

## Town of Union Planning Board Minutes

Tuesday, October 9, 2018

A regular meeting of the Town of Union Planning Board was held Tuesday, October 9, 2018, at the Town of Union Office Building, 3111 East Main Street, Endwell, New York.

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

Members absent: S. Forster, M. Jaros

Others present: Marina Lane, Carl Guy, Bob Kashou

### A. CALL TO ORDER

Chairman Miller opened the meeting of the Planning Board at 7:00 p.m.

### B. MEETING MINUTES

#### 1. Acceptance of September 11, 2018 Meeting Minutes

Chairman Miller asked for a motion to accept the 9/11/18 Meeting Minutes, as written.

Motion Made: L. Cicciarelli

Motion Seconded: S. McLain

MOTION: Acceptance of the meeting minutes of September 11, 2018, as written.

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

**Opposed:** None

**Abstained:** None

Motion Carried

### C. Express Auto Office Addition, 3652 George F. Highway, C. Guy

The owners of Express Auto applied for a 350 to 400 square-foot addition to the existing auto sales building at 3652 George R Highway (SR 17C). Carl Guy, Fahs Construction, showed a sketch of the addition with the location of the handicapped ramp and gave a short presentation. There are no plans for additional employees. Currently, there is no restroom in the office, so staff has to walk outside to use the facilities in the adjacent building to the east. The addition will have new restrooms and a new, more private loan office. The existing building is a trailer from the 1940s with a small addition. The new addition will square-off the structure. Mr. Cicciarelli asked if there was a sanitary hookup close by. Mr. Guy pointed out that there is a sanitary lateral that crosses the site, and they will use the hookups from the existing bathrooms. The old block building to the east will be gutted, and then used for fire-proof file storage. He explained that the garage project approved in 2017 changed when they discovered that there is 25-feet of fill at the approved location, and that it would be very expensive to build on that fill and make sure the building wouldn't settle. Mr. Guy said

that instead, they propose building onto the existing building a deck-like structure that can be shored up in the future if settling occurs. The owners decided to outsource vehicle maintenance instead of building the repair garage. Delta is designing the addition, and the owners plan to update the entire building. The handicap ramp will extend off the end with a switchback.

**1. Declare Lead Agency**

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

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

**2. Declare Project an Unlisted Action**

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

Motion Made: L. Cicciarelli  
Motion Seconded: S. McLain  
MOTION: Declare the project an Unlisted Action.  
VOTE: **In Favor:** L. Miller, L. Cicciarelli, S. McLain,  
T. Crowley  
**Opposed:** None  
**Abstained:** None  
Motion Carried

**3. SEQRA Determination**

Ms. Lane reviewed the environmental assessment form (EAF). The business is on a 1.34-acre property, zoned General Commercial, and the vehicle sales business is a permitted use. Other than the addition, no construction is planned at this time.

As the location of the addition has been developed for many years, the project will have no impact on wildlife and flora. There will be no significant impacts from odors, noise, or lighting, and the project will not impact traffic or utilities. Although the property is within the buffer of an archeologically sensitive area, this project will not have any impacts since the soil has been previously disturbed or filled. This property is located within the buffer area

of the NY DEC remediation site #704038, the Endicott Area-Wide Investigation, but is not directly impacted by the contamination.

The southern edge of the property is located in the 100-year floodplain but no construction is planned in that area. Only over-flow vehicles will be stored in this area, and can be moved if flooding is imminent.

Upon close review, the project will not have a significant impact upon the environment.

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

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

Ms. Lane noted that the parking spaces might not have to be realigned with the location of the new handicap ramp. There should be 24 feet between the building and the back of the parking spaces. Mr. Guy said that the reason they are constructing the handicapped ramp next to the building is to conserve space because he is aware that the parking is close in that area of the lot. The circulation in the parking lot will not be affected with the ramp next to the building.

#### 4. Site Plan Review

Ms. Lane then summarized her staff report for the Planning Board. The addition will be between 350 and 400 square-feet, and will provide two additional offices in the building. The sales business will have six employees including the owner, and at two spaces per employee, the parking requirement is twelve (12). The site currently has seven (7) customer parking spaces including one handicapped accessible parking space pending striping, thirty (30) striped display spaces, and room for 31 additional spaces on the packed gravel in the rear of the building for employees and overflow vehicles. The hours of operation are 9:00 a.m. to 6 p.m. Monday through Friday, and 9:00 a.m. to 2:00 p.m. on Saturdays.

