

MONDAY MARCH 24, 2014
7:00 P.M. - TOWN HALL – 1529 NYS RTE 12
BINGHAMTON-NEW YORK 13901

PRESENT: Judy Snyder Acting Chair
Messer: Donnelly, Warren and Bernard

ALSO PRESENT: Russell Hemedinger- Town Board Member
Thomas Geisenhof – Assessor
Alex Urda - Town Engineer
John Barrett – Appointed Resident Member

ABSENT: Cynthia Paddick – Chairwoman
Gene Hulbert – Town Board Member
Michael Boland – Planning Board Alternate

The meeting convened at 7:00 p.m. at which time Mrs. Snyder called the meeting to order and welcomed the audience. First order of business is the approval of the February 24, 2014 minutes.

Mr. Bernard made a motion to approve the February 24, 2014 minutes, seconded by Mr. Warren.
Roll Call: Ayes – 3 Nays – 0 Absent – 1 (Paddick & Donnelly)

Mr. Donnelly came in a few minutes late to the meeting.

Mr. Hemedinger stated tonight's meeting is an overall review for the final recommendations. There were some conflicting statements in the minutes regarding the final determination on a couple of the items.

Board undecided from prior meetings whether to add the following into the new energy zone. Upon further review it was determined the following will not apply to the new energy zone.

- Compressor stations
- Metering stations, check stations and collection' lines

The new energy zone requirements are as follows:

NEW ENERGY ZONE

Types consist of:

- Gas wells
- Commercial windmills
- Commercial solar collectors

Application process for the New Energy Development Zone (E.D.)

To handle the same as a re-zone application

- Not a defined area until application is made
- Where any energy development activities (defined above) are proposed the following should apply:
 - Pin point the area on a map the proposed activity (such as a well site, etc).
 - 60% of property owners within 1 mile radius must sign a petition in favor of creating this new zone to be presented to the Town Board.
 - Public hearing held (same as a re-zone).
 - Advisory from the Planning Board.
 - Advisory from the County Planning Department.
 - Environmental Impact Assessment – reviewed by the Environmental Review Board(ERB)
 - Town Board to make the final decision.

Compressor stations, metering stations, collection lines would not be included in the criteria for the E.D. Zone.

- Recommend 1/3 mile (1800 feet) buffer from the neighboring property lines.

In General

- Road Protection ordinance should be in place.
- Noise and Light ordinance should be in place.

Road preservation plan, light and noise ordinance should be in place to ensure compliance by the energy developers. A buffer zone should be required and indicated on the site plan the type of buffering to be used shrubs, trees or fencing.

LOGGING

Mr. Hemedinger stated the steps to allow commercial logging in a residential zone:

RESIDENTIAL LOGGING

- Requires a special permit through the Zoning Board of Appeals.
- Have a site plan drawn up by a forester indicating the number of trees to be removed, haul roads and drainage plan along with the logging time frame.
- Silva Culture Best Management Practices in place.
- Road Protection plan in place.

ARICULTURAL LOGGING

- Non- Residential zones allow the Ordinance Office to do the site plan review.
- Have a site plan drawn up by a forester indicating the number of trees to be removed, haul roads and drainage plan along with the logging time frame.
- Silva Culture Best Management Practices in place.

RE-ZONE

Change to Commercial (CD) currently residential

- Change Broad Acres area south of Rte 12A and East of Rte 12)
- From the corner of Castle Creek Road on West side of Rte 12 heading North to 12A (including Trafford Road) to Peterson Road.
- Maps attached

Questions were brought up regarding the homes in the Board Acres area if the flood created a lot of abandon properties. Only one home was raised to the proper level the rest were left or repaired. Broad Acres consists of Duryea, Matthews, Bishop, Carmichael, Merrill and Quinn Road Jacobs Hwy. and Edwards Lane. By allowing this change to (CD) it can promote developers to come in with parking towards the river thus avoiding flooding issues.

