

Town of Union Planning Board Minutes

Monday, March 20, 2017

A regular meeting of the Town of Union Planning Board was held Monday, March 20, 2017, at the Town of Union Office Building, 3111 East Main Street, Endwell, New York.

Members present: L. Miller, L. Cicciarelli, S. McLain, A. Elwood, T. Crowley,
S. Daglio

Members absent: S. Forster.

Others present: Marina Lane, John Hess, Jim Taber, James Wheelock,
Tiffany Wheelock

A. CALL TO ORDER

Chairman Miller opened the meeting of the Planning Board at 6:45 pm.

B. MEETING MINUTES

- Page 10, replace the words “the Town of Union” with the word “her” in the first sentence of the fourth paragraph.

1. Acceptance of February 14, 2017 Meeting Minutes

Chairman Miller asked for a motion to accept the 2/14/17 Meeting Minutes as amended.

Motion Made: L. Cicciarelli

Motion Seconded: A. Elwood

MOTION: Acceptance of the February 14, 2017, Meeting Minutes, as amended.

VOTE: **In Favor:** L. Miller, L. Cicciarelli, S. McLain,
A. Elwood, T. Crowley, S. Daglio

Opposed: None

Abstained: None

Motion Carried

2. Acceptance of February 14, 2017 Public Hearing Transcript – DW Auto Special Permit for Floodplain Development

Chairman Miller asked for a motion to accept the February 14, 2017, Public Hearing Transcript for DW AUTO for Floodplain Development, as written.

Motion Made: S. McLain

Motion Seconded: L. Cicciarelli

MOTION: Acceptance of the February 14, 2017, DW Auto Public Hearing Transcript for Floodplain Development, as written.

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

3. Acceptance of February 14, 2017 Public Hearing Transcript – DW Auto Special Permit for Auto Sales

Chairman Miller asked for a motion to accept the February 14, 2017 Public Hearing Transcript for DW Auto Special Permit for Auto Sales, as written.

Motion Made: S. Daglio
Motion Seconded: A. Elwood
MOTION: Acceptance of the February 14, 2017, Public
Hearing Transcript for DW Auto Special Permit
for Auto Sales, as written.

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

C. Robert Laman Jr. Construction, 3622 George F Hwy. Sign Variance;
J. Taber, J. Hess
Advisory Opinion to the Zoning Board

Ms. Lane reviewed her staff report for the Planning Board. JAX Signs and Neon, Inc. submitted a sign application on behalf of Robert Laman Jr. Construction for a new sign face on an existing pylon sign currently located in the state right-of-way between State Route 17 and 3622 George F Highway. The owner, Robert Laman Jr., proposes relocating the freestanding pylon sign approximately 50-feet to the north on to the rear of 3622 George F Highway, facing NYS Route 17. The property is in a General Commercial zoning district and only one freestanding pylon sign is permitted on a commercial property. The applicant has an existing pylon sign at the front of the property, facing George F Highway (SR 17C). The requested area variance is for one pylon sign greater than permitted (total two).

Planning staff suggest that approving a second pylon sign would set an undesired precedent for other commercial businesses to have pylon signs facing the highway, versus facing the road from which the public accesses such businesses. The pylon sign would be similar in function to a billboard sign. In addition, the DOT commented that the sign does not qualify for an on-premises

permit exemption because it is proposed to be located on “an undeveloped portion of the parcel which is not an integral part of the principal activity.”

Ms. Lane noted that if he were to get permission from the ZBA, Mr. Laman would have to obtain a special Outdoor Advertising permit from the DOT. Planning Department staff recommends that the Planning Board recommend to the ZBA denial of the area variance for a second pylon sign.

Mr. Hess, a representative for Mr. Laman, stated that the pylon sign in the front of the business is not actually on Mr. Laman’s property but on state property that Mr. Laman leases. Mr. Hess noted that because the first sign is not on Mr. Laman’s property, the proposed relocated sign would actually be the only pylon sign on the property. Mr. Taber of JAX Signs noted that he had spoken to Terry Pritchard at the DOT, and Mr. Pritchard had advised him that the state would grant Mr. Laman a permit to have an advertising sign on the back of the his property for \$40 per year. Ms. Lane stated that she does not have the authority to revise the variance application.