The site has existing public water and sewer, and public storm sewer along George F Highway. Stormwater from the rear of the property drains southward through green space to the swale along Argonne Avenue. Maintaining the gravel surface for the overflow parking between the required

pavement and the green space helps minimize any increase in the rate of stormwater runoff.

The property is subject to a 239-Review as it is within 500-feet of State Route 17C. The Broome County Planning Department recommended that the applicants should be made aware that a portion of the property is located in the 100-year floodplain, of which they are aware. They suggest adding parking to the site plan, and a sign plan. B. C. Department of Public Works and B.C. Health Department have no comments. Per the NYS DOT, if any work is to be completed in the State right-of-way, an approved Highway Work Permit shall be required prior to the commencement of such work. Nothing may be placed in the State right-of-way, including advertising, signage, vehicles for sale, or customer parking.

The Town Engineering and Code Enforcement Departments have reviewed the project and have no concerns.

The staff recommendation is to approve the site plan with the following stipulations:

- 1) Before the issuance of a building permit, a parking plan shall be submitted for review and approval by the Planning Department. The parking plan shall include one handicapped-accessible parking space (9'x18') and access aisle (8'x18' minimum). The "No Left Turn" sign at the western entrance shall be replaced with a new sign. The parking plan shall comply with Code sections 300-51.6 General Requirements and 300-51.7 Design Standards.
- 2) The parking lot shall be repaved or seal-coated, and striped according to Code by May 30, 2019. The required handicapped-accessible parking shall conform to the NYS Building Code, and shall be provided with signage displaying the international symbol of accessibility. The access aisle shall be provided with signage reading "No Parking Anytime." Signs shall be permanently installed at a clear height of between 60 inches and 84 inches above grade and shall not interfere with an accessible route from an access aisle.
- 3) If the expanded vehicle gravel parking area should ever be paved, the Code Enforcement office shall be contacted first to ensure stormwater remediation compliance.
- 4) A handicapped-accessible ramp design shall be submitted to Code Enforcement with the application for the building permit.
- 5) Erosion control measures shall be followed during the construction of the addition.
- 6) The existing landscaping shall be maintained in a healthy manner.

Dead or diseased landscaping plants should be replaced per the 2005 approved site plan.

7) Per NYS law, all commercial buildings must be inspected by the Municipal Fire Code Inspector every three years. It is your responsibility to coordinate that inspection by calling the Code Enforcement office at (607) 786-2920 every three years, and prior to the issuance of a Certificate of Occupancy for the addition.

8) If the applicant wishes to add additional outdoor lighting in the future, the lighting plan shall be submitted to Code Enforcement for their approval prior to installation.

9) If any new signage is desired, the applicant shall apply for a sign permit from the Building Official prior to display. All temporary signs (including price signs), portable signs, search lights, balloons, sidewalk and curb signs shall be reviewed and approved by the Code Enforcement Office prior to being placed on the property. Signs that blink, rotate, or move are not permitted.

10) Site plan approval shall be valid for one year, unless substantial improvements have been made pursuant to the approved site plan.

11) The applicant shall be required to acknowledge all of the above conditions, in writing, prior to the issuance of a Building Permit. The applicant agrees to construct the project in strict accordance with the site plan approved by the Planning Board. Should the applicant change the site plan approved by the Planning Board, even if by petition to the Town's Zoning Board of Appeals, the site plan approval will become null and void and the applicant must resubmit a new site plan to the Town of Union Planning Board.

Chairman Miller then called for a motion to approve the Site Plan for Express Auto Office Addition at 3652 George F. Highway, with stipulations.

Motion Made: T. Crowley  
Motion Seconded: S. McLain  
MOTION: Approval of the Express Auto Office Addition site plan at 3652 George F. Highway, with stipulations.  
VOTE **In Favor:** L. Miller, L. Cicciarelli, S. McLain, T. Crowley  
**Opposed:** None  
**Abstained:** None  
Motion Carried

- D. Request for Revision of Special Permit, 1500 Co. Airport Road, B. Kashou**  
Mr. Kashou submitted an application to revise the hours of operation at the Greater Binghamton Sports Dome to include three overnight sporting events per month. The hours are currently limited to 8:00 a.m. through 11:00 p.m., per the Special Permit issued in August 2005.