The Board agreed to change Broad Acres area to CD and to stop the commercial sprawl end on one side of Trafford Road. They also agreed to the following recommendations- map attached

- Front Street- anything on Front St. currently zoned (Pdd-c) 73-50 change to (CD) 73-54.
- Route 12 A change (Pdd-c) 73-50 to (CD) 73-54 to be consistent with the rest of 12A zoning – will impact Beacon Water only
- Change from Rte 12A down Route 12 on both sides to Port Rd from Agricultural to the New Commercial Zone.
- Parcel behind Air Temp change on Upper Front St. change from Agricultural to CD- 1163 Upper Front St. - TM# 111.20-1-37
See maps attached
- CD Classification to include restaurants as an allowable use
- Change zoning currently the Chenango Commons, Ice Rink and the Red & White from Planned Development Recreational (Pdd-R) 73-52 to one of the following options
 - *Neighborhood Commercial (NC) 73-46
 - *Planning Development Residential II-(Pdd-RII) 73-47
 - *Planning Development Residential II-(Pdd-RI) 73-48

Board agreed to change the zoning classification for the three parcels to Neighborhood Commercial (NC)

ZONING CLASSIFICATIONS

Eliminate Planned Development District Community Service (Pdd-cs) 73-49

Eliminate Planned Development Recreational (Pdd-r) 73-52

Add all Planned Development District Recreational (Pdd-r) 73-52 uses to Agricultural (Agr) 73-45

1. Parks
2. Golf course, driving range and putting course
3. Ski area, skating rink
4. Tennis courts
5. Campgrounds
6. Athletic fields
7. Uses permitted by special permit
 - (Article IV § 73-12)
 - a. Quarry, sandpit, gravel pit and topsoil stripping

Add parks, skating rink, tennis courts, and outdoor athletic fields to the following Zones:

- Neighborhood Commercial (NC) 73-46
- Planned Development Residential II (Pdd-R II) 73-48
- Planned Development Residential I (Pdd-RI) 73-47

Residential Zoning (Res) 73-44 add as an allowable use:

- Schools
- Churches
- Public Buildings
- Parks, public recreation

Agricultural Zoning 73-45 add as an allowable use:

- Schools
- Churches
- Public Buildings
- Parks, public recreation

Neighborhood Commercial (NC) 73-46 insert the following as an allowable use:

- Professional Offices
- Churches
- Personal Services
- Neighborhood Medical Center

Planned Development District Residential II (Pdd-RII) 73-48 add:

- Parks, skating rink, tennis courts, outdoor athletic fields

Planned Development District Residential I (Pdd-RI) 73-47 add:

- Schools
- Churches
- Public Buildings
- Professional Offices
- Parks, public recreation
- Public utility facilities

Planned Development Commercial (Pdd-c) add:

By Special Permit (Article IV, §73-12)

- a. Quarry, sandpit, gravel pit and top soil stripping

Planned Development District Industrial (Pdd-I) add:

- Quarry, sandpit, gravel and topsoil stripping

Commercial Development (CD) add as allowable uses:

- Churches
- Schools

PROPOSED NEW ZONING CLASSIFICATION

Area from Rte 12A to Prentice Road/Port Road

Permitted Uses:

1. Enclosed warehouses and wholesale establishments
2. Office buildings, community center, private club
3. Medical professional building /Veterinary office (need definition)
4. Building contractors office, shops, indoor material storage/equipment and sales
5. Wood Fabrication shops
6. Assembly of previously manufactured goods and products
7. Indoor machinery and equipment sales and service (this is to be removed from Pdd-c)
8. Warehouse and storage in association with business office use
9. Home occupations
 - Beautician
 - Accountant
 - Crafts
 - Counseling

- Consultant
 *** No outdoor displays ***

Uses permitted with a special permit (Article IV §73-12)

- Amusement Center
- Public Utilities
- Medical Center (need definition)

Need definitions for both Medical Center and Medical Building – research for proper definition

Medical Building is not a 24 hour care facility- non urgent care

Medical Center would have 24 hour service

NEW ZONING CLASSIFICATION SPREAD SHEET (Area from Rte 12A to Prentice/Port Roads

Lot size:	Principal Use	Accessory Use	Maximum Lot Coverage
Area 1 acre	Front – 50'	Front – behind principal use	60%
Width 175'	Side – 20'	Side - 20'	
	Rear – 25'	Rear -20'	

**** 10 foot landscape buffer ***

*****Majority of parking in rear of structures*****

Sarah Campbell, Attorney from Hinman Howard & Kattell LLP, stated this will directly impact her client. She passed around a prosed site plan indicating some parking in the rear and some along the side of the proposed building. If you make it majority the site plan will be changed to show 51% of the parking in the rear and 49% along the side of the building. You need to be careful with your wording.

