

ONEONTA, NEW YORK - JULY 18, 2012 - 7:00 P.M.

REGULAR MEETING OF THE PLANNING COMMISSION PG. 1

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

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

PETITIONERS

Chair Finn stated there were no petitioners.

CORRESPONDENCE

City Clerk Koury stated there was no correspondence.

APPROVAL OF MINUTES

MOTION, made by Commissioner Tomaino and seconded by Commissioner Herzig, that the commission approves the minutes of the regular meeting held June 20, 2012, as written.

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

Noes: None

Absent: Commissioner Eastman

MOTION CARRIED

A press release and the agenda were faxed to the media on the following items of New Business. Proofs of said notifications are attached hereto.

NEW BUSINESS

1. ***The Railroad and Young Men's Christian Association, 20-26 Ford Avenue (300.06-1-16): Site Plan Review:*** *The Applicant wishes to demolish the house (#28 Ford Avenue) and the garage that are on the same lot as the YMCA building.*
2. ***James Wheeler, Jr., 7 Valleyview Street (288.19-1-92): Site Plan Review:*** *The applicant wishes to tear down an old deck and half bath. The applicant wants to replace them with a 21' x 22' one-story addition. The addition will be used as a bedroom, bathroom, and foyer.*
3. ***Corning Incorporated, 269-275 River Street (299.15-1-10): Site Plan Review:*** *The property owners wish to furnish and install two (2) silos. The foundation for the silos will be 16' x 32' (512 square feet).*
4. ***Chip Klugo, 155-165 Main Street (300.31-1-07): Sketch Plan Conference:*** *The applicant wishes to renovate the former Bresee building. The plan includes 5 commercial spaces on the 1st floor, 7 residential dwelling units on the 2nd floor, 5 residential dwelling units on the 3rd floor, and 1 residential dwelling unit on the 4th floor.*
5. ***Chip Klugo, 1 Dietz Street (300.31-1-09): Sketch Plan Conference:*** *The applicant wishes to convert the LAN building to a 5 unit apartment house: 1st floor – two units, 2nd floor – two units, and 3rd floor – one unit.*

ONEONTA, NEW YORK - JULY 18, 2012 - 7:00 P.M.

REGULAR MEETING OF THE PLANNING COMMISSION PG. 2

(New Business) continued

6. *Dmitriy Litvenko and Marjorie Louissaint, City View Drive (288.19-1-42.01): Sketch Plan Conference: Pending approval of the Planning Commission the applicants wish to subdivide and purchase a 4.78A parcel to build a single family home.*

Chair Finn addressed the items of New Business as follows:

The following Memorandum, dated July 3, 2012, was received from Ordinance Inspector Ferris:

1. The Railroad and Young Men's Christian Association, 20-26 Ford Avenue

“SUBJECT: *PROPERTY ADDRESS:* 20-26 Ford Avenue
 PROPERTY OWNER(S): The Railroad and Young Men's Christian Association
 TAX MAP #: 300-06-1-16
 APPLICANT(S): Te Railroad and Young Men's Christian Association
 ZONING DISTRICT: MU-1
 # OF DWELLING UNITS: 2
 APPLICATION TYPE(S): Site Plan Review
 Short Environmental Assessment Form Review
 Sketch Plan Conference

PROPOSAL: *The applicant wishes to demolish the house (# 28) and the garage that are on the same lot as the YMCA building.*

CODE SECTIONS:

300-62 F: Demolition of buildings and structures. Demolition of all buildings, structures, and parts thereof, in all zones, shall be subject to Article VII of this chapter entitled, "Site plan review and approval".

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."

Forty-one (41) letters were sent out by the Clerk's Office to property owners residing within 200 feet radius of the property in question and no responses were received.

Mr. John Attanasio, Maintenance Manager, Oneonta YMCA, introduced himself and Mr. Fred Volpe of Oneonta. He said the YMCA would like to remove their garage and vacant house from its lot and use the space for an outside program. He said the garage had not been renovated for 30 years. He said an assessment was done of the garage and they have gotten quotes for asbestos removal and there was a plan in place. He said they also had quotes for demolition of the house.

Chair Finn questioned if the YMCA had all the funds in place to do this job.

Mr. Attanasio responded yes, they were ready to go ahead with the project.

Chair Finn questioned if the garage to be removed on the site plan was the one toward the back end of the property.

