

ONEONTA, NEW YORK – JANUARY 16, 2013 - 7:00 P.M.

REGULAR MEETING OF THE PLANNING COMMISSION PG. 1

PRESENT: Chair Dennis Finn
Commissioner Gary Herzig (Vice Chair)
Commissioner Gene Betterley
Commissioner Anna Tomaino
Commissioner Edmond Overbey
Commissioner Barry Holden
Commissioner Michelle Eastman
Council Member Maureen Hennessy

ABSENT: None

Chair Finn called the regular meeting to order and asked the Clerk to call the roll.

Chair Finn stated the first order of business was the election of chair and vice chair.

MOTION, made by Commissioner Overbey and seconded by Commissioner Tomaino, that by acclamation the board re-elect last year's officers for the year 2013.

Voting Ayes: Commissioner Thomas
Commissioner Tomaino
Commissioner Holden
Commissioner Overbey
Commissioner Eastman

Noes: None

Abstain: Commissioner Finn
Commissioner Herzig

Absent: None

MOTION CARRIED

PETITIONERS

Chair Finn asked if there were any petitioners for matters other than items listed on the agenda.

Hearing none the Chair asked the Clerk if there was any correspondence for matters other than items listed on the agenda.

CORRESPONDENCE

City Clerk Koury indicated there was no correspondence other than items listed on the agenda.

City Clerk Koury gave a brief summary on the following correspondence that has been entered as written:

•The following letter was received from Eric Larsen, Wood Ridge Apartments, Oneonta, dated January 11, 2013:

“Dear Mr. Koury,

It is my understanding that the Planning Commission will begin the process of considering a proposal at their next meeting by developers who wish to construct a large student housing project. While it is premature to comment in detail about a project about which we have few details I would like to encourage the Commission members to keep the interest of the fifty four working and retired residents of Wood Ridge apartments in mind as they begin their deliberations. The prospect of 300+ students living on their doorstep is deeply concerning. It is a high density project in very close proximity and its impact will be large. I'm sure commission members have had to weigh community impacts many times in the past are very familiar with issues like ours, and I appreciate their willingness to continue to ensure that our neighborhood is a great place to live

ONEONTA, NEW YORK – JANUARY 16, 2013 - 7:00 P.M.

REGULAR MEETING OF THE PLANNING COMMISSION PG. 2
(Correspondence) continued

Sincerely,”

•The following letter was received from Keith Wilber, 13 Gilbert Street, Oneonta, received January 14, 2013:

“Dear Members of the Planning Board,

I am writing this letter in hopes that there may be items in the proposed Blodgett Drive development project for students, above the SUNY campus, that you could take a closer look at. The reason I ask this is to hopefully slow down and eventually stop what appears to be the most ill-conceived business project this city has ever participated in.

- *The negative economic impact of this project will be so far reaching that it will touch every resident of the City.*
- *No new students are being expected at SUCO to fill these 300 beds.*
- *The approximately 2000 students living off campus in houses in Oneonta will drop to 1700.*
- *300 fewer students downtown will directly result in 20-50 vacant properties.*
- *Vacant properties will then total in the 120 range, making Oneonta resemble a small Detroit.*
- *The impact on small investors locally in the real estate market will result in bankruptcies of the very people we are trying to attract. Look at who owns the majority of the houses. Are these people we want to punish?*
- *The tax base will be further eroded by this, as well as jobs lost. Why offer tax incentives to a company taking money and jobs out of our community?*
- *Local supply stores will lose substantial revenue because local homeowners will not be able to maintain these properties with reduced income.*
- *Local business will have 300 fewer shoppers because these housing projects aim to be self-contained.*

You and others in city government may feel this is a solution to the student housing problem. You have not thought this through. Oneonta will not falter and miraculously recover, which is the poorly planned strategy of a few of our local leaders. We must be smart enough to fix a “sprained wrist” without cutting off our entire arm.

Signed”

•The following letter was received from Michael Schinn, 1295 State HWY 7, Afton, received January 14, 2013:

“Dear Members of the Planning Board,

I am in opposition to the construction of Townhouses on Blodgett Drive to provide housing for college students. I do not feel it is in the long term best interest for the City of Oneonta.

As a graduate of the State University at Oneonta, I spent 8 years living in the middle of Oneonta. I was able to walk everywhere. I discovered streets and byways and trails while on my bicycle. I helped Neighbors shovel snow. They jump-started my 1986 Pontiac Sunbird that closed its doors with a dusting of rust. With their help, I learned what it meant to live within a community, and the responsibilities and negotiations that came with it. Those lessons could never be learned in a

ONEONTA, NEW YORK – JANUARY 16, 2013 - 7:00 P.M.

REGULAR MEETING OF THE PLANNING COMMISSION PG. 3

(Correspondence) continued

remote, glorified dormitory. My love of this city would never have been born by only seeing it through the windows of a bar on Friday and Saturday night.

Students further removed from the community at large will never have a chance to experience Oneonta in a meaningful way. They will not be within walking distance to any local merchants. They will never develop relationships with concerned neighbors or helpful residents. They will never get a chance to see Oneonta as a place they may want to live after their schooling ends. They will stay on the hill, take the bus downtown for the bar scene, and do their shopping at Wal Mart. They will never be compelled to have a connection with our city. This is a serious threat to every local business.

