

Testimony of a Public Hearing of the Town of Union Planning Board held relative to Special Use Permit applications to sell and service vehicles at 3122 and 3124 Main Street and 3106 Andover Road on December 14, 2021, at 7:01 p.m.

PRESENT: Members present: L. Miller
D. Kudgus
S. McLain
S. Forster
M. Jaros
K. Rose
C. Curtin, Alternate

Others present: Marina Lane
Rick Materese
Joseph Abisaid
Mohammad Amin
Nahosheirwan Rasheed
Joe Sellers
Kevin Wheaton
Jim Taber
Al Ragazinsky

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

The Town of Union Planning Board will conduct two public hearings relative to an application by Joseph Abisaid for special use permits to sell and service vehicles at a former auto sales and repair business at 3122 and 3124 E. Main Street, and 3106 Andover Road (Tax Map numbers 157.08-3-7, -8, and -12). The properties on East Main Street are zoned General Commercial and auto sales and auto repair require special use permits. The Zoning Board of Appeals has granted a use variance to allow for the continued storage only of vehicles at 3106 Andover Road.

The public hearings will take place on Tuesday, December 14, 2021, 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. The application is available for review in the Town of Union Planning Department (at the address listed above) during normal business hours (8 AM to 4PM).

Individuals with special needs requiring accommodations may contact the Planning Department at (607) 786-2926 at least 24 hours prior to the scheduled public hearing. Lisa B. Miller, Chairperson.

MS. MILLER: So, we will open the Public Hearing.

MS. LANE: Well, actually, we will open the Public Hearing for a special permit for

auto sales. Sorry; we are changing the way that we normally do this. I think you are fine.

MS. MILLER: So we will open the Public Hearing for Auto Sales. If there is anyone who would like to speak or has any questions, we just ask that you give us your name and address, and address your questions to the Planning Board.

MR. RAGAZINSKY: My name is Al Ragazinsky and we live at 3120 Andover Road. Our concerns are for the business coming in; the last person who owned it is now deceased and he had that back lot looking like a trash hole. The lot is on our street; it was absolutely horrible. They never trimmed the leaves, they never trimmed the bushes, they never did anything to upkeep the property. There were stray cats living in and out of vehicles that were parked there for years. Well, I am glad that there is going to be a fresh start but are these problems going to be addressed? Because we have been there over fifteen years and nothing was ever done. We know that one of the neighbors there had rats living in his yard and, sure, everyone remembers that. It is a concern because it is on our street and it is literally only five or six doors from us. We are just concerned about it.

MS. LANE: I am sorry; could you please repeat your name and address again?

MR. RAGAZINSKY: Al Ragazinsky and it is 3120 Andover Road.

MS. LANE: I will have to look that up on GIS.

MR. RAGAZINSKY: We are the last house on the right. Do you want me to spell my name?

MS. LANE: Yes, please.

MR. RAGAZINSKY: Ragazinsky.

MS. LANE: Thank you so much. So have you seen the lot now?

MR. RAGAZINSKY: Yes, it's clean now. However, in the summer when all those heavy leaves and bushes grow, they couldn't even get that back gate open. And my other concern was that the business is on Main Street and the old owner used to put all his garbage and trash on Andover Road for garbage night. They never ever put it in front of his business. It was always on our street. It doesn't really matter; it is his right to do that, but it was just kind of weird that you saw it in the back of the business and not in the front. Those were the only questions I had.

MS. LANE: Well, we can't regulate that.

MR. RAGAZINSKY: I get it.

MS. MILLER: Well, you can direct these things to the Code Department if you find a problem or it starts up again.

MS. LANE: You probably noticed that we have these reports and those include stipulations of approval. Code Enforcement did ask me to specifically address the area outside of the fence in the back. And I did tell the prospective purchaser that that had to be cleaned up.

MR. RAGAZINSKY: Well, thank you.

MS. LANE: Well, thank you for coming.

MR. RAGAZINSKY: You are very welcome.

MS. MILLER: Does anybody else have any questions?

MR. JAROS: Do you have a dumpster for your garbage, or is it going to just be put out in front of the building, or in the other lot?

MR. ABISAID: Maybe we will bring a small dumpster, something that Taylor can bring every week.

MR. JAROS: Okay. Because I did notice the same thing.

MR. ABISAID: I hope to make a lot of changes. I understand where he comes from.

MR. JAROS: I also notice that in that lot there is room for three cars on the one side and three cars on the other side, and then you have to have an opening to get through to the front. Is that correct?

MR. ABISAID: We are not going to use Andover for an entrance or exit.

MR. JAROS: Right, but you are going to be putting cars in there, correct?

MR. ABISAID: Maybe, if we have enough business.

MR. JAROS: But there is a limit on the cars that can go in there. Because if there was ever a fire we have to have access.

MS. LANE: So when you have an auto sales business, like let's say Gault Toyota, they will have display vehicles but they can put inventory in without

meeting specific parking spaces. Therefore, we don't control the inventory parking because it is assumed that just the staff will be going into the inventory parking.

MR. JAROS: Okay. Well, in that back lot, would we need access in case there was a fire in one of the vehicles? If there were a fire, how would we access it?

MS. LANE: Well the fire trucks can easily get to the back via a hose. They don't need that much distance with a fire truck. They can come in or go to the back. However, I discussed this with Code and what I was saying is that inventory doesn't require a specific parking plan. If all of you here would like to see enough access for one twelve-foot wide aisle through that Andover lot, then you can request that. That is up to you; that is your right. In addition, Joe and I talked about garbage cans. You may remember that originally Joe applied to sell vehicles. However, as we talked about with the gentlemen at 3123 George F Highway, the Othman brothers, when we talked about their approval you may remember that Scott was saying that they have to be able to do minor repairs on the cars themselves. Therefore, when Joe called the DMV to talk about it, and I also got confirmation from the DMV, the auto repair was never a principal use; it was more an accessory use. The DMV confirmed that Joe needs to get a repair license just for the minor maintenance for the vehicles that they are selling, so that is why we have added that in. A dumpster would seem appropriate if you are getting a lot of garbage. I think what you really need is an enclosure for the tires, because I saw tires there when I went to see the property. I have gone there a couple of times. So they will be taken care of, but let's say that they only remove the tires once a week, you have to have an enclosure to store those tires. So I don't know if he really needs a dumpster because it is mainly auto sales.

MR. JAROS: Yes, that makes sense to me. The idea of having the junk thrown there for a week, whatever it may be.

MR. ABISAID: I am not going to spend money to have my place look like this. You know what I mean. As a person, I am happy to talk to you.

MS. LANE: It's okay. I think that the process has been overwhelming. All three of these gentlemen back here have spent a lot of time in my office. So just to address that, I think garbage cans for his stuff would be fine.

MR. ABISAID: I don't want to change tires, you know. I don't want to wash cars. I want to make the place look nice. I don't want a place with trashy cars. I want to make it look like you are coming to a coffee shop. I

will hire a landscaper to come every week because I have many businesses in Endwell and Johnson City. I like to follow the rules.

MS. LANE: We know. It's okay; they are just bringing up their concerns to make sure that we don't repeat that. In addition, I have faith in you that you are going to keep it clean.

MR. ABISAID: And I am across the street from you guys, so you can say good morning and good night every day.

MS. MILLER: Does anybody else have something that they would like to add? Okay, since there are no more comments, we will close the public hearing.

Public Hearing concluded: 7:16 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