

Testimony of a Public Hearing of the Town of Union Planning Board held at the Town Office Building, 3111 East Main Street, Endwell, NY, Tuesday, November 21, 2017, at 7:10 pm.

PRESENT:

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

Others present: Marina Lane
Brian Weisz
Shalisa Weisz
Dawn Wendland
Bob Wendland

MS. MILLER: We will open the Public Hearing for a Two-Family Use, and I will read the public hearing notice.

The Town of Union Planning Board will conduct a public hearing relative to an application by Christopher Stanis to legally convert a single-family house to a two-family house on a residential property located at 712 Carl Street (property tax map number 140.20-9-30). The property is zoned Urban Single-Family (USF), and two-family dwellings are permitted by Special Permit from the Planning Board. The property meets all area requirements for a two-family use.

The public hearing will take place on Tuesday, November 21, 2017, at 7:00 PM in the Town Board meeting room on the second floor of the Town of Union Office Building located at 3111 East Main Street, Endwell, New York.

Individuals with special needs requiring accommodations may contact the Planning Department at 607 786-2985 at least 24 hours prior to the scheduled public hearing. – Paul A. Nelson, Secretary

MS. MILLER: Would you like to give any kind of presentation? Okay. Does anyone have any questions? We only ask that you state your name and address for the record.

MS. WENDLAND: Certainly. We are Dawn and Bob Wendland and we live two houses down from the house that was just purchased.

MS. LANE: Can you just say that again please?

MS. WENDLAND: You mean everything?

MS. LANE: Your name and your address.

MS. WENDLAND: My name is Dawn Wendland.

MS. LANE: Could you spell that please?

MS. WENDLAND: Wendland.

MS. LANE: And Bob, you said?

MS. WENDLAND: Yes.

MS. LANE: And what's your address?

MS. WENDLAND: 720 Carl Street.

MS. LANE: Okay. Thanks.

MS. WENDLAND: The couple of questions that I have are in reference to what you just read, and the second part of it are some concerns that we have.

MS. LANE: So, you'll be addressing the Planning Board.

MS. WENDLAND: First off, I was just curious where it came up that it was an illegal two-family, and where is it coming up that there are two separate entrances and exits? We have been living on this property where we are for four years. And we know kind of the chain that happened with this home. An older couple lived there and then very unfortunately they moved out and some not very nice people moved in. It caused a lot of chaos. Police were there quite often; there were a lot of loud parties; there was drug use, and it was not a good situation. We were not aware that there were two separate entrances and exits. I mean, we go by the place all of the time; so I was wondering where that information came from. Is there actually a Town of Union person that goes out and looks at the property, and that's where you get the information from?

MS. LANE: Information comes from a number of different sources.

MS. WENDLAND: Okay.

MS. LANE: So for starters, I think we were looking at the real estate website. The first thing that happens is that we look at the property information sheet, which is available to the public on the Broome County GIS website. They list the last reported current use. That information comes from the assessor's office, and the last current use that was reported was a single family, which is a code 210. But based on the fact that there are two kitchens in the house, that is a two-family.

MR. FORSTER: That is not how it is in Endicott.

MS. LANE: I know, that is historic. The fact is, that right now in the Town of Union, you cannot have a second kitchen in your house if you want to have it as a single family. Therefore, it has two kitchens and there was already some kind of divider in there. Go ahead, Shalisa; why don't you tell us?

MS. WEISZ: I guess it was a garage and then above that there was one bedroom and one bathroom; so it was left and right, and they separated it. On the left side where that front door is, from there until the left is the entire one-bedroom apartment. As you walk in that front door, there is a wall there right now where there used to be another entrance to the right side. So that first door where you walk in, and there is another door in the back. Therefore, that back door is also accessible to the other side of the house.

MS. LANE: The three-bedroom apartment you mean?

MS. WEISZ: Yes. And that right side also has two sliding glass doors in the front, a door on the right side and an actual other door, besides the other one that is connected into the other apartment. So there are technically five doors to the one on the right and two doors to the one on the left.

MS. LANE: Then other information comes from the building official who went out and did a building inspection with them already; so he has verifying information. He can verify that the house can be converted to a two-family. We wanted him to do that inspection to make sure that could happen before they come through all this process. He went out and saw no problems with it. They will have to do proper division, which will include fire-rated walls, to do a proper separation of the apartments. Then we also used photographs that Shalisa brought in, and we also used aerial photography. Then Christopher, who purchased it and who just recently sold it to them, had gone out and done measurements for us. So, how many houses are you down from them? You said four?

