

Testimony of a Public Hearing of the Town of Union Planning Board held relative to a Special Permit application submitted by Bill Walsh to add fill in the 100-year floodplain at 3901 Watson Boulevard (Tax map # 142.14-2-25.12), via Zoom Video Conference, held November 10, 2020, at 7:38 p.m.

PRESENT:

Members present: L. Miller
S. McLain
S. Forster
M. Jaros
D. Kudgus
S. Yalamanchili (Alternate)

Others present: Marina Lane
Sarah Zubalsky-Peer
Rick Materese
Alan Pope
Students

MS. MILLER: We will open the Public Hearing, and I will read the public notice.

The Town of Union Planning Board will conduct a public hearing relative to an application by Walsh Realty, LLC for a Special Permit to add fill to 3.86-acres in the 100-year floodplain at 3901 Watson Boulevard (tax map number 142.14-2-25.12). The total fill project involves 7.21-acres, both in and outside of the 100-year floodplain. A Special Permit approved in 2010 to add fill in the 100-year floodplain expired due to lack of activity.

The application is available for review from the Planning Department by calling (607) 786-2926. Persons wishing to participate in the public hearing may do so via Zoom or telephone, or communications in writing regarding said application may be filed with the Planning Board prior to said hearing. In the event that the Town Hall is fully open and able to accommodate all members of the public as of November 10, 2020, the Town reserves the right to discontinue the use of Zoom for said meeting. The Public is hereby advised to check the Town of Union website for updates regarding this change prior to any scheduled meeting. Sara Zubalsky-Peer, Planning Director.

MS. MILLER: Does anyone have any questions or comments regarding the fill in the floodplain?

MS. LANE: Did everybody hear that?

MR. URDA: Yes.

MS. LANE: Thank-you Alex.

MS. MILLER: If there are no questions or comments, we will close the public hearing.

MS. LANE: Wait a minute. Al Vos?

MR. VOS: Hello everyone. I would like to ask some questions and make some comments, if that is in order.

MS. MILLER: Sure.

MR. VOS: I live in Endwell. I live within walking distance from this property, and so I have been paying attention to it for a good number of years. I sort of understand the technical parts. I guess my comments and questions are about what we would call the big picture. I remember when this fill was disturbed, as you say, I would say gouged or wounded, and I have watched it ever since. I have observed that fill has been added and now I see an effort to level it off and an effort to add some more fill. I can understand with respect to the floodplains and the wetlands and all of that, I don't see an issue. My questions are really about thinking about long range. If I went back and try to look ahead, what might we see in this property? It is interesting that as I have listened so far the term future construction was mentioned once. The word development was not mentioned at all. So, is this still preliminary to development or to construction? If it is, I think that is significant, and in my view it would be regrettable in view of the wetlands there, in view of the fact that there is so much vacant property around this community, and it just doesn't seem to me like a good place to build. Now I realize that hasn't been spoken, but clearly when the fill goes in there and the hill is reshaped, and the floodplain is re-fenced, the only questions are why, what are we doing, what is the intent, and is it something that we would like to support or not. I don't have an answer but I would be interested in hearing thoughts from the owner or the Planning Board about those big picture questions.

MS. LANE: Well just to start with, Al, that property is zoned Neighborhood Commercial and the developer does have the right to build on it. When the developer does build on it, then they are going to be required to raise that building above base flood elevation. Therefore, whether it happens now that they are raising that ground or if a project were to come in, then the developer would have to count on soil being available for a specific project. But I guess either

Alex or Bill, would you like to respond to Mr. Vos?

MR. URDA: Bill has been trying to get his audio up, but I am not hearing him yet

MS. LANE: Okay, I don't know if I can help with that.

Mr. URDA: We don't hear you Bill; this is Alex. Very briefly, there are no projects planned. However, there is some material available locally, some just over in Fairmont Park and elsewhere that was on Walsh's property. Therefore, the opportunity to fill with local materials just came up recently. Previously we had done the fill from the subdivision materials. However, no other projects are planned.

MR. WALSH: This is Bill; can you hear me? Sorry about the technical difficulties. Al, currently, like Alex says, we do not have a project for development on the site. However, I can tell you a couple of years ago I did have a potential client that this site would have worked perfectly for. The problem was that they had to be able to start within a time period. We were unable to fill the site in time to work for him. The goal right now is to get this site shovel ready so that in the future when another potential client does come up, we won't have the time delay or the cost delay that importing fill creates.

MR. VOS: That is helpful to hear and obviously, there are different kinds of development. One of the things that I think about presumably there would be parking, and there would be asphalt so there would be runoff. If they are close to the wetland and there is water there, we are back to 'is this a good place to develop.' As I think about all the places in the town, why would one want to edge right up to the wetland? Why would one want to build on an area that has never been built on before? I realize that gouging the hill happened before this and it is not part of this project or plan. However, from my point of view, it is a regrettable place to develop.

MR. WALSH: Well actually, I can reference this previous client that we had. He liked the site because it is centrally located; it is on a main thoroughfare, Watson Boulevard. It has great exposure with the highway going by; seventy-five thousand cars a day go by that look right at this site; and it has utilities. There are not many sites of this potential size that have this exposure with all utilities available. Therefore, it could be an ideal site for the right client.

MS. LANE: Alex, wouldn't there need to be a detention pond system or a storm water remediation system if this site were developed with the parking

lot and the building?

MR. URDA: You are correct, Marina. It would have to go through a full site plan review again with the Town and the Planning Board. There would need to be a SWPPP since the site is likely to be over an acre, and would also have to go through the DEC. We have to go through all of these compliances because of the wetlands. So, if a project comes up, you will have a lot of opportunities to review it at that point.

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

Public Hearing concluded: 7:47 p.m.

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