The Board’s intent having the parking in the rear is so it is not visible from the road, thus keeping the residential cohesiveness. The Board members were concerned with the wording majority and should possibly be removed for compliance.

Combining Commercial District (CD73-54 and Planned Development District (PDD-C) 73-50

Commercial spread sheet would read as follows:

Lot Size	Principal Use	Accessory Use	Maximum Lot Coverage
Area- ½ acre	Front – 35'	Front – behind principal use	60%
Width- 100'	Side – 15'	Side - 10'	
	Rear – 15'	Rear – 15'	

The Board approved of the combination of the CD and Pdd-c spread sheet.

Public Comment

Bill Owen resident of 108 Stacy Drive stated for the energy development they should consider a wind turbine farm would have a larger impact. You should be working with the State on gas drilling. You should check the Court of Appeals decision for back up material on gas drilling recommendations only. The City of Binghamton had several public meetings on their Comprehensive Plan prior to adoption. Will the town be doing the same and will the zoning changes be part of the Comprehensive Plan?

Mr. Hemedinger explained that there will be a public hearing on the Comprehensive Plan itself. The recommendations will not be part of the Comprehensive Plan when the Town adopts the plan. If the Town Board pursues any of the recommendations, those will be separate public hearings. The Planning Board recommendations for the Comprehensive Plan will be sent to the Town Board for review. They will make any necessary changes and schedule a public hearing.

Mr. Bernard stated the Town Board will give people a chance to comment. Surveys were sent out and some did respond in favor and against gas drilling. We are here to protect the welfare of the Town and the residents. They can also attend the public hearing to voice their opinion.

Mr. Hemedinger said this should be completed with a narrative by June of this year.

Cheryl Owen resident of 108 Stacy Drive wanted to revisit the energy zone, very concerned over possible law suits. Back in July or August time frame Mr. Wedlake, attorney, spoke at your meeting on the different lawsuits on gas drilling and moratoriums. His points seem valid to be cautious on something you know nothing about. The Broome County Comprehensive Plan was very vague and does not mention land use zoning. Why then is the Town being so specific with theirs? The Local Government Handbook it is not up to this board to designate land use just to control it.

Mr. Hemendinger said we had a presentation from Williamson Energy regarding well pads monitoring metering stations and such a few months ago and it was very informative. The County does not have control over land use that is why we are addressing it.

Mr. Donnelly stated each individual town regulates their own zoning.

Mrs. Snyder mentioned the reason for the update to the plan is for future growth within the Town and try to keep it cohesive with the area. We have tried to get resident involved with the first Comprehensive Plan with any interest from the town's people.

Mr. Barrett stated when they first started drafting the Comprehensive Plan back in 2005 there was hardly any resident participation and gas drilling was not even thought of to put into the plan.

Mr. Snyder mentioned Saratoga being a beautiful town. It took them 10 years to move all the car dealers and such towards the out skirts of town.

Steve Palmatier resident of 735 Brotzman Rd. has an issue with 60% of property owners can block a new gas well on his own property, I object to that. This is once in a life time bonanza. You need more information. Check the benefits in PA, even 1 acre lots receive a stipend from the gas companies. I have looked into solar energy to eliminate my high cost electric bill, but to install solar panels on my house it costs \$35,000.00. That is not affordable to me, that type of investment is for a rich man.

Aleta Kinne resident of 891 Castle Creek Rd. asked if they change the zoning for Broad Acres isn't that in a flood plain. Are gravel pits to be included in Agricultural District by special permit only? If you recall a large portion of Front Street was a gravel pit. The Town also owns a gravel pit on Castle Creek Road. Another topic is Casino's and how did Off Track Betting get into the plaza.

Mr. Urda stated we are suggesting gravel pits be allowed in the Agricultural zoning by special permit. This would happen by eliminating the Pdd-r (recreational zone).