Construction of more student housing in Oneonta will not create any long term local jobs. It will not enliven the area with any sustainable industry. All it will do is threaten existing housing. The city of Oneonta has been light years ahead of other communities when navigating the complex problems associated with student housing. A lot of work has been put into creating a system that ensures apartments are both safe and maintained with quality. All of this legislation and investment into protecting students and maintaining a beautiful city would be threatened by glutting the market with more housing. Vacancy rates would rise. A rise in vacant apartments would mean less income to perform necessary upkeep. Less upkeep would quickly create blight. Blight drives down the quality of life for everyone. The personal investment of residents would be threatened. Tenants would conform to the lower standards around them – there would be no compulsion to maintain the status-quo set forth by their resident neighbors. Why plant flower beds in front of your home when the foreclosed house next door casts a dilapidated pall all over the block? Why clean up after your barbecue when there's garbage that hasn't been picked up across the street for three weeks? How do you sell this city to prospective home buyers who are thinking of starting a family here? How can current residents feel secure that their property values will be stable when vacant houses denigrate the landscape at every turn?

Construction of more student housing will also threaten already existing local jobs and businesses. For each company that employs local people to service the needs of homeowners and landlords, there is also an equivalent bank of construction merchants. Munsons, Picketts, Northrups, and others, as well as the freshly minted investment of the Home Depot and Lowes would all suffer. Local contractors and rental agencies would be forced to permanently reduce staff in the wake of the market saturation and decreased revenue. Landscapers, snow removers, house cleaners, blacktoppers, roofers, electricians, plumbers, masons, real estate salespersons, and other local professional service providers would all feel the pinch. This would further turn our beautiful historic houses into eyesores.

I sincerely believe this project will do nothing to enhance the quality of life in Oneonta, nor attract other any potential investors to this area. It's singular focus on proving housing for college students that clearly isn't needed (as evidenced by the abandonment of a similar project by the State College of Oneonta) shows that it serves only to benefit the builder, and not a single resident.

Thank you for your time.”

•The following letter was received from J. Paul Sweet, MD, FACS, Oneonta, received January 14, 2013:

“Dear Sirs:

I have resided in Oneonta for more than 30 years and have found it to be a delightful place to raise my Family and practice Medicine. It has recently come to my attention that something that I consider to be disastrous to our small city is about to occur.

As I have driven about Oneonta over the past several years I have been struck by the large multitude of empty houses which are either boarded up or with For Sale signs on the front lawn. There are

ONEONTA, NEW YORK – JANUARY 16, 2013 - 7:00 P.M.

REGULAR MEETING OF THE PLANNING COMMISSION PG. 4

(Correspondence) continued

multiple examples on nearly every street in the city. It is my understanding that the City already must maintain at least 75 abandoned houses as it now stand.

You are about to entertain the concept of years of Tax Abatement to an outside investor, whose project will cause the vacancy and likely sale of nearly 100 or more properties. Other people will desperately try to sell their homes and move out as property values begin to plummet due to the vacancies.

Store fronts in downtown will continue to become vacant as rents will begin to rise, because the upstairs apartments become vacant with no tenants to subsidize the costs of building maintenance and taxes. The entire concept of the high end apartments above the Bresee's project will be cast asunder with no renters available.

Nearly \$2.1 million will leave the city each year in the pockets of outside investors. Few to no jobs will be created in the process. In other towns where these investors have built similar projects, the apartments are run by student tenants paid with various incentives of rent abatement. Sure in the short term there may be some construction jobs, but that's over in the first year.

After Hartwick built its new dorm, there are now 15 homes vacant and boarded up between West, Columbia and Clinton Streets. Empty houses all over the City entice vagrants and encourage the start up of crack houses. Neighbors get scared and move out. It would be prohibitively costly for any future family to attempt to convert a multi-unit house back into a single family home.

I have one 4 unit rental home that was part of the deal when I purchased my office building. Each year I have spent many thousands of dollars upgrading and maintaining each of these units. Those dollars were spent at local shops and building supply stores (Munsons, etc.). I employ local building tradesmen in the repair work. This will no longer happen without tenants, and this is only one of nearly 150 rental properties in the city.

None of the local entrepreneurs have ever received even 1\$ in tax abatement for our efforts to maintain or enhance our properties and we shouldn't. The city receives taxes from each of us, workmen receive wages and pay more taxes, and local businesses sell their products used in renovation. It works!

Accountants, Bankers, Realtors, Building supply stores, Plumbers, Electricians, Main Street and the entire city will be adversely affected by what you are contemplating. The whole concept is extremely ill advised. The School is not planning to increase its enrollment. The rent industry brings a lot of benefit to its community. Cities where this has been done have only survived because of their size. The economic impact on a small town of our size will be pure devastation.

Unfortunately I cannot perceive anything positive coming from this extremely ill-conceived plan.

Sincerely submitted;”

•The following letter was received from Paul T. Peng, Oneonta, received January 14, 2013:

“Dear Mr. Koury and the Planning Commission:

I have read with dismay that a new housing development for 320 students is being proposed for Oneonta.

I am a long time property owner in Oneonta of an investment property. I have owned this property for more than 25 years.

ONEONTA, NEW YORK – JANUARY 16, 2013 - 7:00 P.M.

REGULAR MEETING OF THE PLANNING COMMISSION PG. 5

(Correspondence) continued

In recent years there has been an oversupply of rental apartments. It is more difficult to maintain my investment property every year due to increased maintenance costs. We want to comply with all codes requirement and this is extremely expensive.

I am retired and on a fixed income. I believe that if a large complex such as the one proposed were to be built that it will put even greater pressure on the rental market.

I will have a harder time maintaining my building that I rely upon for income. I ask you not to approve a plan to build such a large complex at one time.

If there is a need to build something for students near campus, it would be far better to build a scaled down project and let the vacancies that result be absorbed into the market.

