

Town of Union Planning Board Minutes

Tuesday, March 11, 2014

A regular meeting of the Town of Union Planning Board was held Tuesday, March 11, 2014 at the Town of Union Office Building, 3111 East Main Street, Endwell, New York.

Members present: S. McLain, L. Miller, R. Mack, A. Elwood, S. Forster,
T. Crowley

Members absent: J. Rotella

Others present: Marina Lane, Jennifer Plohetski, Katie Kerila, Rachel Greenlee, Amanda Morgus, Brianna Balmer, Ashly Williams, Monica Olivieri, Austin Kodey, William Gow, Gayle Pado, Dan Whelan, Michael Wiesner

A. CALL TO ORDER

Chairman McLain opened the meeting of the Planning Board at 7:01 PM.

B. APPROVAL OF THE 2/11/14 MEETING MINUTES

Approval of the 2/11/14 meeting minutes was postponed until the April meeting.

C. YMCA OF BROOME COUNTY: 740 Main Street; D. Whelan Site Plan Review for Accessory Building

Mr. Dan Whelan has applied for the construction of a noncombustible storage building on behalf of the Western Broome County YMCA. The structure will be located at the west wall of the southwest corner of the existing building. The concrete block building will be approximately 600 square feet in size and will be built in a flood-friendly manner. A Negative Declaration was made by the Planning Board on February 11, 2014 and the ZBA approved the 10-foot side setback variance for the proposed accessory structure, as well as the 8-foot setback between an accessory structure and primary building on February 24, 2014.

The site is served by public utilities and sewer, and since the proposed accessory building will be replacing the existing building on site, there will be no significant change in impervious surface. The site is located in the preliminary 100-year floodplain and proposed building is intended for the storage of flood barrier components.

The location was subject to a 239-Review as it lies within 500 feet of State Route 17C. Broome County, NYS DOT and BMTS had no concerns regarding the project, and the site plan was reviewed by both Town of Union Code Enforcement and Engineering.

The Planning Department recommends approval of the site plan based on the conditions that no hazardous materials (waste oils, solvents, paints, tires, etc.) be stored outside at any time due to the site being located in a flood prone area. If there are any plans to store greater than 25 gallons of any hazardous or petroleum-based products in the future, Code Enforcement must be consulted prior to doing so.

Site plan approval shall be valid for one year, unless substantial improvements have been made related to the approved plan and building permit.

The applicant is required to acknowledge all conditions in writing prior to issuance of a building permit and agrees to construct the project in strict accordance with the approved plan. Should any changes be made to the site plan once approved by the Planning Board, even if by petition to the ZBA, approval shall become null and void thus requiring resubmission of a new site plan to the Town of Union Planning Board.

Chairman McLain asked for a motion to approve the YMCA site plan with the conditions as outlined above.

Motion Made: R. Mack
Motion Seconded: A. Elwood
MOTION: Approval of the site plan with conditions.
VOTE: **In Favor:** R. Mack, A. Elwood, S. McLain,
L. Miller, S. Forster, T. Crowley
Opposed: None
Abstained: None
Motion Carried

D. NEW OFFICE BUILDING: 2108 North Street; M. Wiesner

1. Declare Lead Agency

Chairman McLain asked for a motion to declare the Planning Board Lead Agency for the proposed office building project.

Motion Made: L. Miller
Motion Seconded: T. Crowley
MOTION: Declaring the Planning Board Lead Agency.
VOTE: **In Favor:** R. Mack, A. Elwood, S. McLain,
L. Miller, S. Forster, T. Crowley
Opposed: None
Abstained: None
Motion Carried

2. Declare Project as an Unlisted Action

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

Motion Made: A. Elwood
Motion Seconded: S. Forster
MOTION: Declaring the project an Unlisted Action under SEQRA.
VOTE: **In Favor:** R. Mack, A. Elwood, S. McLain, L. Miller, S. Forster, T. Crowley
Opposed: None
Abstained: None
Motion Carried

3. SEQRA Determination

As per the Short Environmental Assessment Form presented to the Board by Ms. Lane, the applicant wishes to construct a new 938 square foot office building on an existing paved lot. Construction of the relatively small building would not create any additional runoff, and the office use fits in with the surrounding industrial and residential properties. Use of the lot would be an improvement to the neighborhood and will provide an opportunity for landscaping. The project, as proposed, should not have a negative impact on either the physical or visual environment.

