

PLANNING BOARD MEETING
TUESDAY, OCTOBER 11, 2016
7:00 P.M. – TOWN HALL – 1529 NYS RTE 12
BINGHAMTON – NY – 13901

PRESENT: Cynthia Paddick - Chair
Messer: Donnelly, Carl, Worden and Boland

ALSO, PRESENT: Alex Urda P.E. - Town Engineer
Scott Russell – Assessor’s Aide
James DiMascio - Town Board Member

ABSENT: Alan Blythe- Planning Board Member

The meeting convened at 7:00 p.m., at which time Mrs. Paddick called the meeting to order and welcomed the audience. Mrs. Paddick read a statement which explained the Planning Board Mission, along with the Board’s duties, functions and limitations. The first order of business is the approval of the minutes from the Regular Planning Board meeting on September 12, 2016.

A motion was made by Mr. Worden, seconded by Mr. Carl, to approve the minutes from the September 12, 2016 regular Planning Board meeting.

Roll Call: Ayes – 4 Nays – 0 Abstain – 1 (Paddick) not present for the meeting
Absent 1-(Blythe)

NEW BUSINESS

- **CHENANGO FITNESS-** Sara Couchman – 70 Chenango Bridge Rd – TM#112.05-2-6- Application for site plan update for expansion to offer fitness/exercise classes.

Mr. Urda Town Engineer – The applicant is requesting the expansion of their existing fitness center into the former Jim’s RC. There is ample parking for the facility. ADA parking stalls, van aisles, access routes and signage must be installed and maintained per the latest ANSI/ADA and NYS Building Code. The applicant will need to coordinate with the Ordinance Department for any necessary code compliance inspections or permits. This is a Type II action under SEQR and subject to Broome County 239 review. Approval is recommended for this project.

Mr. Russell - The Ordinance Office is in favor of this project with the conditions that the ADA Parking is addressed.

Sara Couchman was present to answer questions from the Board.

Mrs. Paddick – Will you comply with the ADA Parking requirements.

Ms. Couchman - I’m not sure what that is, or what is necessary.

Mr. Urda - You can meet with the Ordinance Office they will guide as to what is required.

There being no further discussion a motion was made by Mr. Donnelly, seconded by Mr. Carl for site plan approval for Chenango Fitness expansion with the stipulation they comply with the ADA Parking requirements.

Roll Call: Ayes – 5 Nays – 0 Absent – 1 (Blythe)

- **HILLSIDE GARDEN CENTER, INC.**- Michael Haas -Applicant-owner Harmony Hill Ranch LLC.- 751 Dimmock Hill Rd.- TM#076.04-2-7.221- Application for site plan review to operate a landscape material growing and staging area and office building.

Mr. Urda – The applicant is proposing a 50’x 20’ office building and staging area with landscape material growing area located in an agricultural zone. They have supplied the Town the short EAF along with drawings and letter of intent. This application will also require a double area variance for front yard setback for the office and the mulch bins. There is adequate parking stalls per code. However, the ADA parking stall, van aisle and signage must be installed and maintained per the latest ANSI/ADA and NYS building codes. The Van isles shall be 8’ and both the van isles and ADA stall shall be hard surfaces (paved or concrete) to comply with the code. The existing monument sign on the corner of West Chenango Road and Dimmock Hill Road is within the county’s row which would require the County’s approval. The proposed future sign on Dimmock Hill Road will require a sign application with the Ordinance Office for approval and possible necessity for a variance. A building permit will also be required prior to any construction. A copy of the approved septic system design plans and certification of completed installation from the owner’s professional inspector submitted to the Ordinance Office. This is a Type II action under SEQR and is subject to Broome County 239 review. Approval is recommended contingent upon the double area variance approval from the Zoning Board of Appeals.

Mr. Russell – The Ordinance Office in favor of this project with a building permit being required.

Mr. Hoteling and Michael Haas, Architect and Jacob Von Mechow, Associate from Landscape Architects for the project were present for the meeting.

Mr. Von Mechow, gave a brief presentation of the proposed project indicating the layout for the office building, mulch bins, septic location and growing area. The biggest issue is the variances. The County has an abnormally deep front yard within the right-of-way along West Chenango Road which impacts the project. We thought the West Chenango Road would be considered a side yard. We were made aware by the Ordinance Office of the need for the double area variances for the mulch bins and office building. Since the parcel is a corner lot they have 2 front yards which required 50’ setback thus creating the need for the variances.

energy systems with security bond, restrictive covenants and required setbacks. Currently the Town allows roof mounted solar panels for anything below 12kw, with a building permit being required. The Town of Chenango new Solar Law mirrors the NYS Model Solar Plan. We met with Citizens Solar today for a pre-application meeting. They will be submitting their application in November for the Planning Board meeting in December. However, they will be looking for relief from the fencing portion, which the Planning Board can grant if they so choose. Our law requires the entire site to be fenced. This is up to the Planning Board's discretion to adjust. So, page 13 is very important especially for this new application coming up.

Mr. DiMascio – The Board did their best to meet 3 times a month for 3 months to get this local law in place. Especially, Alex and Scott who put in a lot of time into achieving the completion of this local law in the timeframe allotted. I have to commend both of them for all their hard work the Town Board greatly appreciates it.

Mr. Boland – Is the fencing for safety reasons?

Mr. Carl – Will the liability fall onto the Town if not completely fenced in?

Mr. Urda - One solar panel is worth \$1,000.00. I would think they would like to protect their investment from possible vandalism. However, once everything is constructed the Town of Chenango would be safe.

Mr. Russell – Within the law there is a deed convene that the owner will sign in the event the business goes under the owner would be liable for the decommissioning cost.

Mr. Boland – Is that part of the maintenance/performance bond?

Mr. Urda – Yes. There may be a road bond required. The performance bond shall be in an amount equal to the decommissioning costs and continuously renewed with no lapse. They must be replaced at least one month in advance of its expiration date.

There being no further business to discuss the Board unanimously agreed to adjourn at 7:25 p.m.

Respectfully submitted,

**Diane Aurelio
Ordinance Secretary**