Creating such a large project at one time, is sure to cause boarded up vacant buildings that will attract criminals and drugs to the beautiful city of Oneonta. It will lower property values of all houses including single family houses. Once this occurs in a city is very difficult to recover the values lost.

It would cost hundreds of thousands of dollars to convert my two family to a one family home and if it were vacant I cannot imagine anyone purchasing it.

Thank you for your time. I would appreciate it if you could take consideration on this matter.

Sincerely,”

•The following letter was received from Mike Hanbridge, Oneonta, received January 15, 2013:

“Dear Mr. Mayor, the Common Council and meeting attendees:

It has come to our attention that a 300+ bed student housing development by a private outside firm is under consideration along with a pilot tax break program. We would ask that you would think about the following points as you engage in the decision making process:

- 1. It has been proven that smaller scale development has caused harm in the past. Hartwick’s newer dorms left 15 houses vacant on Clinton, West and Chestnut streets.*
- 2. Similar development in other cities (e.g. Troy, NY) has harmed neighborhoods and businesses*
- 3. Removing 320 students from downtown does not eliminate students from downtown, it only makes the properties downtown more at risk for crime, drugs and foreclosure.*
- 4. Interrupting the dynamics of a small market like Oneonta with this size project has not been tried, why should we:*
 - a. be a test case for the unknown*
 - b. encourage such testing by offering a tax break*

As concerned residents, business owners and active community members we appreciate you taking a few minutes to read our letter and statement of concerns. To that end we respectfully request that 1. The city conduct a thorough economic impact study via an outside firm and 2. That the city does not offer unfair tax incentives that are not being offered to other property owners that service the student market.

Signed,”

ONEONTA, NEW YORK – JANUARY 16, 2013 - 7:00 P.M.

REGULAR MEETING OF THE PLANNING COMMISSION PG. 6

(Correspondence) continued

•The following letter was received from Rick Weinberg, President, Rental Company One, Inc., Oneonta, received January 15, 2013:

“Dear Planning Board:

I am writing with respect to the Student development complex proposed on Blodgett Drive. I believe that this project will have terrible consequences for the Oneonta Housing Market as well as the City of Oneonta.

I have been in the apartment rental business in Oneonta for over 35 years. I won a management firm that manages approximately 50 rental properties. We lease apartments to both students and families. There is currently a glut of apartments in Oneonta. This year we have several vacant apartments and I have spoken to many other managers that have vacancies as well. One just needs to take a drive around Oneonta to see the many “for rent” and “for sale sign”. There are also numerous boarded up buildings. This I such a problem that we had a meeting at the former Center Street School regarding the almost 80 vacant properties last year.

While I usually favor development, I am strongly against this project. The rents currently paid by tenants stays in Oneonta and is circulated through salaries and purchases at local businesses. This project brings almost no long term jobs to the area and will destroy many jobs that are already here. Almost none of the rent money collected will be spent in Oneonta. These projects are often funded through Real Estate Investment Trusts and almost all of the profits will go to outside investors. This development will not attract new people to Oneonta, but will take the existing number of students and divide that number up among more properties. If a project for 320 students is built, that will remove 320 students from the downtown properties.

If we assume an average of 3 students per apartment, I believe that will be over a 100 vacant apartments created when this complex is completes. I manage building for approximately 20 landlords. They cannot afford to have vacant apartments. Most will not be able to pay their mortgages and these properties will be boarded up and foreclosed upon.

While some may think that this will enable families to buy these properties and renovate them, the reality is that this will not happen. The properties that will become vacant will be huge 3,000-5,000 sq. ft. houses with many dozens of rooms, that families desiring to live in Oneonta cannot afford to renovate. These two to five family building will cost hundreds of thousands of dollars to change into single family residences. I have experience in renovating these properties. Every year we choose 3-4 houses in our portfolio to renovate completely. We put in new hardwood floors, complete kitchens walls etc. The costs of doing these large scale renovations are enormous. Very few families can do a conversion of a multi-family building into a single family home. The only reason we can afford to do these renovations and maintain our properties is the rent we receive. It is a long term effort that takes many years of rentals to recoup the costs of renovations.

The City should not be encouraging this project. It will create a large number of bankruptcies and foreclosures. Recent studies have shown that even a few boarded up buildings on a single block, causes the entire block to be devalued. If a few blocks have boarded up vacant houses entire neighborhoods will be ruined. Landlords will be far less capable of doing expensive maintenance projects such as exterior painting and roofing. When money is not available, these are the first items to be neglected and eliminated from people’s budgets. However, neglecting these two expensive areas of maintenance cause severe damage to a building’s structure and to our neighborhoods as well.

I myself would be forced to reduce my workforce drastically. My firm would no longer be able to do large scale renovations as there will be far too large of inventory of excess apartments available to be able to convince banks to loan money for large scale renovations. This will force me to lay off people that have worked with me for over 20 years. These carpenters, and trades people also own houses in Oneonta, further exacerbating the problem. The other landlords, property managers and

ONEONTA, NEW YORK – JANUARY 16, 2013 - 7:00 P.M.

REGULAR MEETING OF THE PLANNING COMMISSION PG. 7

(Correspondence) continued

maintenance firms will also have to layoff many workers. Apartment rentals is one of our largest contributors to our City's economy. Many, many businesses people in the City of Oneonta also own a few rental properties. If we take away the income derived from these rentals we will harm the very Main Street merchants and businesses we need to be helping.