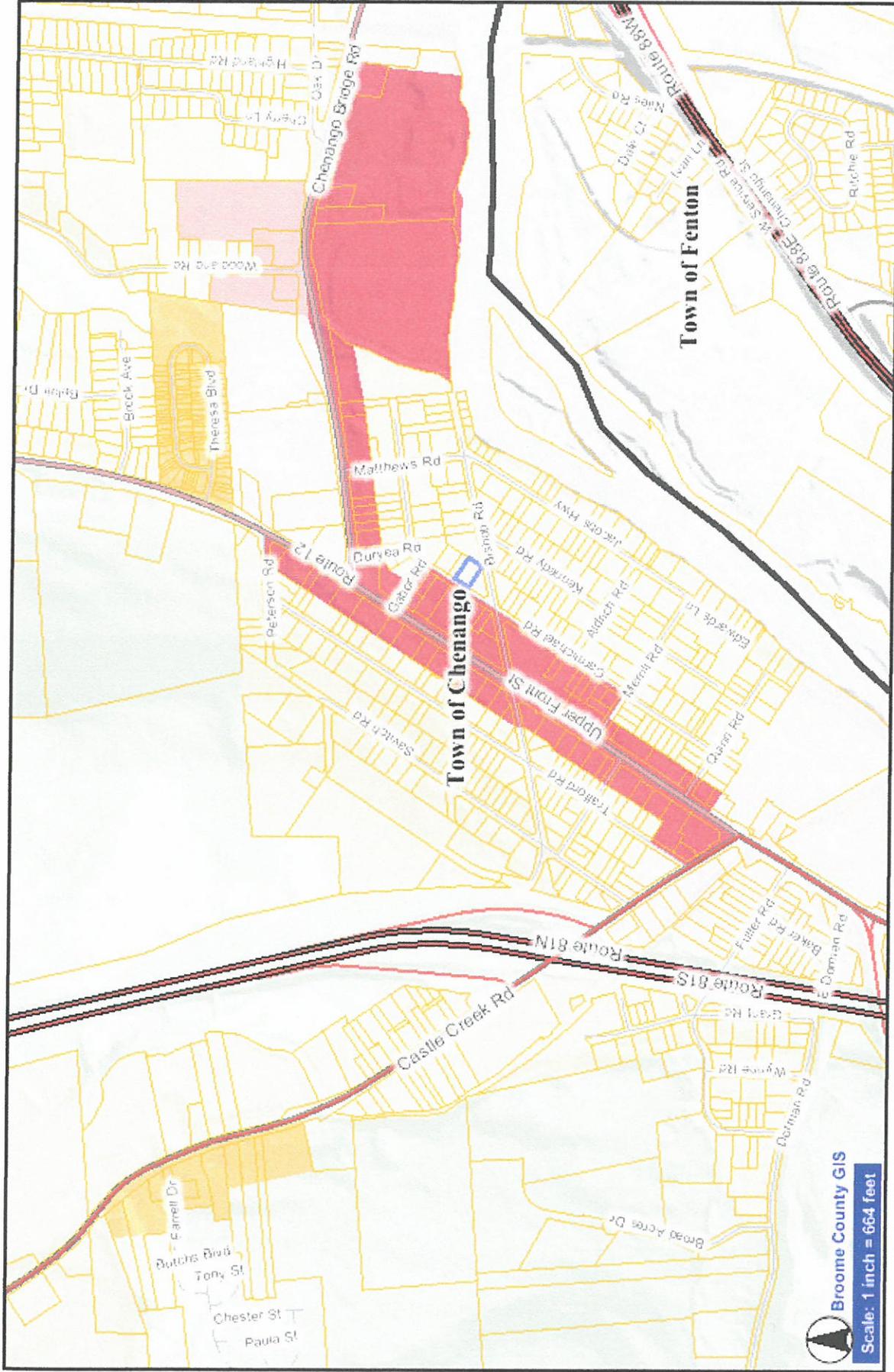
Mr. Hemedinger stated OTB is located in a plaza zoned PDD-c and went through site plan review with the Planning Board. Casino is different they have gaming tables, live entertainment and such we do not have anything that covers that type of entertainment.

Mrs. Snyder stated the next Comprehensive plan meeting will be Monday, April 28, 2014 at 7:00 p.m.

There being no further discussion the Board unanimously agreed to adjourn at 9:00 p.m.

