

TOWN OF VESTAL PLANNING BOARD MINUTES

DATE: September 13, 2022

PRESENT: Madeleine Cotts; Chairwoman, Michon Stuart; Member, Dan Hayes; Member, Bob Warner; Member

NOT PRESENT: Tom Gorman; Member, Joyce Majewski; Alternate Member

ALSO PRESENT: Vernon Myers, Town Engineer; Carolyn Almy, Planning Board Secretary; Carle Truman, Fire Marshal

Madeleine Cotts called the meeting to order at 6:00 p.m., and asked for a motion to approve the minutes of the May 17, 2022 meeting. Bob Warner made a motion, Michon Stuart seconded, with all members voting in favor.

- **RIVER'S EDGE CONSERVATION AREA (Returning)**
4629-4721 Vestal Parkway East
BCTMP #158-15-1-8 through -1-15
Proposed Conservation Area
Represented By: Dave Dimmick
Mitch Cromer

Changes to the original plans included (as presented), the paths were moved back where they had dipped down near the riverbank and lookout areas removed in order to avoid the requirement for a NYSDEC riverbank disturbance permit. The crushed stone on the pathway will be compacted and topped with fine material, and will accommodate wheelchairs. There are no plans, presently to plow the path in the winter, and maintenance will be Northstar's responsibility. Vern stated that this is not to be compared with the Vestal Rail Trail, which is considered an alternate form of transportation, is paved and maintained like a road, and is part of the Federal Highway System. This would be like a nature preserve with a natural walkway. The Town will act as stewards of this nature conservancy. As it is a State program, there will be no buildings on the premises. Northstar will hold the liability.

There will be informational signage regarding the history of the Chenango Canal. The Historical Society will supply the markers through funding from the Pomeroy Foundation. The walkway will not be connected to the Greenway Trail project, but access will be available with two crosswalks that the NYSDOT will construct. The NYSDOT will implement a pedestrian actuated signal at Plaza Drive. The parking area will be paved.

Vern stated concern from the Flood Plain Administrator regarding the bridge railings. This project is in the 100-year flood plain, and the railings can potentially catch, and accumulate debris. Details of this issue will be discussed with Vern and the Flood Plain Administrator. The roof on the bench shown farthest out on the plans will have to be eliminated.

Chairwoman Cotts read the SEQR negative declaration statement:

The Planning Board of the Town of Vestal (hereinafter the "Board"), Hereby finds and determines that:
(a) It has considered the action, reviewed the environmental assessment form, reviewed the criteria set forth in 6 NYSRR section, 617.7(c). Thoroughly analyzed the relevant area of potential environment concern and has duly considered all of the potential environmental impacts and their magnitude in connection with proposed project.

(b) The project will not result in any large and important environmental impacts, and therefore, is one which will not have significant impact on the environment, and therefore, a negative declaration will be prepared; and (c) the reasons supporting this determination are set forth on the attached form.

A motion was made by Bob Warner to accept the SEQR. Dan Hayes seconded, with all members voting to accept.

Bob Warner made a motion to accept the site plan, contingent upon the bridge design approval through Vern and the Flood Plain Administrator and a Flood Plain Development Permit will be required. Michon Stuart seconded with all members voting to accept.

➤ **Beck Group**
2512 Vestal Parkway East
BCTMP #158.14-1-6
Proposed Qdoba Restaurant
Represented By: William Hall
and Two Representatives of Qdoba

The plans call for a 2100 square foot fast food restaurant with a drive through lane. The Town of Vestal Zoning Board of Appeals previously granted a parking variance for 22 spaces, where 44 are required. Any new businesses that wish to move into the buildings, will be reviewed for parking requirements when filing a Change of Occupant application with the Town. The entrance will be at the Metro Mattress property and the exit will be at the Hertz property. The 239 Review Planning Board comments have not come back from the County, but according to the ZBA 239 comments, they will not allow another driveway entrance from Route 434. The same comment is expected regarding the Planning Board 239. The owner of this property also owns the parcels on either side and they have shared parking agreements. Mr. Hall stated that the owner intends to combine the three parcels into one after construction rather than before in order to simplify securing project financing.

It was requested that a system of Do Not Enter and One-Way signs be added to direct proper traffic flow. The Board voiced concerns with Hertz parking issues. Vern stated that the Building Code department is handling these issues. Bob Warner was concerned with the parking and turn radius issues. The Board suggested that directional signs for the restaurant be a requirement.