Some may believe this a way to remove students from their neighborhoods. This is also a fallacy. If a block has many students living on it, after this development is built there will be a few less students on that street. But now the residents will still be living amongst many students and vacant boarded up buildings. Vacant buildings attract vagrants and drug dealers. If this project is allowed to happen these, problems will be self-inflicted due to an ill-conceived plan.

The best way to encourage improvement of our neighborhoods would be to encourage property owners to sell smaller, more easily convertible homes to families through incentives. We also need to strategize with existing homeowners and landlords on ways to stop conversion of single family residences into student rentals. There are ways to do this without destroying the values of our existing properties.

Please do not approve this project.

Sincerely,"

•The following letter was received from Irene Weinberg, Oneonta, received January 15, 2013:

"Dear Planning Commission:

I am writing to voice my concern over the student housing project proposed by Newman Development Group, a Vestal Based firm.

The City of Oneonta should step very cautiously when considering the Newman Group proposal. The mayor stated at the city wide meeting at Center School last year that there were 70 vacant or abandoned houses in the city. It is my understanding that number has increased to 80 since that meeting. If Newman Group is allowed to develop the land near the college, the situation in the inner city will become worse.

One of our city's biggest industries is student housing. A large number of families and businesses rely on the extra income from student property to make ends meet. These are families with small children, children in college, and people who are hoping to generate some extra income for their old age. If this large development is allowed to happen, you will literally be devastating these families. In addition, Main Street building owners rely on their apartments above storefronts to be rented to keep business rents reasonable for shopkeepers.

The local property owners I know spend a sizeable portion of their housing income by reinvesting it into the property to maintain and make improvements. Then understand what it takes to sustain a desirable and safe property. These efforts are put forth with the help of landscapers, painters, roofers electricians, plumbers, garbage collectors, etc. Student housing benefits local merchants who reap the benefits when local landlords and managing companies purchase needed building supplies, appliances, snow blowers, mowers, etc. in the city and town of Oneonta.

If the Newman Group is allowed to build, and if our local landlords and management companies can't rent their properties, then all these people and businesses that are connected to student apartment rental maintenance and improvements are going to suffer and so will our neighborhoods. We will have more boarded up homes or homes that will deteriorate due to lack of funds. Do you or your friends or family want to be living near a home in disrepair or boarded up? What will that do to the value of the homes near by?

A domino effect will be upon our two colleges. Many student homes are located on the street leading to the Oneonta State and Hartwick College campuses. As parents are driving their freshmen bound

ONEONTA, NEW YORK – JANUARY 16, 2013 - 7:00 P.M.

REGULAR MEETING OF THE PLANNING COMMISSION PG. 8

(Correspondence) continued

student to look at colleges, they will not be impressed by our beautiful city if our streets do not look safe due to the condition of vacant or neglected houses. They will send their child elsewhere. If enrollment numbers are not met, college funding goes down and spending in the city goes down. Every merchant will be affected in the city on Southside.

My other fear is that if the Newman Group is successful renting all 300 beds, then the group may want to expand with another few hundred beds! Their personal success could lead to more vacant and neglected properties that devaluated and blight our city.

It has been said by supporters of this project that student homes will be bought up and renovated into one families. I can't imagine anyone wanting to take a multifamily house of 3-5 apartments and convert it into a single family home. It would be a long and extremely expensive process- getting rid of all the extra kitchens and gutting most of the building to make to suitable for a family. And show could afford that huge heating bill?

The only people benefiting from this project will be the Newman Group. The Newman Group will make money, probably pay no or reduced taxes in our city due to underserved tax breaks, and take all their earnings back to Binghamton to spend there.

I implore you, and the other city officials, don't encourage this project. Instead, encourage industry that creates jobs. Give tax breaks to first time home buyers to encourage the purchase of already vacant homes.

Thank you for your time,"

APPROVAL OF MINUTES

MOTION, made by Commissioner Tomaino and seconded by Commissioner Overbey that the commission approves the minutes of the regular meeting held December 19, 2012.

Voting Ayes: Chair Finn
Commissioner Herzig
Commissioner Thomas
Commissioner Tomaino
Commissioner Holden
Commissioner Overbey
Commissioner Eastman

Noes: None

Absent: None

MOTION CARRIED

Chair Finn said the commission would change the order of the agenda to hear the new business later.

Chair Finn stated the commission would address Stewart's Shops Corp. first.

OLD BUSINESS

1. Jennifer L. Howard for Stewart's Shops Corp, 43-47 Main Street (300.09-1.84.01)

The following Memorandum, dated November 14, 2012, was received from Ordinance Inspector Ferris:

“SUBJECT: **PROPERTY / BUSINESS ADDRESS:** *43-47 Main Street*

ONEONTA, NEW YORK – JANUARY 16, 2013 - 7:00 P.M.

REGULAR MEETING OF THE PLANNING COMMISSION PG. 9

(Old Business regarding Stewart's Shops) continued

PROPERTY / BUSINESS OWNER:	<i>Stewart's Shops Corp</i>
TAX MAP #:	<i>300.09-1.84.01</i>
APPLICANT:	<i>Jennifer L Howard</i>
ZONING DISTRICT:	<i>MU-2: Gateway Mixed-Use District</i>

PROPOSAL: *The applicant wishes to construct a 20' x 40' addition, a 7' 9" x 15' 5" exterior freezer, a 10' x 14' 6" stamped concrete patio and a 6' x 14' overhang for a new delivery area on the existing convenience store.*

1. *SHORT ENVIRONMENTAL ASSESSMENT FORM (SEQR)*

300-75 F: Compliance with SEQR. The Planning Commission shall not take final action on any site plan proposal until all SEQR requirements have been addressed in accordance with 6 NYCRR Part 617.