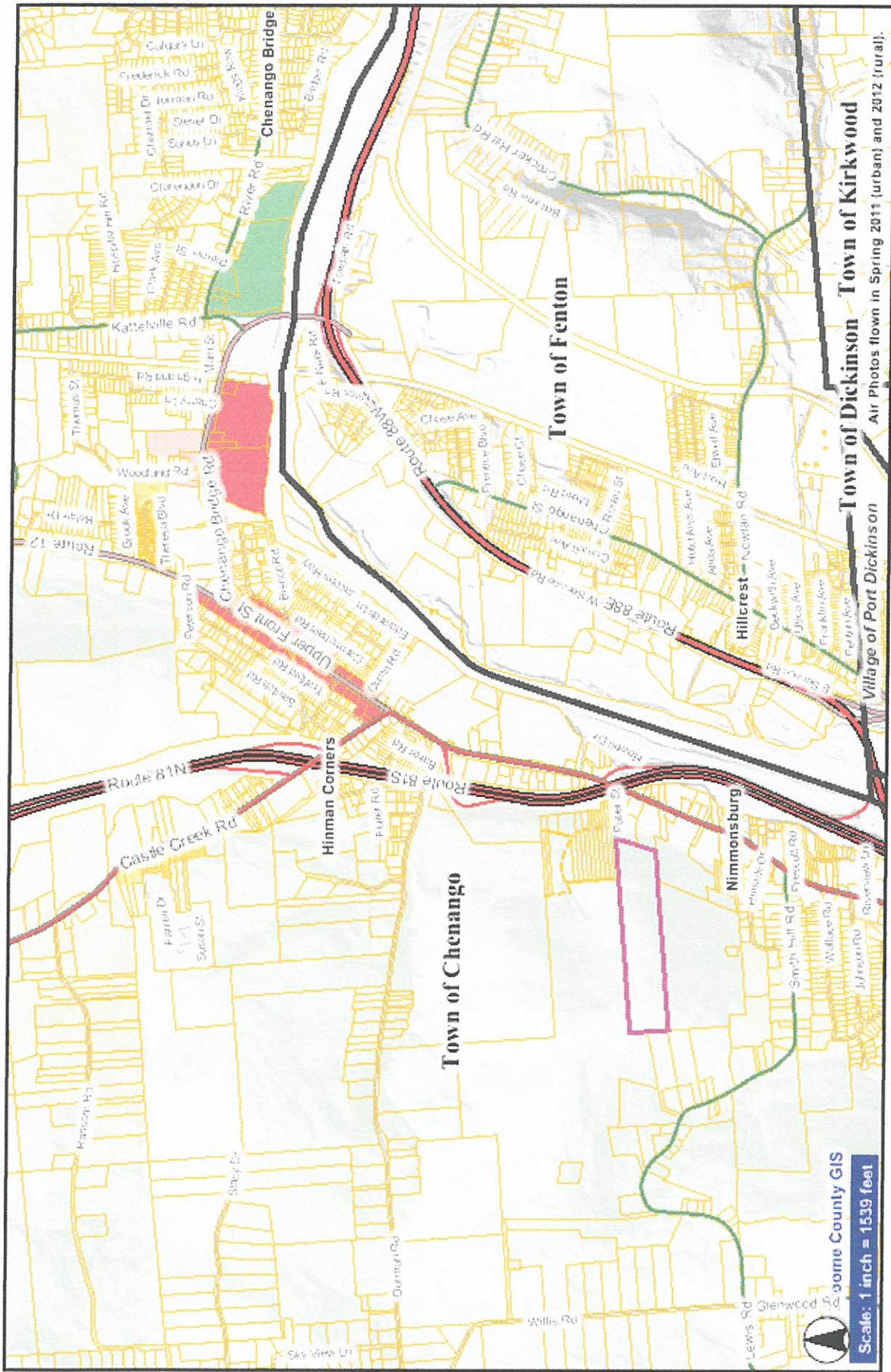
Respectfully submitted,

Diane Aurelio
Ordinance Secretary