**1. Declare Lead Agency**

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

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

**2. Declare Project an Unlisted Action**

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

Motion Made: T. Crowley  
Motion Seconded: L. Cicciarelli  
MOTION: Declare the project an Unlisted Action.  
VOTE: **In Favor:** L. Miller, L. Cicciarelli, S. McLain,  
T. Crowley  
**Opposed:** None  
**Abstained:** None  
Motion Carried

**3. Call for Public Hearing for a Revised Special Permit for Overnight Indoor Special Events, to be held on November 13, 2018, at 7:00 p.m.**

Chairman Miller asked for a motion to approve the Public Hearing for a Special Permit for Overnight Indoor Special Events to be held on November 13, 2018, at 7:00 p.m.

Motion Made: L. Cicciarelli  
Motion Seconded: T. Crowley  
MOTION: Approval of the Public Hearing for a Special Permit for Overnight Indoor Special Events, to be held on November 13, 2018, at 7:00 p.m.  
VOTE: **In Favor:** L. Miller, L. Cicciarelli, S. McLain,

T. Crowley  
**Opposed:** None  
**Abstained:** None  
Motion Carried

**4. Motion to approve the one-time annual Word of Life sporting event between November 9<sup>th</sup> and 10<sup>th</sup>.**

Motion Made: L. Cicciarelli  
Motion Seconded: S. McLain  
MOTION: Approval of the one-time annual Word of Life sporting event between November 9 and 10 at 1500 County Airport Road, with stipulations.  
VOTE: **In Favor:** L. Miller, L. Cicciarelli, S. McLain, T. Crowley  
**Opposed:** None  
**Abstained:** None  
Motion Carried

Mr. Kashou explained that he would like to have an overnight softball series this year. Last year they ran an indoor tournament on Sundays with ten or twelve teams and they were very successful. Many of the teams come from Rochester and Buffalo with their families and spend money in the town's restaurants and hotels, so it is good business for the town. Ms. Miller asked if they will be the same teams that attended the events last year. Mr. Kashou answered he is not sure which teams will sign up this year. Mr. Kashou noted that only adult teams attend the overnight events and many of them carpool to the tournaments. Mr. Kashou said that his facility is totally booked during the winter; and he is trying to increase his business during the spring, summer and fall months by offering these overnight events. Mr. Crowley and Mr. Kashou discussed providing hotel and restaurant recommendations. Ms. Miller asked if Mr. Kashou will have his own staff policing the events, and Mr. Kashou answered that either he or one of his family members is always there to handle the events with other staff. Mr. Kashou noted that there were no issues with drinking at the one overnight tournament held last year, and that the adults policed themselves at the venue. Mr. Crowley commented that Mr. Kashou has a good reputation and that kids come from all over to play soccer there.

Ms. Lane noted that she will send Mr. Kashou the letter of approval about the Word of Life event which Mr. Kashou needs to sign and return. She will include the mailing labels to send out the letters about the event to his neighbors. Finally, Ms. Lane reiterated that any announcements about the proposed overnight events should emphasize that these are indoor sporting events.

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

Ms. Lane said the Town Board held over the public hearing on the proposed sign code revisions until the October 10 meeting. She had sent a report to the Town Board after the September Planning Board meeting, and then met with Mr. Bertoni and Ms. Golazeski to further discuss changes to the sign code. Afterwards, she submitted another report to the Town Board to reflect changes discussed at that meeting. Ms. Lane clarified the section of the sign code that included limitations of flag pole heights. Ms. Golazeski had explained that in the current sign code, flags would be restricted to the same height as signs. Flag poles are addressed in another section of the code in which there are no limits on flag pole height. Ms. Lane will forward the approved September Planning Board minutes to the Town Board before the next Town Board meeting.

**F. Adjournment**

Chairman Miller asked for a motion to adjourn the meeting at 7:31 p.m.

Motion Made:	L. Cicciarelli
Motion Seconded:	S. McLain
MOTION:	Adjourning the meeting.
VOTE:	<b>In Favor:</b> S. Miller, L. Cicciarelli, S. McLain, T. Crowley
	<b>Opposed:</b> None
	<b>Abstained:</b> None
	Motion Carried

**Next Meeting Date**

The next meeting of the Planning Board is tentatively scheduled for Tuesday, November 13, 2018, at 7:00 p.m.

Respectfully Submitted,  
Carol Krawczyk