The restaurant is not required to be sprinklered, but will have a fire suppression system. The nearest hydrant is located on the eastern corner of the Hertz property. The existing hydrant is presently servicing the adjacent properties. The Building department will handle the FOG and grease trap with the Building Permit. A Knox box is required.

The project calls for under an acre of disturbances, and will not increase storm water disturbance. No SWPPP is required because it is under an acre. Vern stated that the existing outflow pipes are sufficient for the additional lot, and will be reviewed by the NYSDOT.

Landscaping was discussed and alternatives to Yews on the island were suggested. A screened dumpster will be placed on the back corner of the lot. Sidewalks on the front of the property are required by the NYSDOT. They will need to show a curb drop down on each end.

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(a) It has considered the action, reviewed the environmental assessment form, reviewed the criteria set forth in 6 NYSCRR section, 617.7(c). Thoroughly analyzed the relevant area of potential environment concern and has duly considered all of the potential environmental impacts and their magnitude in connection with proposed project.

(b) The project will not result in any large and important environmental impacts, and therefore, is one which will not have significant impact on the environment, and therefore, a negative declaration will be prepared; and (c) the reasons supporting this determination are set forth on the attached form.

Bob Warner motioned to accept the SEQR with the following contingencies: #2 be changed and initialed to "Yes" as they will need Planning Board approval and a NYSDOT permit to work in the water and sewer hookups. #5 is to be changed to "No" for the Town having a comprehensive plan, and #17 storm water will need a description, and was suggested that Mr. Hall change it to read "a conveyance system into a NYSDOT ditch. Mr. Hall made all changes to the SEQR and initialed each change. Michon Stuart seconded the motion, with all members voting to accept.

Bob Warner motioned to accept the site plan with contingencies for installing ADA detectable warning pavers on each sidewalk where they meet the driveways, the 239 review be approved by Vern with all comments being addressed, stamped final plans be submitted, street numbers be shown on the building and one-way signage be added for safer vehicle flow throughout the site. Michon Stuart seconded, with all members voting in favor to accept.

The Change of Tenants were reviewed.

The meeting was adjourned at 7:30 p.m.

ENGINEER'S REPORT

(Prepared before the meeting)

- 1) **Change of Tenant, 732 Vestal Parkway East**, BCTMP# 157.19-2-2
"Dance Intentions, LLC" to occupy space within 732 Vestal Parkway East complex, has been reviewed and approved.
- 2) **Change of Tenant, 2317 Vestal Parkway East**, BCTMP# 158.13-1-37.1
"Gertrude Hawk Chocolates" to occupy space within 2317 Vestal Parkway East complex, has been reviewed and approved.
- 3) **Change of Tenant, 3911 Vestal Parkway East**, BCTMP# 159.09-2-4
"Geico-Pearlman Agency, Inc." to occupy space within 3911 Vestal Parkway East complex, has been reviewed and approved.
- 4) **Change of Tenant, 3701 Vestal Parkway East**, BCTMP# 158.12-2-4
"Caffe Del Corso" to occupy space within 3701 Vestal Parkway East complex, has been reviewed and approved.
- 5) **Change of Tenant, 1901 Vestal Parkway East, Suite #2W**, BCTMP# 158.13-1-32
"Jacqueline Ponticello Family Health Nurse Practitioner, RN, PLLC" to occupy space within 1901 Vestal Parkway East, Suite #2W complex, has been reviewed and approved.
- 6) **Change of Tenant, 2505 Vestal Parkway East, Suite #1**, BCTMP# 158.10-2-1.1
"Fusion Cuisine Enterprise, LLC" to occupy space within 2502 Vestal Parkway East, Suite #1 complex, has been reviewed and approved.
- 7) **Change of Tenant, 3217 Stewart Road**, BCTMP# 158.11-1-11
"Atlas James Construction & Fabrication" to occupy space within 3217 Stewart Road complex, has been reviewed and approved, with contingencies.
- 8) **Change of Tenant, 3120 Vestal Parkway East, Unit #6**, BCTMP# 158.15-1-30
"Dick's Sporting Goods Clearance Store" to occupy space within 3120 Vestal Parkway East, Unit #6 complex, has been reviewed and approved.
- 9) **Change of Tenant, 301 Main Street**, BCTMP# 173.23-2-8
"Kidventures at the Clubhouse" to occupy space within 301 Main Street complex, has been reviewed and approved.