To move the matter forward, Mr. Crowley suggested that the Planning Board change their recommendation to the ZBA to read that there be only one pylon sign, located at the front of the property.

Chairman Miller then called for a motion to recommend to the ZBA that there be only one pylon sign, located at the front, accessible portion of the property.

Motion Made:	T. Crowley
Motion Seconded:	A. Elwood
MOTION:	Recommendation to the ZBA that there be only one pylon sign, located at the front, accessible portion of the property.
VOTE	In Favor: L. Miller, S. McLain, A. Elwood, T. Crowley Opposed: S. Daglio Abstained: L. Ciccirelli Motion Carried

D. Triple City Towing, 402 Airport Road, Special Permit for Outdoor Storage;
J. Wheelock

Mr. Jim Wheelock gave a short presentation about the project. He is starting a towing and road service company. Mr. Wheelock wants to store his tow trucks inside a portion of the warehouse at 402 Airport Road. Mr. Wheelock has also requested a special permit for an outdoor storage area for the temporary

storage of vehicles that he tows that cannot be taken to other locations. Mr. Wheelock will be the only employee of the business.

Mr. Crowley advised Mr. Wheelock that the Planning Board has required absorbent pads under the vehicles to prevent leaking fluids from contaminating the ground. Ms. Lane asked Mr. Wheelock to check whether all the drains in the building are closed.

1. Declare Lead Agency

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

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

2. Declare Action as Unlisted Action

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

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

3. Call for a Public Hearing for Outdoor Storage to be held April 11, 2017, at 7:00 PM

Motion Made: T. Crowley
Motion Seconded: S. McLain
MOTION: Approval of Public Hearing for Outdoor Storage to be held on April 11, 2017, at 7:00 PM.
VOTE: **In Favor:** L. Miller, L. Cicciarelli, S. McLain, A. Elwood, T. Crowley, S. Daglio
Opposed: None
Abstained: None
Motion Carried

E. J.C. Water Department, 44 Camden Street, Special Permit for Floodplain Development

The Village of Johnson City plans to build a new storage and maintenance building for their Water Department at 44 Camden Street, located in the Town of Union. The project has already undergone a SEQRA review by the town because the project is being funded through CDBG-Disaster Recovery funds. The Planning Board will make a separate SEQRA determination of the project since it is in the existing 100-year floodplain and requires a Special Permit for Floodplain Development.

1. Declare Lead Agency

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

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

2. Declare Action as Unlisted Action

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

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

3. Call for a Public Hearing for a Special Permit for Floodplain Development to be held April 11, 2017, at 7:05 PM

Motion Made: S. McLain
Motion Seconded: A. Elwood
MOTION: Approval of Public Hearing for a Special Permit for Floodplain Development to be held on April 11, 2017, at 7:05 PM.

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

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

Ms. Lane noted that a new Refuse Garage will be built at 2900 Wayne Street across the street from the Broome Senior Citizens Center. The garage will replace the garage that is currently located on Scarborough Drive.

Ms. Lane researched Mr. Crowley's question how the Code Department accesses properties to follow-up on code violations. Ms. Lane noted that legally the Code Department can go onto any business property in the same manner as the public; however, in general, to access non-public places, they must have permission from the owner.

Ms. Lane reported that Jeff Pilarcek, who recently purchased Endwell Greens, plans to have an indoor concert, Shelter Slam, in the two large banquet rooms of the existing facility. However, if Endwell Greens wants to sponsor outdoor concerts, they would have to apply through the Town.

G. Adjournment

Chairman Miller asked for a motion to adjourn the meeting at 7:51 PM

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

Next Meeting Date

The next meeting of the Planning Board is tentatively scheduled for Tuesday, April 11, 2017 at 7:00 PM

Respectfully Submitted,
Carol Krawczyk