Mr. Attanasio responded yes, all the buildings would be removed.

Chair Finn questioned if discussion had by the people at the YMCA was that it was in their best interest financially and otherwise to take the two buildings down rather than try to save them.

ONEONTA, NEW YORK - JULY 18, 2012 - 7:00 P.M.

REGULAR MEETING OF THE PLANNING COMMISSION PG. 3

(20-26 Ford Avenue) continued

Mr. Attanasio responded yes, the YMCA had been renting the house but that was failing because they had problems with people paying rent and evictions.

Chair Finn asked if there was a schedule established for the demolition if the plans were approved.

Mr. Attanasio replied he did not have specific dates at this point but they would like to start this by the end of the summer, early fall and have it all cleared before snow falls.

Commissioner Herzig stated the outside of the buildings looked deteriorated and questioned why that was allowed and not maintained appropriately.

Mr. Attanasio stated painting was done about 5 years ago but the paint did not last. He said when they discussed tearing it down they did not want to put any funds into it. He said it would be a major project to bring the house back to a decent standard.

Commissioner Herzig questioned if the plan after demolition was just green space and nothing else.

Mr. Attanasio responded it would be just green space and nothing else. He said there would be a nice wood fence all around to keep children in and dogs out.

Commissioner Herzig stated that the plan indicates that the cost for demolition was \$53,000 and questioned why that was not put into building renovations.

Mr. Volpe, Buildings Chair and Ground Maintenance, stated the reason the YMCA looked at razing the properties instead of maintaining them was because they had looked at the option of remodeling and that cost far outweighed the benefits to the YMCA of removing them. He said the YMCA was really not in the rental business. He said children's programs were growing every year and the YMCA would benefit more by making more room for children to play on that green space.

Commissioner Overbey stated although the YMCA did not need a building permit to put up a fence but fences were specified in the Zoning Code. He said if the YMCA decided to build something in that space they would need to come back to the commission.

Ms. Ada Drake, 30 Walnut Street, stated her property was completely adjacent to the existing garage in question and she did not know what type of fence would be put up for her privacy.

Mr. Volpe stated that a good quality cedar fence of a nice residential design would be installed. He said the fence would be maintained.

MOTION, made by Commissioner Tomaino and seconded by Commissioner Overbey, the commission approves the site plan as presented and submitted by the Railroad and Young Men's Christian Association (YMCA) to demolish the house located at 28 Ford Avenue and the garage on the same lot as the YMCA building, 20-26 Ford Avenue, and issued a Negative Declaration as per applicable and appropriate SEQR regulations.

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

Noes: None

Abstain: Commissioner Eastman

ONEONTA, NEW YORK - JULY 18, 2012 - 7:00 P.M.

REGULAR MEETING OF THE PLANNING COMMISSION PG. 5

(7 Valleyview Street) continued

Mr. Wheeler stated the purpose for the addition was that they were about to take in an aging parent who cannot climb steps. He said they needed to have a first floor bedroom and bathroom.

Chair Finn asked Code Enforcement Officer Chiappisi if the drawings provided by the applicant were adequate for his inspection.

Code Enforcement Officer Chiappisi replied they were not. He needed drawings showing more structural details such as windows in the bedroom and emergency egress.

Mr. Wheeler stated with him was his contractor Doug Loitsch who could answer any questions but these were drawings they thought they would use.

Code Enforcement Officer Chiappisi stated he would need additional details on the drawings of the addition, lot size and he would have to check code requirements before issuing a building permit. He said the contractor would need to be licensed and anything under \$1500 did not necessarily require site plans from an architect but he highly recommended them.

MOTION, made by Commissioner Herzig and seconded by Commissioner Tomaino, the commission approves the site plan and application for a parking waiver as presented and submitted by James R. Wheeler, Jr. for 7 Valleyview Street (288.19-1-92) to tear down an old deck and half bath and replace them with a 21' x 22' 1-story addition to be used as a bedroom, bathroom and foyer pending submission of additional detailed plans to the Code Enforcement Officer for review and approval.

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

Noes: None

Absent: None

MOTION CARRIED

Chair Finn advised the applicant that the project could not be started until a full set of detailed plans were submitted to the Code Enforcement Officer for review and approval.