2. *SITE PLAN REVIEW APPLICATION*

§ 300-11 D (1): Projects requiring Site Plan Review: All new additions to existing buildings.

§ 300-11 D (2) (d) (iii): Projects requiring Site Plan Review: Impervious surface coverage of more than 60% of the lot."

Chuck Marshall from Stewart's Corporate Office in Saratoga stated this was the third time Stewart's had appeared before the commission. He stated the application was for an 800 square foot addition to move the coolers to the back of the retail space and add a bathroom.

Chair Finn asked what was the difference in what the commission had approved before and what had been presented.

Chuck Marshall stated it was just the 800 square foot addition. The freezer would be on the exterior. The coolers would stay inside. The bathroom was included in the original plan.

Commissioner Overbey asked if what was being proposed would take the place of the patio currently there with the tables.

Mr. Marshall said the patio with the stamped concrete would be moved so it will be on the long side of the building.

Chair Finn stated the commission had declared a negative declaration on the short environmental assessment form and he did not see any changes that would change that.

MOTION, made by Commissioner Herzig and seconded by Commissioner Overbey that at the January 16, 2013 meeting the Planning Commission accepts the short form SEQR as per applicable and appropriate SEQR regulations approved by the commission at the April 18, 2012

Voting Ayes: Chair Finn
Commissioner Herzig
Commissioner Thomas
Commissioner Tomaino
Commissioner Holden
Commissioner Overbey
Commissioner Eastman

Noes: None

Absent: None

MOTION CARRIED

ONEONTA, NEW YORK – JANUARY 16, 2013 - 7:00 P.M.

REGULAR MEETING OF THE PLANNING COMMISSION PG. 10

(Old Business regarding Stewart’s Shops) continued

MOTION, made by Commissioner Herzig and seconded by Commissioner Eastman, that the Planning Commission approves the site plan as presented by Chuck Marshall for Stewart’s Shops Corp. to construct a 20’ x 40’ addition, a 7’9” x 15’5” exterior freezer, a 10’ x 14’6” stamped concrete patio and a 6’ x14’ overhang for a new delivery area on the existing convenience store at 43-47 Main Street (300.09-1.84.01).

Voting Ayes: Chair Finn
Commissioner Herzig
Commissioner Thomas
Commissioner Tomaino
Commissioner Holden
Commissioner Overbey
Commissioner Eastman

Noes: None

Absent: None

MOTION CARRIED

Chair Finn asked if there was anyone present from HOLT Architects.

1. Steve Hugo, HOLT Architects (for Hartwick College), 1 Hartwick Drive (299.08-2-63)

The following Memorandum, dated December 5, 2012, was received from Ordinance Inspector Ferris:

“SUBJECT:	PROPERTY ADDRESS:	<i>1 Hartwick Drive</i>
	PROPERTY OWNER:	<i>Hartwick College</i>
	TAX MAP #:	<i>299.08-2-63</i>
	APPLICANT:	<i>Steve Hugo, HOLT Architects</i>
	ZONING DISTRICT:	<i>U: University District</i>

PROPOSAL: *The applicant wishes to have a sketch plan conference with the Commission to discuss what drawings the Commission wants the applicant to submit for the zoning code review for the proposed project at the above referenced property.*

The proposed project is to construct a 7,300 square foot addition to Hartwick College’s Dewar Student Union and renovate part of the existing 1st floor of Dewar Student Union.

§ 300-74 E: At the request of the applicant, a sketch plan conference may be held between the Planning Commission and the applicant to review the basic site design concept and generally determine the information to be required on the site plan.”

Steve Hugo from HOLT Architects introduced himself as the principal in charge of the project for the addition and renovation to Dewar Student Union. He stated there had been a projected presentation at last month’s meeting regarding the sketch plan. He stated the packets in front of the commission were actually a resubmission that had been made on December, 28th prior to this meeting. There had been a prior submission of a site plan review application and a drawing submission at the end of November or early December before the sketch plan review. His recollection of that meeting was that project was fairly well received, there had been some technical questions based around storm water and a discussion regarding long versus short environmental form. He believed it was agreed that the short form was appropriate if all the appropriate sections on storm water that were included on the long form were addressed. It was also decided at that meeting it would be useful to meet with city staff and appropriate parties on site. HOLT Architects had met with Code Enforcement Officer Chiappisi and Fire Chief Pidgeon on site. Any questions asked at

ONEONTA, NEW YORK – JANUARY 16, 2013 - 7:00 P.M.

REGULAR MEETING OF THE PLANNING COMMISSION PG. 11

(Old Business regarding Hartwick College) continued

that meeting or prior commission meetings were answered to city staff either by email or phone. On the issues with storm water there was direct contact with Engineering Technician Mattice. He had some very specific questions which Holt's civil engineers had answered. He stated to keep the project moving forward, an approval of the site plan was requested or if that was not possible the issuing of a partial building permit for the renovation was requested as bids for the project were to be received within the next couple of weeks. He then asked if anyone had questions.

Commissioner Herzig stated at last month's meeting the commission requested a letter from both the Fire Chief and the Police Chief stating they had no concerns with the project. He did not see these in the submission and asked if those letters existed.

Mr. Hugo said he thought it was talked about trying to meet with everyone involved face to face and that ideally he could get letters from all those departments that would clarify any questions. HOLT Architects had met with Fire Chief Pidgeon on site.

Code Enforcement Officer Chiappisi stated Lieutenant Brenner was also there.

Mr. Hugo stated at that meeting he asked if there were further questions. Fire Chief Pidgeon mentioned through the City's review in terms of life safety he would be satisfied if the city was satisfied with the developer's code performance and life safety plan.

