Emilio started the presentation by pointing out the original Henry B. Endicott School building on the diagram. He noted that there is an existing two-story addition and one story gymnasium addition on this building. He stated that the Town parcel was located at 26 Kentucky Avenue and that as the parcel is zoned Industrial, a use variance would be needed from the Zoning Board to allow an urban multi-family use. The existing 50,000 square foot school building will be renovated into apartments. The existing gymnasium, on the property located in the Town, is approximately 6,800 square feet and two stories tall; a second floor will be inserted into the existing structure. The existing annex, which is approximately 14,000 square feet, will be demolished and a new four story addition would be constructed on the same footprint. On the south end of the property there is also a proposed four-story 29,000 square-foot addition and approximately 1,000 square feet of this addition will be on Town property.

The project will have 87 housing units, 48 one-bedroom and 39 two-bedroom units and most of the residential portion of the project is located on the Village side. On the Town side they will maintain as much of the original site as possible. In addition to the converted gymnasium and addition on the south side, the town site will include 139 parking spaces, all the required landscaping and a dumpster with a fenced enclosure, a community garden and a recreation/play area, a patio with benches, and new outdoor lighting. Mr. Forster asked if this area was where the electrical substation was located. Mr. Sokol noted that they plan to remove the substations because each apartment will have individual systems; they will work with NYSEG to do this. Mr. Emilio noted that there was also an existing gas service on the property but this would also be reworked to provide separate meters for each unit. The main entrance will be covered and will face the parking area located on the Town site at 26 Kentucky Avenue. There will be three secondary entrances to the building on Jackson Avenue including the former main entrance to the building on Jackson Avenue, and one entrance on each of the new additions to the building.

Mr. Emilio and the Delta team met with Ms. Lane, Ms. Golazeski, and Mr. Griswold from the Village of Endicott to discuss the project when it was determined that because most of the project is in the Village, the Village Planning Board will be listed as the Lead Agency for the project. He noted that the primary reason for this evening's meeting with the Planning Board was to get an advisory opinion on the four variances. The first variance is the use variance to allow the residential use in an Industrial district. He noted that this was unique situation because most of the project is located in a neighborhood environment with other residential properties.

The second variance for a zero-foot rear setback is needed since both properties are adjacent to each other and structures cross over their rear

property lines. The third variance for a ten-foot setback for a parking lot rather than the required twenty-foot front property line setback was requested in order to reach the parking requirement for the project. Mr. Emilio noted that the setback would not affect area residents since the parking lot faces an industrial building. He noted that on the sides of the building there would be adequate landscaping to prevent headlight glare from affecting any area residents. Ms. McLain asked about the landscaping and Mr. Emilio responded that there are existing trees that look healthy but they plan to fill in the missing trees along the full frontage.

Mr. Daglio asked whether the units noted on the floor plans contained just bedrooms. Mr. Emilio answered that they were apartments that contain a kitchen, a bedroom, a bathroom and a living area in each unit. Mr. Sokol stated that this project is intended for family workforce housing. He also said some units would be set aside for veterans. Ms. McLain asked if there would be central heating and Mr. Emilio answered that each unit would have their own utilities to control their own gas and electric usage. Mr. Forster asked whether the trees lining the property were required to be matched and Mr. Emilio answered that typically one tries to maintain consistency. Ms. Lane noted that planting a variety of trees would be healthier because it lessened the spread of disease, and Mr. Sanguinito noted that they planned to plant a variety of trees. Mr. Emilio concluded his presentation with a discussion of the area variance for fewer parking spaces. Mr. Emilio said that the parking variance was less than 10 percent of the 150 required parking spaces (11 spaces). They felt there would be more than enough parking since they had taken into account the proportion of seniors and single parents that would only need a space for one vehicle, rather than the required two spaces. Mr. Emilio also pointed out that there were four different bus routes nearby that could lessen the number of parking spaces actually needed for the project.

Ms. Elwood asked what the total number of units was and Ms. McLain asked what the average area for a two bedroom unit was. Mr. Emilio responded that there were a total of 87 units. Mr. Sokol stated that the area for a one bedroom unit is 725 square feet and that a two-bedroom unit is 950 square feet. Ms. McLain asked if there would be a common laundry room. Mr. Sokol noted that the Housing and Community Renewal Division would grant an exemption from putting in common laundry facilities if stackable units were provided for each unit, however the owner has not reached a decision about this issue. Ms. McLain asked how recycling and garbage would be handled. Mr. Sokol answered that there would be small units on each floor for garbage

and recycling and there would be dumpsters in an enclosure by the parking lot. Ms. McLain then confirmed that the residents would take their refuse and recycling to the area on their floor and then staff would remove it to the dumpsters outside. Ms. Elwood asked if there would be elevators and Mr. Sokol noted that there would be an elevator in each of the new additions and that the existing elevator would be used as a service elevator. Mr. Forster asked if management would live onsite. Mr. Sokol responded that there would be a leasing office and a maintenance staff available eight hours a day but that there would be no onsite superintendant unit.