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

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

4. Advisory Opinion to the ZBA

As outlined in the memorandum presented by Ms. Lane, Mr. Michael Wiesner has submitted a site plan to build a single floor commercial office building on the vacant corner lot located at 2801 North Street. The parcel is approximately 0.13-acre (50 feet wide by 114.58 feet deep) in size and is zoned Industrial. Per Code, the required front setback for buildings in an Industrial district is 20 feet. Due to the small size of the lot, Mr. Weisner is proposing a 12-foot setback from North Street and a 14-foot setback from Delaware Avenue.

The required side setback per Code is 25 feet when adjacent to a residential use. The applicant is proposing a 10-foot side setback from the residential property to the west.

Code also indicates that the parking lot perimeter strip should be landscaped and a minimum of 10 feet in width. Mr. Wiesner is proposing a 5 foot perimeter strip on the west side and a 9 foot perimeter strip to the south which will allow room for the 5 required parking spaces and handicapped-accessible access aisle. There is an existing sign on the property which will be removed and the proposed construction will not obstruct the view of drivers passing through that particular intersection. A 239-Review was required as the property is within 500 feet of the Village of Endicott. Because the lot is currently paved, and therefore largely impervious, a stormwater management plan is not required.

The Planning Department recommends approval of the variances listed due to the space limitations of the lot. Should the variances be granted, landscaping will be discussed during site plan review.

Chairman McLain asked for motions to recommend ZBA approval of the front setback, side setback, and landscape parking buffer variances as noted below:

a.) Front setback variance of 8.0' on North Street

Motion Made: A. Elwood
Motion Seconded: R. Mack
MOTION: Recommendation that the ZBA approve the front setback variance of 8.0' on North Street.
VOTE: **In Favor:** R. Mack, A. Elwood, S. McLain, L. Miller, T. Crowley
Opposed: S. Forster
Abstained: None
Motion Carried

b.) Front setback variance of 6.0' on Delaware Avenue

Motion Made: A. Elwood
Motion Seconded: R. Mack
MOTION: Recommendation that the ZBA approve the front setback variance of 6.0' on Delaware Ave.
VOTE: **In Favor:** R. Mack, A. Elwood, S. McLain, L. Miller, T. Crowley
Opposed: S. Forster
Abstained: None
Motion Carried

c.) Side setback variance of 15.0' to residential property on west side

Motion Made: A. Elwood
Motion Seconded: R. Mack
MOTION: Recommendation that the ZBA approve the side setback variance of 15.0' to the residential property on the west side.
VOTE: **In Favor:** R. Mack, A. Elwood, S. McLain, L. Miller, T. Crowley
Opposed: S. Forster
Abstained: None
Motion Carried

d.) Landscaped parking buffer variance of 5.0' to the west, and

Motion Made: A. Elwood
Motion Seconded: R. Mack
MOTION: Recommendation that the ZBA approve the landscaped parking buffer variance of 5.0' to the west.
VOTE: **In Favor:** R. Mack, A. Elwood, S. McLain, L. Miller, T. Crowley
Opposed: S. Forster
Abstained: None
Motion Carried

e.) Landscaped parking buffer variance of 1.0' to the south

Motion Made: A. Elwood
Motion Seconded: R. Mack
MOTION: Recommendation that the ZBA approve the landscaped parking buffer variance of 1.0' to the south.
VOTE: **In Favor:** R. Mack, A. Elwood, S. McLain, L. Miller, T. Crowley
Opposed: S. Forster
Abstained: None
Motion Carried

E. ADDITION TO EXISTING BUILDING: 407 Airport Rd.; B. Warner

1. Declare Lead Agency

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

Motion Made: S. Forster
Motion Seconded: T. Crowley
MOTION: Declaring the Planning Board Lead Agency.