Code Enforcement Officer Chiappisi stated he was at the onsite meeting with Lieutenant Brenner, Assistant Fire Chief Mattice and Fire Chief Pidgeon. Lieutenant Brenner had no concerns with the project other than discussion about access to that part of the building

Commissioner Herzig asked if the commission knew if the Fire Chief was completely comfortable with the drawings regarding access.

Code Enforcement Officer Chiappisi stated he didn't know if Fire Chief Pidgeon had gone over the plans in detail but he had been comfortable with what was presented at the meeting in terms of where the access was located. Fire Chief Pidgeon had not expressed any concerns to him or raised any other issues that he recalled.

Steve Hugo said Fire Chief Pidgeon had brought up two questions at the meeting regarding general access to the building and would the elevator accommodate a stretcher both of which he felt had been addressed.

City Manager Long said the stretcher accommodation was the number one question.

Mr. Hugo said there had been a discussion about a letter. He had brought that up, that ideally there could be a letter. He didn't know if the letter were required, or that maybe the approval could be made contingent on receiving that letter.

Commissioner Overbey asked if the commission had received any correspondence from the Fire Chief.

Commissioner Herzig said it was requested. He stated it would make it much easier for the commission to approve the site plan knowing that Fire Chief Pidgeon had no concerns and a letter would be the best way to do that. He felt at best if the commission was to move forward, it would be contingent on receiving that letter.

Mr. Hugo said that would be fine, but he could not force the Chief to write a letter.

City Manager Long stated he could get a letter from him.

Chair Finn said that would take care of the Fire Chief and asked about the Engineering Department.

ONEONTA, NEW YORK – JANUARY 16, 2013 - 7:00 P.M.

REGULAR MEETING OF THE PLANNING COMMISSION PG. 12

(Old Business regarding Hartwick College) continued

Engineering Technician Mattice stated HOLT Architects had addressed all the questions presented by the Engineering Department and they were satisfied.

Commissioner Herzig asked Engineering Technician Mattice if he was certain there would be no water runoff problems as a result of this project.

Engineering Technician Mattice said yes.

Chair Finn asked if the city's system could handle this.

Engineering Technician Mattice stated yes.

City Attorney Merzig asked where the design changes were reflected in the original sketches, as they were resubmitted to commission. He just wanted to make sure at some point what the commitments were and whether there were any modifications made to the plans.

Steve Hugo stated there weren't any modifications, just clarifications.

City Attorney Merzig asked if they had all been memorialized in the documentation that the issuance of the permit depended upon. He stated HOLT Architects could say anything. The city could say yes they answered the questions to its satisfaction. But if the drawings did not reflect what was agreed upon and there were questions all HOLT Architects would have to say is the drawings all have gone through Planning. He wanted assurance that whether changes were agreed upon or not, that it was reflected in the documentation.

Steve Hugo stated their requirements were essentially calculations and all those calculations are based on the design as submitted for the building permit.

City Attorney Merzig stated if the Engineering Department needed to ask for clarification, if it had not been reflected in the documentation. There have been clarifications made regarding flow and the retention basins. Those representations should be made in a letter in order to be in compliance.

Steve Hugo stated it was e-mail correspondence. The correspondence would put in a letter to add to the documentation to put into the record.

Chair Finn asked if there were any questions before the vote, hearing none he called for the motion.

Steve Hugo said he would submit the documentation the next day. He also stated he would speak to the chiefs.

City Manager Long said he would take care of the letters from the chiefs.

City Attorney Merzig stated we should get a sign off from Engineering Technician Mattice. That he had received the written information that would become part of the permanent record.

MOTION, made by Commissioner Herzig and seconded by Commissioner Overbey, that the Planning Commission approves the site plan as presented by Steve Hugo, HOLT Architects (for Hartwick College), 1 Hartwick Drive (299.08-2-63) for the proposed project to construct a 7,300 square foot addition to Hartwick College's Dewar Student Union and renovate part of the existing 1st floor of Dewar Student Union contingent upon receiving letters of agreement regarding the designs from both Fire Chief Pidgeon and Police Chief Naylor and Engineering Technician Mattice Department signing off on the documentation to be submitted that is consistent with the representations and clarifications made to the Engineering Department.

Voting Ayes: Chair Finn

ONEONTA, NEW YORK – JANUARY 16, 2013 - 7:00 P.M.

REGULAR MEETING OF THE PLANNING COMMISSION PG. 13

(Old Business regarding Hartwick College) voting continued

Commissioner Herzig
Commissioner Thomas
Commissioner Tomaino
Commissioner Holden

Voting Ayes: Commissioner Overbey

Noes: None

Absent: None

Abstain: Commissioner Eastman

MOTION CARRIED

NEW BUSINESS

Chair Finn stated under new business, the Newman Development Group Sketch Plan Conference at which they would present their proposal to the commission. The commission would not take comments from the public. The comments from the public would be taken at the meeting for the Site Plan Review for this proposed project. The commission had already received letters regarding this matter and the public is urged to submit written comments. Those comments would be entered into the record, word for word, exactly how written. Chair Finn then recognized Newman Development Group.

