

Town of Union Planning Board Minutes
Tuesday, October 11, 2022

The Town of Union Planning Board held a regular meeting on Tuesday, October 11, 2022, at the Town of Union Office Building, 3111 East Main Street, Endwell, New York.

Members present: L. Miller, T. Crowley, S. McLain, S. Forster, M. Jaros, C. Bullock
Members absent: D. Kudgus
Others present: Marina Lane, Rick Materese

A. CALL TO ORDER

Chairman Miller called the meeting to order at 7:00 p.m.

B. MEETING MINUTES: Postponed

C. M Z Collision (Auto Body Shop), 323, 327, 331 Chaumont Drive and 3129 Kensington Road, Ming Zhang

1. Declare Lead Agency

Chairman Miller asked for a motion to Declare Lead Agency.

Motion Made: S. Forster
Motion Seconded: C. Bullock
MOTION: Declare the Planning Board as Lead Agency
VOTE: **In Favor:** L. Miller, T. Crowley, S. Forster, M. Jaros, C. Bullock
Opposed: None
Abstained: None
Motion Carried

2. Classify the Project as a Type II Action (reuse of a commercial building), no further environmental review required.

Chairman Miller asked for a motion to classify the Project as a Type II Action.

Motion Made: S. Forster
Motion Seconded: M. Jaros
MOTION: Classify the Project as a Type II Action.
VOTE: **In Favor:** L. Miller, T. Crowley, S. Forster, M. Jaros, C. Bullock
Opposed: None
Abstained: None
Motion Carried

3. Call for a Public Hearing for a Special Permit for Development in a Floodplain to be held on November 8, 2022, at the 7:00 p.m. Planning Board meeting.

Chairman Miller asked for a motion to call for Public Hearing for a Special Permit for Development in a Floodplain to be held on November 8, 2022, at the 7:00 p.m. Planning Board meeting.

Motion Made: C. Bullock
Motion Seconded: S. Forster
MOTION: Call for Public Hearing for a Special Permit for Development in a Floodplain to be held on November 8, 2022, at the 7:00 p.m. Planning Board meeting.
VOTE: **In Favor:** L. Miller, T. Crowley, S. Forster, M. Jaros, C. Bullock
Opposed: None
Abstained: None
Motion Carried

Ms. McLain arrived at 7:08 p.m. Planning Board members summarized the motions they had already voted on.

When asked to describe the project, Ms. Lane first explained why she had recommended the Planning Board classify the project as a Type II Action per the State Environmental Quality Review Act (SEQRA). As of 2019, when reviewing the reuse of a commercial building and the use is not significantly more intensive than what was there previously, the DEC now classifies these as a Type II Action, meaning that it will not have significant impacts on the environment. Mr. Zhang will use the whole building, which previously housed a motorcycle repair business, electrician's office, and for a short time a mattress store and a bicycle studio. The bicycle studio and mattress store left, so its most recent use was the commercial repair facility with an office. There is a second story on the north end of the building where Mr. Zhang will store his chemicals for the business. That portion of the building is above base flood elevation.

Mr. Zhang has been very compliant with the Town staff requirements. He has already purchased the building and four of the lots off to the side of the building. Ms. Lane used the aerial map to show the location of Brixius Creek through one of the parcels to the east of the building. Mr. Zhang's 4-to-5 employees will park on the hard packed gravel lot to the east, 3129 Kensington Road. Mr. Zhang has no plans for the other lots that were a part of the purchase of the building. There are existing parking spaces in front of the building that were approved years ago.

Ms. Lane discussed the partial town street that is adjacent to the site (Buckingham Road). Nobody can really use this area (south of the project) because the utilities end at the north side of 323 Chaumont Drive. The project site is zoned Industrial and the body shop is a permitted use. However, because the site is in the floodplain, the Planning Board would need to grant a Special Permit for development in the floodplain.

Ms. Lane explained how during a meeting with the Fire Marshal and Fire Chief of Johnson City and Adam Fishel, P.E., to discuss the Conifer Development at the old IBM Country Club building, Mr. Fishel noted that the Town normally gets one or two days warning before a flood event. With that in mind, Mr. Zhang will have sufficient warning to relocate any chemicals. He is also planning to purchase a tractor-trailer hauler for the vehicles so that he can move them to other properties he owns in the event that a flood is coming.

There was some discussion regarding the use of the chemicals in a body shop. Ms. Lane answered that there are requirements for the use of chemicals in a body shop and the Code Enforcement department would be responsible for following up with Mr. Zhang to see that he complies with these requirements.

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

AutoZone did not notice that Mr. Connolly was reserving 15 feet of road frontage and to the rear of the property in their purchase agreement. That 15-foot wide strip will be merged with Mr. Connolly's adjacent property. Therefore, AutoZone will be back for a simple revised site plan approval. AutoZone also has to go back to the DOT and revise the site plan to meet their requirements. A question was asked about what would happen to the fill that Mr. Connolly had dumped behind the building. Ms. Lane said that this issue is being resolved between the two companies.

Next month Augustine Construction will come before the Planning Board for site plan review at 1226 Campville Road. They have been in the building since 2017. The building had been vacant before and the previous Code administrator had written a letter advising the prior owner that any new use would require site plan approval before moving into the building. When Mr. Augustine inquired about a sign for the building, the Code Enforcement department became aware that the building was occupied and advised him that he needed to come in for site plan approval. Mr. Augustine was very cooperative and submitted an application for site plan review the next day.

Ms. Lane had a call about another solar project on Struble Road. The developers would like extensive setback variances. Ms. Lane noted that solar farms require additional 200-foot setbacks above the residential setback requirements, and that additional 400 feet would narrow down the project area considerably. Ms. Lane added that they are willing to screen the project and there are already trees along Struble Road near Robinson Hill Road. There would be one solar farm with a capacity of just under 5 megawatts.

E. Adjournment

Chairman Miller asked for a motion to adjourn the meeting at 7:24 p.m.

Motion Made: C. Bullock
Motion Seconded: M. Jaros
MOTION: Adjourning the meeting.

VOTE: **In Favor:** L. Miller, T. Crowley, S. McLain,
S. Forster, M. Jaros, C. Bullock
Opposed: None
Abstained: None
Motion Carried

Next Meeting Date

The next meeting of the Planning Board is tentatively scheduled for Tuesday, November 8, 2022, at 7:00 p.m.

Respectfully Submitted,
Carol Krawczyk