VOTE: **In Favor:** R. Mack, A. Elwood, S. McLain,
L. Miller, S. Forster, T. Crowley
Opposed: None
Abstained: None
Motion Carried

2. Declare Project an Unlisted Action

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

Motion Made: S. Forster
Motion Seconded: L. Miller
MOTION: Declaring the project an Unlisted Action under
SEQRA.

VOTE: **In Favor:** R. Mack, A. Elwood, S. McLain,
L. Miller, S. Forster, T. Crowley
Opposed: None
Abstained: None
Motion Carried

3. SEQRA Determination

Ms. Lane reviewed the Short Environmental Assessment Form with members of the Board. The proposed project is to construct a storage building approximately 3,572 square feet in size on an existing concrete pad to replace the previous structure that burned down back in 1999. Because the new building will be placed on the existing pad, no additional run-off is foreseen. The storage structure would be an addition to the existing light industrial use building, and the site is located in an Industrial zoned area within 4 feet of a railroad property line. There are no residential properties within the immediate area, and construction related noise would be temporary during the building process. The project, as proposed, should not have a negative impact on either the physical or visual environment.

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

Motion Made: S. Forster
Motion Seconded: R. Mack
MOTION: Approval of the Negative Declaration under
SEQRA.

VOTE: **In Favor:** R. Mack, A. Elwood, S. McLain,
L. Miller, S. Forster, T. Crowley
Opposed: None
Abstained: None
Motion Carried

4. Advisory Opinion to the ZBA: Rear setback variance of 16.0' to the railroad property

To summarize the memorandum presented by Ms. Lane, Mr. Robert Warner has submitted a site plan to rebuild a 3,587 square foot addition onto an existing 5,502 square foot light manufacturing building located at 407 Airport Road. The new structure will be used for storage which is a permitted use within the Industrial zoned property. The addition will be constructed on an existing concrete pad where the previous structure was located before being destroyed by fire back in 1999-2000. The property line to the rear abuts the Norfolk-Southern Railroad line. At the time of original construction, rear setbacks along railroads were not required by Code; however, per the current Town Code, the required rear setback for buildings within an Industrial district is 20 feet. The applicant is proposing a rear setback of 4 feet which will require a variance. Mr. Gow advised that Mr. Warner is also working closely with the Building Permits Department to ensure the existing concrete pad is satisfactory. If not, the pad will be replaced with a structurally sound pad with footers. Should that need to be done, the existing pad will be removed and a new 4-inch reinforced pad will be poured within the existing foundation. There will also be a connector link to tie the new building to the existing building which will consist of a rapid-roll door with a pass door to the side.

In response to Mr. Forster's question related to emergency and fire access, Mr. Gow advised that the fire department would have access on the east side of the building.

The proposed project is considered an Unlisted Action under SEQRA and a short environmental assessment was submitted. A 239-Review was required as the project lies within 500 feet of the Village of Endicott. Because the project site was previously paved and therefore largely impervious, a stormwater management plan is not required.

The Planning Department recommends approval of the rear setback variance of 16.0' as the location of the addition will not have any negative impact on the existing industrial properties surrounding the site. The variance will also allow for growth of the manufacturing business due to the increase in storage space.

Chairman McLain asked for a motion to recommend the ZBA approve the rear setback variance of 16.0'.

Motion Made: S. Forster
Motion Seconded: R. Mack
MOTION: Recommendation that the ZBA approve the 16.0' rear setback variance.
VOTE: **In Favor:** R. Mack, A. Elwood, S. McLain, L. Miller, S. Forster. T. Crowley

Opposed: None
Abstained: None
Motion Carried

F. OTHER SUCH MATTERS AS MAY PROPERLY COME BEFORE THE BOARD

Due to complaints from residents of Homestead Village, parking changes are being discussed for the proposed casino project for Traditions at the Glen.

G. ADJOURNMENT

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

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

Next Meeting Date

The next meeting of the Planning Board is tentatively scheduled for Tuesday, April 8, 2013 at 7:00 PM.

Respectfully Submitted,
Sandra Cragle