Newman Development Group for an apartment complex on Blodgett Drive (288.6-1-01), (288.6-1-03), (288.6-1-62), (288.6-1-64), (288.6-1-63)

The following Memorandum, dated January 2, 2013, was received from Code Enforcement Officer Chiappisi:

“SUBJECT:	PROPERTY ADDRESS:	<i>Blodgett Drive</i>
	TAX MAP # / OWNER:	<i>288.6-1-02 / Janet Izzo</i>
		<i>288.6-1-03 / Janet Izzo</i>
		<i>288.6-1-62 / Janet Izzo</i>
		<i>288.6-1-64 / Richard Woods</i>
		<i>288.6-1-63 / Richard Woods</i>
	APPLICANT(S):	<i>Newman Development Group</i>
	ZONING DISTRICT:	<i>R-3: High Density Residential</i>

PROPOSAL: *The applicant requests a Sketch Plan Conference to discuss the required drawings and information that the Planning Commission requires for a Site Plan Review for the proposed project to construct an apartment complex at the above referenced properties.*

§300-74 E: At the request of the applicant, a sketch plan conference may be held between the Planning Commission and the applicant to review the basic site design concept and generally determine the information to be required on the site plan.”

Jeff Smetana introduced himself stating he was with Newman Development Group a Binghamton based firm. He said he was with representatives from their construction group and Keystone Associates, a Binghamton based regional engineering firm who did a lot of the engineering on this project up to this date. Mr. Smetana explained the proposed project to the Commission. Some of the topics addressed were the research work done in choosing the location for this project; the variety of units; amenities that will be provided on site; handicap accessibility; the safety, security and management that will be in place at that location, in both the individual units and the building; lighting and light pollution; the on-site traffic; security and safety plans built into the project, the location of the site and the research which lead them to choose that location for the project and improvements they will make in the area surrounding the site. He also mentioned that they had completed a number of studies including marketing, traffic, wetlands and wildlife; along with the Archeological Phase I that would be included with their SEQR application and EAF.

ONEONTA, NEW YORK – JANUARY 16, 2013 - 7:00 P.M.

REGULAR MEETING OF THE PLANNING COMMISSION PG. 14

(New Business regarding Blodgett Drive) continued

Paul Woodard introduced himself and stated Newman Development had asked his firm to start looking at infrastructure mainly, sewer, water and storm water. He said the sewers flows had been measured all the way from Blodgett, at every major intersection down Blodgett then all the way to East to determine what the system flow rate was. The projected flow from the project was then added into that information and even with conservative factors applied to it, there still more than 40 percent capacity after this project is built. As for water there is an undersized line coming up so they would go down to the next intersection and upgrade the water from there up to the property where it would loop around. Regarding the storm water ideally an oversized pond would be put in the low spot down along Blodgett. He felt the benefit to this was it would capture a lot of water that is causing problems now. During the review, flooding problems had been found down Blodgett, it was planned to intercept that water and alleviate a lot of that condition. He stated they were talking to the college about either coming across their property or Blodgett, improving ditches and adding pipes all the way down Blodgett. The sidewalks they would put in place have a curb that would be ideal to capture the storm water. It would then be put in catch basin piping and would be off routed as far as it needed to go. He stated they had been in touch with the Engineering Department regarding the infrastructure issues. They also had been in contact with the Fire Department and were looking to place fire hydrants at all four corners of the building or more or less as they saw necessary.

Mr. Smetana said he thought on the site plans there were things that would actually improve current conditions. The storm water would be captured in a better fashion, now some of it is shedding south and some of it is shedding to the west that would be improved. He stated that this was an overview of the project and they would be glad to listen to any comments and answer questions.

Commissioner Overbey asked where the three bedroom limit had come from. He did not think that was in the Code.

Mr. Smetana stated he thought that was what the city had advised but he would verify that.

Code Enforcement Officer Chiappisi stated there is a maximum occupancy of three unrelated individuals per unit in the City Code.

Commissioner Overbey said the developers had mentioned a sidewalk that would follow Blodgett. This project would increase the traffic onto Blodgett Drive. He asked if there were any plans for keeping that from causing the street to deteriorate.

Paul Woodard stated they felt as most of the traffic would be pedestrian. The plans had the sidewalks meeting and integrating with the college's pedestrian network. At one time a residential sub-division had been planned for this area that had not happened. The developers understood the road was built to city standards and thought it appropriate for this use.

City Manager Long stated over the last several months the city had been working with Newman to address different items. From a general perspective the housing task force was trying to address the layers of housing and the present conditions in the community by taking a look at the neighborhood. This project did seem to address a need within this community to try and keep the college healthy. He had participated when the Fire Department had gone through the floor plans; sprinkler locations and other safety issues. There was a good exchange of information and feedback with City staff. The Engineering Department had been involved in items regarding the infrastructure side of the project. There had also been discussion regarding interaction with the proposed bus service and Oneonta Public Transit. This project had generally seemed to be positive so far.

City Attorney Merzig asked if there was any information available that addressed water runoff and the SUCO property.

ONEONTA, NEW YORK – JANUARY 16, 2013 - 7:00 P.M.

REGULAR MEETING OF THE PLANNING COMMISSION PG. 15

(New Business regarding Blodgett Drive) continued

Paul Woodard said the final determination as to whether the water will be brought all the way across to the creek or it would basically be caught and taken further down had not been made. The plan looked to over contain so it wouldn't become an issue. Also the proposed pond was planned to be oversized.

Mr. Smetana stated that presently the majority of the water does flow across that area. The plan was to actually capture the water so that wouldn't happen anymore. It would benefit SUCO. The water would be captured and contained. The water that would come down the road would not do that anymore. It would be contained with a controlled discharge into a system. Those numbers would be submitted to the commission in the packet.

Chair Finn said there was a question as to the depiction of Blodgett Drive on the existing conditions plans. The plans show Blodgett ending and not continuing any further. He asked if that is what was intended. He also asked if there were any plans for taking the road as far as the town line.