3. Corning Incorporated, 269-275 River Street

The following Memorandum, dated July 3, 2012, was received from Ordinance Inspector Ferris:

“SUBJECT:	PROPERTY ADDRESS:	<i>269-275 River Street</i>
	PROPERTY OWNER(S):	<i>Corning, Inc</i>
	TAX MAP #:	<i>299.15-1-10</i>
	APPLICANT(S):	<i>Darryl Lincoln</i>
	ZONING DISTRICT:	<i>C/I: Commercial / Industrial District</i>
	APPLICATION TYPE(S):	<i>Site Plan Review</i>
		<i>Short Environmental Assessment Form Review</i>
		<i>Sketch Plan Conference</i>

PROPOSAL: *The property owners wish to furnish and install two (2) silos. The foundation for the silos will be 16' x 32' (512 square feet).*

ONEONTA, NEW YORK - JULY 18, 2012 - 7:00 P.M.

REGULAR MEETING OF THE PLANNING COMMISSION PG. 6

(269-275 River Street – Memorandum) continued

CODE SECTIONS:

300-12D (1): All new buildings and new additions to existing buildings require site plan review except buildings smaller than 200 square feet in floor area.”

Eleven (11) letters were sent out by the Clerk’s Office to property owners residing within 200 feet radius of the property in question and no responses were received.

Code Enforcement Officer Chiappisi stated that Delaware Engineering would present a slide show on the screen of the proposed project.

Mr. Derek Wilcox of Delaware Engineering, Oneonta, began the presentation saying he was representing Corning, Inc. on River Street. He was before the board on Corning’s behalf, seeking permission to install two 40’ silos. He said the silos would be spiral aluminum and 11’ 6” in diameter to be used for additional storage of material for their production needs. He said they would like to place the silos on the north end of the facility where there was a loading dock and a set of sidewalks that would make it easy for truck deliveries. He said in order to get the piping into the building this location was where the Production Manager asked them to place the silos.

Chair Finn asked if any trees would be removed.

Mr. Wilcox replied no. He said the only thing that would be removed was a small steel shed in the area.

Chair Finn questioned if just one silo would be installed right away.

Mr. Wilcox responded yes but there had been discussions with another manager in the facility and he may want to put the second silo up also to have enough storage for production purposes.

Chair Finn questioned if this meant the company was expanding and having more work.

Mr. Wilcox responded he had not been told but it could be a possibility.

Chair Finn stated the plans seemed to be quite complete.

Mr. Wilcox stated in regard to a schedule he said as soon as approval was received from the city they would order the silos and move forward with construction.

Commissioner Herzig asked Code Enforcement Officer Chiappisi if he had any concerns about this.

Code Enforcement Officer Chiappisi replied he had no concerns except discussion about whether a silo was a building or not and he said it was. He said it would need a plan review and was working with the engineer on it.

Commissioner Herzig asked Fire Chief Pidgeon if he had any concerns.

Fire Chief Pidgeon replied the only concerns would be the materials and any access for confined space permitting and the use of that and how they were getting the material from one spot to another under high/low pressures. He said as a first responding agency the Fire Department would need to be able to train for the access points in certified confined spaces, which is what this was. He said he would need to review the site plans.

ONEONTA, NEW YORK - JULY 18, 2012 - 7:00 P.M.

REGULAR MEETING OF THE PLANNING COMMISSION PG. 7

(269-275 River Street) continued

Chair Finn stated any approval by the commission would be based upon approval by Code Enforcement that would include their having all the information needed to satisfy the Fire Department.

MOTION, made by Commissioner Herzig and seconded by Commissioner Holden, that the commission approves the site plan as presented and submitted by Corning, Inc. for 269-275 River Street (299.15-1-10) to furnish and install two (2) new 40' tall spiral aluminum silos on a supporting foundation of 16' x 32' pending final approval by the Code Enforcement Office of information needed to satisfy the Fire Department and issued a Negative Declaration as per applicable and appropriate SEQR regulations.

