

PLANNING BOARD MEETING
MONDAY – MARCH 14, 2016
PLANNING BOARD
7:00 P.M. – TOWN HALL – 1529 NYS RTE 12
BINGHAMTON – NEW YORK – 13901

PRESENT: Ms. Cynthia Paddick, Chair
Messrs. Donnelly, Blythe, Carl, & Worden

ALSO PRESENT: Alex Urda, P.E., Town Engineer
Jim DiMascio, Councilperson
Scott Russell, Code Enforcement

ABSENT: Mr. Boland, Alternate

The meeting convened at 7:00 p.m. at which time Ms. Paddick called the meeting to order and welcomed the audience. Ms. Paddick read a statement which explained how the Planning Board members are appointed, along with the Board's functions, limitations and duties. Ms. Paddick noted that the reading of this statement not only informs the audience about the Planning Board, but it also reminds the Board members of their responsibilities.

APPROVAL OF THE MINUTES

- Approval of the February 8, 2016 Planning Board Meeting.

A motion was made by Mr. Donnelly, seconded by Mr. Blythe, to approve the Minutes of the February 8, 2016, Regular Meeting.

ROLL CALL: AYES – 5 NAYS – 0

NEW BUSINESS

- BINGHAMTON CHRYSLER JEEP DODGE DEALERSHIP- Joseph Dell – 1261 Upper Front St. – TM#111.16-1-34 – Application for site plan update to allow temporary vehicle staging area at the former Ponderosa site.

Mr. Urda has reviewed the applicant's request to allow temporary vehicle staging at the former Ponderosa site, which is located at 1261 Upper Front St. In reviewing the documents provided the pavement and lighting remain unchanged. Should ask the applicant where will be the unloading of new shipments of vehicles? The location must not be within the public right-of-way. The applicant should assure that the number of vehicles shown on the plan is not exceeded on site and that vehicular access aisles remain clear to traffic. Applicant should assure all and

any cross access easements for parking/ingress/egress with adjoining parcels (if any) are maintained. The project parcel is within any Aquifer Protection Zone 1 "Wellhead Protection Zone." The site currently complies with the associated Town Code Sect. 73-55, Attachment XII, Schedule of Regulations – Wellhead Protection Zone" and shall continue to do so. The project is subject to 239 review by Broome County. The project is a Type II action under SEQR. He recommends the project be approved.

Mr. Scott Russell, Ordinance Office has some concerns regarding this application that the Board should consider. The requested number of display vehicles the applicant is requesting is up to 45; however, upon inspection 72 vehicles were counted. Would like to limit the applicants sprawling vehicle display throughout the Town by placing a specific number of vehicles that they will adhere too. This also brings up another situation, if there is ample access for emergency vehicles to maneuver. The applicant also states this is temporary staging of vehicles, per NYS Uniform Code temporary staging is only for 180 days. Another issue is where does the delivery/unloading of vehicles take place, at this site or the primary Dodge location on 1279 Upper Front St. If these questions can be answered to the Boards satisfaction the Ordinance has no problem approving this request.

Mrs. Paddick, Chairwoman – There are already vehicles parked at Ponderosa.

Mr. Dell – Yes has been for a couple of years.

Mrs. Paddick – You have vehicles at Ponderosa, at the car dealership site and then there's vehicles down the street by Route 81. Seems like there's a lot more vehicles all together than there were previously approved per site plans. Is this more of a distributor for vehicles?

Mr. Dell – The business has grown in the past five years. When they did the original plan five years ago they didn't anticipate the growth that they have now. The Ponderosa site is being used to temporarily stage vehicles. In the back are wholesale cars which go to auction. Used trade ins are there and new cars are there too. New cars get pictures taken, inventory done then moved down to the other lot further down or on the main lot. Temporary staged – it's temporary until it finds its home but there will be another that takes its place.

Mrs. Paddick – Think there are more cars there now than what they originally approved of at some of these sites.

Mr. Carl – The approval was for 100.

Mr. Donnelly – Referring to the other site....

Mr. Dell – The main lot....

Mr. Russell – No further down 1169/1171 Upper Front St. That site plan was approved May

2012 for 100 parking spaces for lot storage. When he counted last week there were 406 cars.

Mr. Dell – There are a lot of cars down there and if he needs to reapply he will.

Mrs. Paddick – It would be good to have a site plan update for all of the sites so they know what's going on. Where are you unloading the vehicles? Are you unloading at the dealership or at the various sites?

Mr. Dell – Sometimes at the dealership and sometimes at the grass lot as there is room to turn around. They don't unload at Ponderosa as they can't get the trucks in and out.

Mr. Donnelly – You are asking for 45 parking spaces is that what you are keeping there?

Mr. Dell – Can keep it between 45 and 50 if that's what the Board wants but can decrease it as well. Clean up the alley ways for emergency vehicles to go behind the building and make sure there's width there so a fire engine or anybody can pull around. They can clean it up it's not a problem.

Mrs. Paddick – You asked for 45 so is it 45 or is it 50?

Mr. Dell – It varies depending upon when the shipment comes in. Could have a good week and get a lot of trade ins or have a slow week and have an empty lot. Hard call.

Mr. Carl – You turn that many cars over out of that business on Front St.? You are rotating that much stock through that business?

Mr. Dell – Between dealer to dealer and regular retail business.

Mr. Carl – So dealer to dealer you are serving as an inventory point for other dealers.

Mr. Dell – It's called a dealer trade and we may have a vehicle that another dealer may want. So if he's looking for a red truck – go on the dealer locator and finds it, then comes and buys it. Between regular retail and dealer trades we're selling 200 cars a month.