MS. WENDLAND: There's another house here and we are the next house.

MS. LANE: So we had, they are not professional drawings, but Chris had gone out at my request and done measurements so that we could have all of that. So between various websites, our records, and photographs from the realtor website where we could go through and see the actual rooms and verify that there were two separate full kitchens, that is how it was established that it is an illegal two-family right now.

MS. WENDLAND: What about the parking?

MS. LANE: They are required to have four parking spaces and their driveway is quite adequate for four vehicles.

MS. WENDLAND: And we mean no disrespect to anyone who is interested in doing whatever they need to do with the property. What our concern is that we lived in the Village of Endicott for twenty some years and the only reason that we moved out of there is because of this type of situation that the houses around us started being sold and they went into two-families. And what we were surrounded by, and again, this is no disrespect, were landlords who were not present and did not keep up their properties, there were a lot of parties, and a lot of people who didn't care about the community. And that was actually one of the main reasons why we moved out of there and why we moved to Carl Street, because it was very quiet and very residential. We are just concerned that if this goes to a two-family, what that is going to do to property values, and also what kind of tenants are going to be in this property, and how the property is going to be maintained. Those are our concerns.

MS. MILLER: Okay. Thank you.

MS. WEISZ: I totally appreciate your concerns because we live in the neighborhood as well, and have two young children, and we are trying to raise a family. We both have professional jobs and we expect the same thing. We expect to have people who are responsible. We expect to have clean people, quiet people and we already have other apartments where we screen our tenants. We are going to have to do background and credit checks. They are going to have to be responsible people. And I totally appreciate where you are coming from because I would expect the same thing. That's why we moved to that neighborhood. So any type of situation won't be tolerated.

MS. MILLER: Thank you.

MS. WENDLAND: We are very glad to see the property occupied because it has been under so much chaos. We are glad to see people move into and want to do something with it. We just want to make sure, being two houses down, that it is quiet at two o'clock in the morning when I need to sleep

MS. WEISZ: I definitely appreciate where you are coming from. (laughter)

MS. LANE: Also, it happens that that lot is larger than many of the other lots. I see yours is similar in size, and the house between it is smaller. So one of the reasons that they can do this is that they exceed the requirements, because it is a larger lot and they have the space. Therefore, they exceed the requirements for having a two-family, and a number of these probably would not. That is why we have it as a special permit process. If they had not met those requirements (we would have discouraged them from coming in for this application to begin with), but it does mean that we take an extra hard look. It's not just a permitted use, which means we would have no say at all, but it is a special permit which means that the Planning Board has the opportunity to look at it and make the decision - do they agree that it is sufficient in size to have two families. In addition, one of those units is just a one-bedroom.

MS. WENDLAND: I was only in there once with the tenant and I saw that it is a very chopped-up kind of house. And we were not aware of all the entrances that she was talking about. But there was such a mish mash of people in there, it was hard to determine who was coming and who was going, and what was actually going on in there. We just do not want that repeated again.

MS. MILLER: Thank-you.

MS. FORSTER: I have some questions. What is the heating system in there?

MS. WEISZ: It is gas.

MR. FORSTER: Is it forced hot air or base board hot water?

MS. WEISZ: It is forced hot air.

MR. FORSTER: One or two?

MS. WEISZ: Two.

MR. FORSTER: There are two separate furnaces?

MS. WEISZ: Yes.

MR. FORSTER: Are there two separate electric services?

MS. WEISZ: It is sub-metered, but we have plans, if this is all approved, to have NYSEG split that.

MR. FORSTER: Well, an electrician would do that. So you are going to split the gas, split the electric. However, there are two separate furnaces, correct?

MS. WEISZ: There is.

MS. LANE: Those are things that we had actually talked to them about. Anyway, Gary has already done his initial inspection and gone through everything with them.

MR. FORSTER: That is why there are people from different walks of life on the Board, so they think of different things.

MS. LANE: Sure.

MR. FORSTER: Okay. I was just curious how that was going to be handled.

MR. CROWLEY: Even if it was not split, there are ways to go ahead and do your billing and it is legal.

MS. MILLER: Any other questions or comments? Then we will close the public hearing.

Meeting concluded: 7:54 pm.

I, CAROL M. KRAWCZYK, do hereby certify that the foregoing transcript of a Public Hearing of the Town of Union Planning Board is a true, accurate, and complete transcript of my stenographic notes/tape taken at the above time and place.

CAROL M. KRAWCZYK