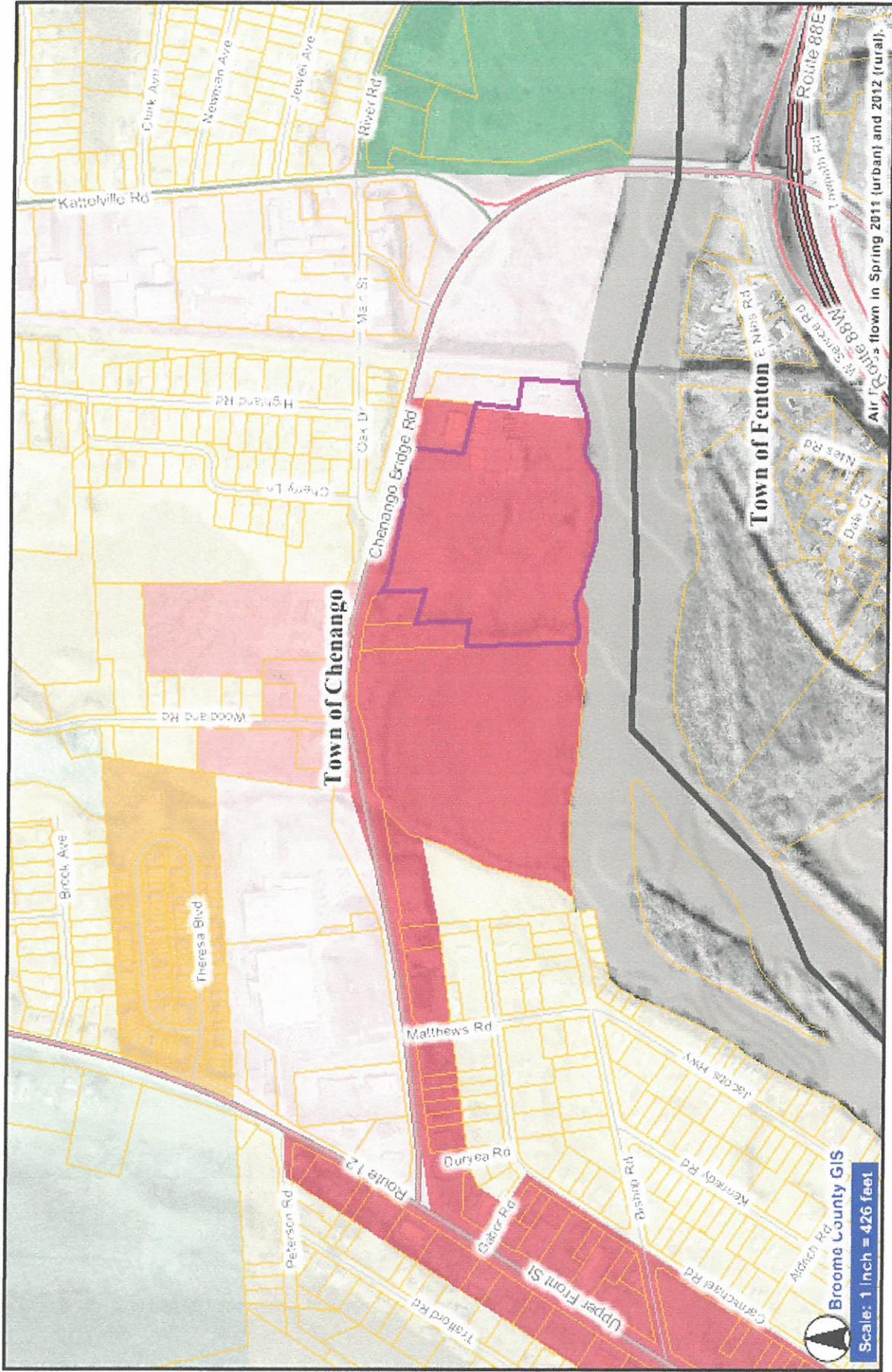
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*Broad acres
 Trafford
 change to CD*