Mr. Smetana stated Newman Development did not currently have plans to do that.

Commissioner Overbey stated local hikers hike up the trail that starts at the top of Blodgett to the college camp. Would the proposed security setup keep the hikers from getting to that trail.

Mr. Smetana said he understood that this trail actually came along the western boundary by the ball fields. It was a maintained trail that went go up to college camp and that would continue to operate as a pass. Newman Development saw that affiliation as an amenity. The residents would enjoy being that close to the walking trail and many would use it. That area would not be disturbed by anything being done down here.

City Attorney Merzig inquired about the placement of different items on the plans.

Commissioner Overbey clarified the location of the proposed retention pond.

Mr. Smetana stated there are a lot of green elements built into this project; the bike racks and in terms of the lighting and the insulation and other systems that were used. Newman Development does not get their properties green certified because there is a significant price associated with the certification. They think that generally their properties would score well and reach a green standard.

Chair Finn said as part of the sketch plan, one of the things is the landscaping plan. The commission had taken care that the housing units that have been developed maintain a good barrier.

Mr. Smetana said a great effort would be done along that boundary regarding barrier.

Chair Finn stated when good fences where maintained it made for good neighbors.

Mr. Smetana stated the way the ends of the buildings were facing would make for a more compatible relationship instead of facing and looking out directly. That part would be screened in pretty well and make for good neighbors.

Chair Finn stated the developer has already been working with both the Engineering Department and the Code Enforcement Office. They had a good idea of everything the commission would need and require to continue on. The only thing that basically wasn't spelled out was the security plans that were mentioned. When that plan was done being processed that should also be submitted.

Mr. Smetana said it was being developed. There had initially been coordination with the Fire Chief and the plan was to meet with the Police Chief.

Commissioner Herzig asked if they anticipated looking for approval next month.

ONEONTA, NEW YORK – JANUARY 16, 2013 - 7:00 P.M.

REGULAR MEETING OF THE PLANNING COMMISSION PG. 16

(New Business regarding Blodgett Drive) continued

City Attorney Merzig said no. The approval could be asked for but once the commission had received all the information and evaluated it. There may be supplement submissions the city would request. The city would then have to send this to the county to seek county approval and sign off as it was within the 500 foot limit.

Commissioner Herzig asked if the site plan review would not be looked at for several months.

City Attorney Merzig answered it depends. After all the submissions have been made the city would have to decide whether a supplemental engineering firm would have to make an analysis after it had gone through the Engineering Department. The city will want to make sure all is in order regards to SEQR. There will have to be a public hearing which can't even be scheduled until the application is deemed complete. After the city has seen everything that has been submitted, had it evaluated and determined whether supplemental submissions would be required, then the project could move forward. City Attorney Merzig stated to allow submission, then the city could make an analysis as to what was provided and what would still be needed to go forward at that point. He stated the developers were familiar with the process.

Commissioner Overbey asked how many parking spaces were planned.

Mr. Smetana said Newman Development would see what the requirement was per code but it has consistently been found with student housing that about a .7 ratio really works out well. Generally the plans did not go with more parking spaces then necessary because of the additional creation of impervious surface. The plan had 245-250 spaces as of now, which laid out nicely. That was felt to provide good parking for staff, deliveries, visitors and residents. If there was a need, the site would accommodate additional parking.

Commissioner Overbey stated it would have to meet the City Code regulations.

Chair Finn asked if there were any other questions.

City Manager Long asked if there were other things the Planning Commission would like to see in greater detail.

Chair Finn said this was all on the sketch plan review. The commission's main concern regarding the developer working with the Engineering Department regarding various items had already been met. The issue of the security plans had been addressed. He then asked if there had been interaction with the Code Enforcement Office.

Code Enforcement Officer Chiappisi answered yes the requirements for drawings and submissions had been discussed.

Chair Finn stated so if everything that was needed or required was submitted would be determined at the meeting for the site plan review.

City Manager Long said the city would try to set up a meeting between the developer and City Attorney Merzig to review the submission for completion. So there would be a significant information available as possible.

Chair Finn asked if that would cover SEQR.

City Attorney Merzig stated it would prepare for SEQR. He would suggest that as substantial submissions of proposed documents are received City Clerk Koury place those documents on the city website to give full opportunity for the people wanting to be make submissions and/or public statements. There will be at the least one public hearing, and that would allow all available documentation to be seen first so comments can be made to address issues of concern. He

ONEONTA, NEW YORK – JANUARY 16, 2013 - 7:00 P.M.

REGULAR MEETING OF THE PLANNING COMMISSION PG. 17

(New Business regarding Blodgett Drive) continued

understood that some of these would be draft submissions, but there was a place on the site for public comments and City Attorney Merzig and it would start a dialogue going with the rest of the community. He stated again until the city receives a full submission, has had the full time to evaluate that submission and has made a determination as to whether the application is complete, only then does the city's clock begin ticking for the period of time allowed to make a decision to approve or deny.

Chair Finn said so it is understood that City Clerk Koury would put all this information on line on the city site so everyone would be kept up to date on as to where the commission was at with this project.

A petitioner asked if the date of the public hearing was available.

City Attorney Merzig stated it would be announced, it would be put on the web site and it would be advertised in the newspaper. He said there may be more than one depending upon what input the city had or what documentation was received and/or if there was a need for follow up.

Chair Finn stated that every public hearing would be advertised.

There being no further business to come before the commission, Chair Finn adjourned the regular meeting at approximately 8:15 p.m.

JAMES R. KOURY, City Clerk

JRK/vpw