Voting Ayes: Chair Finn
Commissioner Herzig
Commissioner Tomaino
Commissioner Holden
Commissioner Overbey
Noes: None
Abstain: Commissioner Eastman
Absent: None

MOTION CARRIED

4. Chip Klugo, 155-165 Main Street

The following Memorandum, dated July 11, 2012, was received from Code Enforcement Officer Chiappisi :

“SUBJECT: **PROPERTY ADDRESS:** 155-165 Main Street
PROPERTY OWNER(S): Otsego County Development Corporation
TAX MAP #: 300.31-1-07
BUSINESS ADDRESS:
BUSINESS OWNER(S):
APPLICANT(S): Chip Klugo
ZONING DISTRICT: MU-1 Downtown Mixed Use District
OF DWELLING UNITS:
APPLICATION TYPE(S): Sketch Plan Conference

PROPOSAL: *The applicant wishes to renovate the former Bresee building. The plan includes 5 commercial spaces on the 1st floor, 7 residential dwelling units on the 2nd floor, 5 residential dwelling units on the 3rd floor, and 1 residential dwelling unit on the 4th floor.*

CODE SECTIONS:

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.”*

Chair Finn stated that the commission was to conduct a sketch plan conference to review the site design concept and determine the information to be required on the site plan.

ONEONTA, NEW YORK - JULY 18, 2012 - 7:00 P.M.

REGULAR MEETING OF THE PLANNING COMMISSION PG. 8

(155-165 Main Street) continued

Mr. David Anderson, Project Manager and Ms. Elise Johnson-Schmidt of Johnson Schmidt Associates introduced themselves. They said as representatives for Klugo Oneonta's development project of the former Bresee's building they would give an illustrated presentation of the plans to date for 155-165 Main Street.

Mr. Anderson stated that the rear of the building on Wall Street would be brought back more to the way it was originally before it was demolished before their involvement.

Ms. Johnson-Schmidt stated they had renderings of the parking area in the rear and the large windows shown in the presentation with the 4 panes gave opportunity to restore the rear to the appearance of what it was. She said that along with the parking lot it would give that back area on that street a new neighborhood. She said they had changed that whole back design.

Chair Finn asked if what the commission was being shown of the interior was basically the layout.

Ms. Johnson-Schmidt replied the layout was pretty close and there would be modifications as they go through. She said presently they were doing selective demolition and some abatement on the site. She said as they go through and do the environmental cleanup and some structural work to secure and make sure everything was in good shape before construction they found little things about the building they want to be able to modify. She said there were with 5 commercial retail spaces on the 1st floor and 13 units in this building on the upper floors. She said the windows in the front of the building would be retained and restored and on the top of the building where the art room was they would maintain that 13' x 13' opening that had a very large window that allowed for light. She said this design was designed to be flexible and the number of retail spaces could change depending on what the retail community was.

Ms. Johnson-Schmidt asked if the commission wanted her to explain the rest of the site plan for the parking.

Chair Finn stated there were 2 submittals on the parking and he questioned which would be final.

Ms. Johnson-Schmidt stated the parking plan was modified at the entrance of the building. She said it enters in the back and goes through to the other side with 55 parking spaces. She presented the modified plan for the commission to review.

Code Enforcement Officer Chiappisi stated the parking could still be modified depending on use of the spaces in the building.

Commissioner Overbey stated he wanted to make sure the sidewalks in the rear were well connected and not be butchered like they were when the Foothills' project on Market was done.

The commission held a brief discussion on the plans.

Code Enforcement Officer Chiappisi stated he was just discussing with the Fire Chief Pidgeon about the turning radius on the ladder truck and this plan would fit. He said another thing that might impact the floor plans was the size of the elevator and whether it would accommodate a stretcher or not.

Mr. Anderson stated the elevator was stretcher size.

Fire Chief Pidgeon questioned if they were using ADA requirements because the minimum standards for ADA did not accommodate for the department's stretchers of 6' 6". He said depending on if the door was a center or side opening door was cause for concern about the swing.

ONEONTA, NEW YORK - JULY 18, 2012 - 7:00 P.M.

REGULAR MEETING OF THE PLANNING COMMISSION PG. 9

(155-165 Main Street) continued

Mr. Anderson asked if the Chief had seen a dimension in the plans that say it was not adequate for that.

Fire Chief Pidgeon replied he had not seen any plans except for a site plan dropped off to his office recently.

Mr. Anderson stated he would talk to the Chief and Code Enforcement Officer about that radius. He said the elevator was 6' 6" deep and at least 7' wide with a side door.

Fire Chief Pidgeon stated he believed that would work.

Chair Finn stated there was not going to be any approval on the sketch plan but the commission was happy with what it has seen. He said Johnson-Schmidt Associates needed to work with Code Enforcement Officer Chiappisi because he would be responsive to the Fire and Police Departments.