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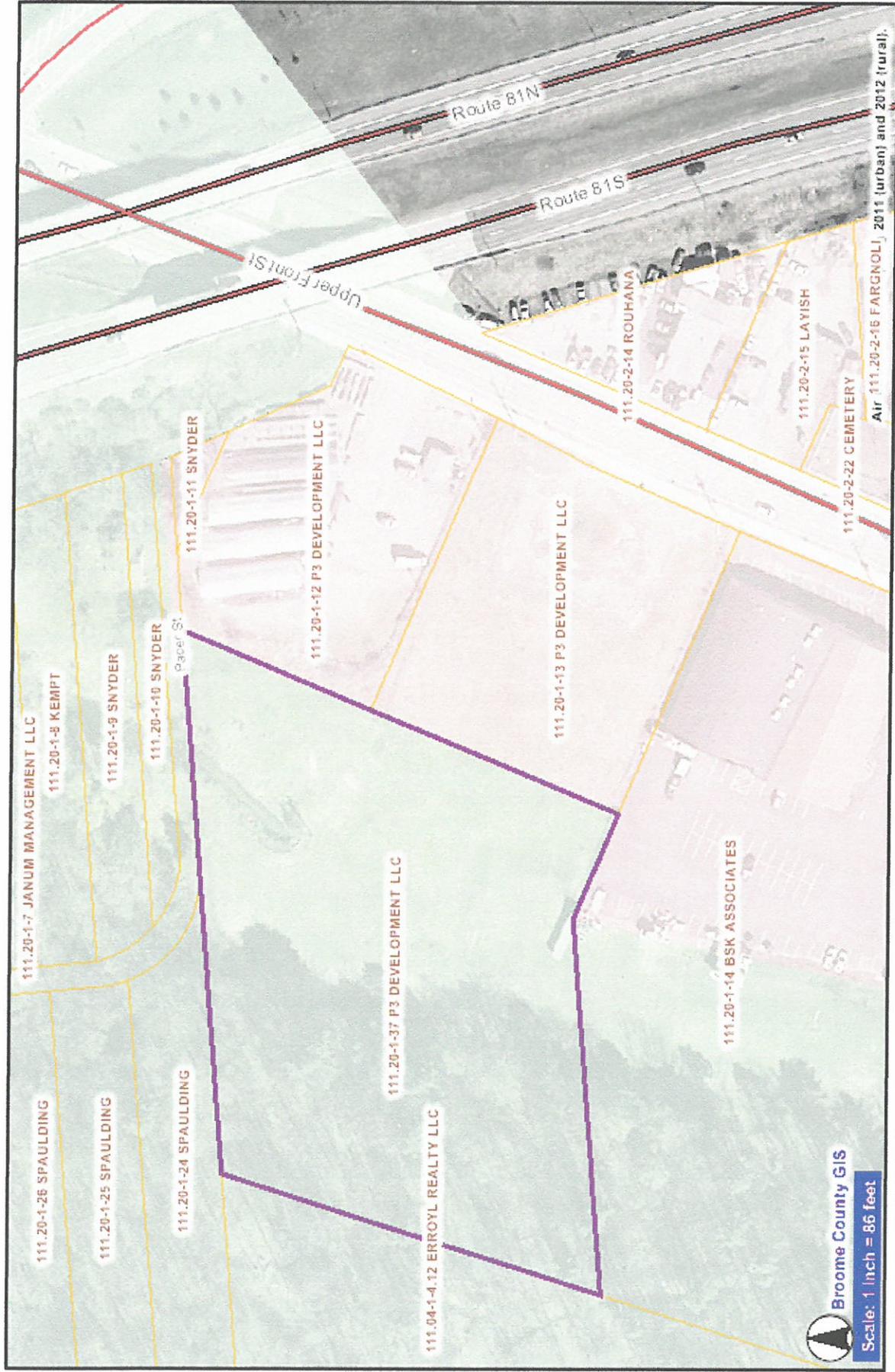
*FRONT ST
 anything added to CD*



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*Route 12A - change completely to CD (Beacon water)
 To be consistent with surrounding zoning*



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*As temp parcel
change to CD*

RECEIVED

MAR 24 2014

TOWN OF CHENANGO
ORDINANCE/ASSESSOR'S OFFICE

PLANNING BOARD MEETING
FOR COMPREHENSIVE PLAN UPDATE

SIGN IN SHEET

<u>NAME</u>	<u>LOCATION</u>	<u>DATE</u>
<u>BILL + CHERYL OWAN</u>	<u>108 Stacy Drive</u>	<u>3-24-14</u>
<u>Mary Minacci</u>	<u>23 Woodland Drive Bing</u>	<u>3-24-14</u>
<u>Alta Kinne</u>	<u>891 Castle Creek Rd</u>	<u>3-24</u>
<u>JOHN BARRÉTT STEVER DR</u>		<u>3-24-14</u>
<u>Sarah Campbell</u>	<u>HHEK</u>	<u>3-24/14</u>
<u>Steve Parmeter</u>	<u>735 Brotzman Road Binghamton, NY</u>	<u>3-24-14</u>