Chairman McLain called for a motion to recommend approval of the following use and area variances by the Zoning Board of Appeals:

1. Approval of the use variance to allow multi-family in an Industrial zoning district;

Motion Made: L. Miller
Motion Seconded: S. Daglio
MOTION: Recommendation of approval of the use variance for multi-family use in an Industrial zoning district by the ZBA.
VOTE: **In Favor:** A. Elwood, S. McLain, L. Miller, S. Forster, S. Daglio, L. Cicciarelli
Opposed: None
Abstained: None
Motion Carried

2. approval of the 40-foot area variance to allow for a zero-foot rear setback because the proposed buildings span the Town/Village line;

Motion Made: S. Forster
Motion Seconded: S. Daglio
MOTION: Recommendation of approval of an area variance to allow for zero-foot rear setback by the ZBA.
VOTE: **In Favor:** A. Elwood, S. McLain, L. Miller, S. Forster, S. Daglio, L. Cicciarelli
Opposed: None
Abstained: None
Motion Carried

3. approval of the area variance for standard 10-foot parking setback in lieu of 20-feet required for multi-family; and

Motion Made: L. Cicciarelli
Motion Seconded: S. Daglio
MOTION: Recommendation of approval of the area variance to allow for a 10-foot parking setback by the ZBA.
VOTE: **In Favor:** A. Elwood, S. McLain, L. Miller, S. Forster, S. Daglio, L. Cicciarelli
Opposed: None
Abstained: None
Motion Carried

4. approval of the area variance to allow for 139 parking spaces in lieu of the required 150 spaces.

Motion Made: S. Daglio
Motion Seconded: S. Forster
MOTION: Recommendation of approval of the area variance to allow for 139 parking spaces by the ZBA.
VOTE: **In Favor:** A. Elwood, S. McLain, L. Miller, S. Forster, S. Daglio, L. Cicciarelli
Opposed: None
Abstained: None
Motion Carried

Ms. Lane described how the site plan approval process would work for the 23 Jackson Avenue Project. She explained that Village of Endicott would hold a joint Zoning Board and Planning Board meeting on October 15th at which time the Village of Endicott Planning Board would declare Lead Agency. Mr. Kurt Schrader noted that both the Town of Union and the Village of Endicott Planning Boards would need to approve the site plans for the project but that it did not matter who went first.

**E. Madison Two-Family, 601 Squires Avenue; L. Madison
Special Permit for a Two-Family Use**

Ms. Lane gave a short presentation about the property. She noted that the house had formerly been used as a four-family house but recently the property had been gutted and left in a state of major disrepair. The new owner plans to renovate the property into a two-family house so that she can live on the second floor and her handicapped son can live in the downstairs apartment. Ms. Lane noted that the property is currently zoned Urban Single Family and the applicant can apply for a special permit for a two-family use.

1. Declare Lead Agency,

Chairman McLain asked for a motion to declare the Planning Board Lead Agency.

Motion Made: L. Cicciarelli
Motion Seconded: S. Forster
MOTION: Declare the Planning Board Lead Agency
VOTE: **In Favor:** S. McLain, L. Miller, A. Elwood
S. Forster, S. Daglio, L. Cicciarelli
Opposed: None
Abstained: None
Motion Carried

2. Declare Action as Unlisted Action

Chairman McLain asked for a motion to declare the project an Unlisted Action under SEQRA.

Motion Made: S. Forster
Motion Seconded: L. Cicciarelli
MOTION: Declaring the action an Unlisted Action.
VOTE: **In Favor:** A. Elwood, S. McLain, L. Cicciarelli,
L. Miller. S. Forster, S. Daglio
Opposed: None
Abstained: None
Motion Carried

3. Call for a Public Hearing to be held on November 10, 2015

Chairman McLain asked for a motion to call for a Public Hearing to be held on November 10, 2015, at 7PM.

Motion Made: A. Elwood
Motion Seconded: L. Miller
MOTION: Call for a Public Hearing on November 10,
2015, at 7PM
VOTE: **In Favor:** S. McLain, L. Miller, A. Elwood,
S. Forster, S. Daglio, L. Ciccarelli
Opposed: None
Abstained: None
Motion Carried

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

Ms. Lane noted that Broadway Diner has submitted an application to tear down a house behind the diner to make more room for parking. She noted since this will be an expansion of a nonconforming use the project will require an advisory opinion to the ZBA. Another new project is the renovation of the 13 Beech Street

Dental Lab into a dental office which requires the revision of the parking lot; this will be processed as a minor site plan. Ms. Lane had received a new site plan from Dave McDonough, still expanding onto adjacent properties, but he has not come in to discuss the new plan.

G. Adjournment

Chairman McLain asked for a motion to adjourn the meeting at 8:00 PM.

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

Next Meeting Date

The next meeting of the Planning Board is tentatively scheduled for Tuesday, November 10, 2015 at 7:00 PM.

Respectfully Submitted,
Carol Krawczyk