Mr. Blythe – Feels they need an amended site plan for all the locations. As you go up and down Front St. you see cars all over the place.

Mr. Carl – The ones by 81 are all covered in dust and mud – he wouldn't buy one.

Mr. Dell – Tried to get the owner to pave or put gravel down but he won't. Went to the guy who owns the mall and he's not interested in doing anything.

Mr. Worden – Concerned as he's asking for 45 but he's saying he can have a good week and have 100 trade ins.

Mr. Dell – Then he'll need to get them off and maintain it at 45.

Mr. Worden – Need to ask for what you want - is it 45 or 50 cars for the Ponderosa lot.

Mr. Carl – What you put on the plans are the rules – you asked for 100 cars at the lot by 81 and there are 406 cars there now.

Mr. Dell – Apologizes he didn't realize there are that many down there.

Mr. Carl – His biggest concern is you had a site plan review in 2012 so you knew you had to ask permission. Just mentioned the dealership has been parking cars at Ponderosa and only now you are asking permission.

Mr. Dell – Tom called him asking if he received approval to park cars there and apparently they didn't. The property changed hands – Vincent Altadonna is the current owner.

Mr. Carl – Believe he's owned it for two or more years. Owned it before you started parking cars there.

Mr. Dell – They parked cars there when it was Ponderosa. They were slow – talked to them – parked in the back.

Mr. Carl – Goes back to his earlier statement – in 2012 you had to get permission from the Town but yet you've been doing it at Ponderosa for at least two years without asking until now because someone told you.

Mr. Donnelly – Would like to propose that this application be tabled so that the applicant file updated site plans for all of their locations. To take a look at how many cars can be placed on the sites and compare what's there now. That way they know how many cars they can expect to see there. Whether it's 100 or 400 need to see what you are supposed to have there. No one is complaining. Same for the Ponderosa site 45 or 50 – lay it out so there's area around it for emergency vehicles since there is a building on the site. Where are cars being unloaded – grass site or dealership. Would like site plans for the whole business.

Mr. Dell – Do you want a professional drawing for the grass lot?

Mr. Urda – Yes can update them all at once and can be an overall package or individuals.

Mrs. Paddick – Just so this Board knows what is on each site – is it 100 or 400. Need to be on the same page.

Mr. Donnelly – For the applicant as well so if there’s a complaint – how come he’s allowed to do this and we can look to see what and why.

There being no further discussion or questions for the applicant a motion was made by Mr. Donnelly, seconded by Mr. Blythe for Binghamton Chrysler Jeep Dodge Dealership – Joseph Dell to be TABLED for the applicant to submit stamped site plans for all of the sites the dealership is using.

ROLL CALL: AYES – 5 NAYS – 0

ADVISORY OPINION/REFERRALS

- BRANDON BENJAMIN – 4 Maye St. – TM#095.14-2-29 – Application for a Use Variance to place a double wide on the parcel and an Area Variance for less than required road frontage from 100’ to 50’.

Mr. Urda, Town Engineer has reviewed the applicant’s request for a Use Variance to place a double wide on the parcel and an Area Variance for less than required road frontage from 100’ to 50’. In reviewing the documents provided all setbacks are met. The owner might consider adjusting the building toward on side to allow more room for the necessary egress landing and stairs. Numerous parcels adjacent to this one have similar dimensions and are developed with residences. This project is subject to Broome County 239 review. It is a Type II Action under SEQR. A favorable advisory is recommended with a building permit being required.

Mr. Scott Russell, Ordinance Office recommends that the Planning Board forward a favorable advisory to the ZBA for a Use Variance to place a double wide on the parcel and an Area Variance for less than required road frontage from 100’ to 50’ with a building permit being required.

There being no further discussion, a motion was made by Mr. Carl, seconded by Mr. Worden, for a favorable advisory to the Zoning Board of Appeals for this Use Variance to place a double wide on the parcel and an Area Variance for less than required road frontage from 100’ to 50’.

ROLL CALL: AYES – 5 NAYS – 0

- FIRST UKRAINIAN PENTECOSTAL CHURCH – Yaroslav Karnauch – Application for Triple Area Variances to allow third accessory structure (detached garage), to exceed the maximum square footage allowed from 725’ to 1140’ & to exceed the maximum height from 16’ to 21’-6.5”.

Mr. Urda, Town Engineer has reviewed the applicant's request for Triple Area Variances to allow a third accessory structure (detached garage), to exceed the maximum square footage allowed from 725' to 1140' & to exceed the maximum height from 16' to 21'-6.5". In reviewing the documents provided the size of the parcel and proposed location provided for minimal impact on this site. This project is subject to Broome County 239 review. It is a Type II Action under SEQ. A favorable advisory is recommended with a building permit being required.

Mr. Scott Russell, Ordinance Office recommends that the Planning Board forward a favorable advisory to the ZBA for Triple Area Variances to allow third accessory structure (detached garage), to exceed the maximum square footage allowed from 725' to 1140' & to exceed the maximum height from 16' to 21'-6.5".

There being no further discussion, a motion was made by Mr. Donnelly, seconded by Mr. Carl, for a favorable advisory to the Zoning Board of Appeals for this Triple Area Variances to allow a third accessory structure (detached garage), to exceed the maximum square footage allowed from 725' to 1140' & to exceed the maximum height from 16' to 21'-6.5".

ROLL CALL: AYES – 5 NAYS – 0

ADJOURNMENT

There being no further business before the Board, a motion was made by Mr. Donnelly, seconded by Mr. Carl, to adjourn the meeting at 7:20 p.m.

Respectfully submitted,



Nancy Schnurbusch,
Recording Secretary