Commissioner Overbey stated he would like to see a stronger visual buffer between Wall Street and the parking lot. He said with the new parking lot and the drawing presented showed it half full of nice looking cars it was fine but there were going to be some junkers in there, it would be full at times and winters were going to come and snowplows will come through. He said the parking lot was not going to stay new forever. He said if there was a stronger visual buffer, that would be better. He suggested a berm or more dense shrubbery.

Ms. Johnson-Schmidt stated they thought the city wanted to have visibility of the back façade to draw people into the retail district and from a downtown revitalization perspective of what they do they thought that was what the city was looking for.

Mr. Anderson stated there was a fine between visibility and also not making it look like it was a big mall, which they did not want and wanted to fit in perfectly. He said it was not going to look like it does right now and Otsego County Development and the city were working on funds to do the other side of those buildings.

Commissioner Overbey suggested they look at the guidelines for the MU-1 Downtown Mixed Use District. The fact that they were called guidelines did not mean they could be shrugged off. He said it was the commission's responsibility to make sure the developer followed those guidelines.

Ms. Johnson-Schmidt questioned if they were trying to attract attention for retail businesses to make more successful retail or try to block the view of that.

Commissioner Overbey stated what the commission would like to encourage the developer to do was to follow the design guidelines in the City Zoning Code. He said he was not trying to be prescriptive but the design guidelines were pretty prescriptive and suggested they check what they say about edges of parking lots and similar aspects related to the project.

5. Chip Klugo, 1 Dietz Street

The following Memorandum, dated July 11, 2012, was received from Code Enforcement Officer Chiappisi:

“SUBJECT:	PROPERTY ADDRESS:	<i>1 Dietz Street</i>
	PROPERTY OWNER(S):	<i>Otsego County Development Corporation</i>
	TAX MAP #:	<i>300-31-1-09</i>

ONEONTA, NEW YORK - JULY 18, 2012 - 7:00 P.M.

REGULAR MEETING OF THE PLANNING COMMISSION PG. 10

(155-165 Main Street – Memorandum) continued

BUSINESS ADDRESS:
BUSINESS OWNER(S):
APPLICANT(S): Chip Klugo
ZONING DISTRICT: MU-1 Downtown Mixed Use District
OF DWELLING UNITS: N/A
APPLICATION TYPE(S): Sketch Plan Conference

PROPOSAL: *The applicant wishes to convert the LAN building to a 5 Unit apartment house. 1st Floor – two units, 2nd Floor—two units, 3rd Floor—1 unit.*

CODE SECTIONS:

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.”

Mr. Anderson and Ms. Johnson-Schmidt continued their illustrated presentation of Klugo Oneonta’s development project of the former Bresee’s building of the plans to date for 1 Dietz Street and converting that into a 5-apartment building.

Chair Finn questioned if the remediation of this building was completed.

Mr. Anderson responded that he believed it was done.

Ms. Johnson-Schmidt stated in the Dietz Street building there would be 2-units on the ground floor, 2-unit on the second floor and one-unit on the top floor.

Chair Finn stated he thought the commission’s concerns would be the same for this as the Main Street portion of the Bresee’s building.

Code Enforcement Officer Chiappisi stated there were no plans for an elevator in the Dietz Street building.

Commissioner Holden stated one of his concerns was turning buildings into apartment buildings instead of retail. He questioned if there was a reason that was not considered for Dietz Street.

Mr. Anderson responded if there was a true ground floor and not a walk up they would have planned to keep it commercial but it was a walk-up and was on a side street.

Ms. Johnson-Schmidt stated basically because it was a half flight up they did not think it met the requirements for the public to be able to get into a commercial space. She said it was a difficult space and it would also need to be made handicapped accessible.

Commissioner Holden questioned what type of residents they were looking to rent on the 1st floor. He said students were not as noticeable on the 2nd floor as they would be on the 1st floor.

Ms. Johnson-Schmidt stated the 1st floor was market-rate space and not intended to be student space. She said there were 2 units on the 1st floor, one in the back and one in the front.

Chair Finn stated from what the commission saw the developer had general approval and hoped that the commission’s comments would be taken into consideration of the designs.

Ms. Johnson-Schmidt asked again about clarification from Commissioner Overbey of the berm.

ONEONTA, NEW YORK - JULY 18, 2012 - 7:00 P.M.

REGULAR MEETING OF THE PLANNING COMMISSION PG. 11

(155-165 Main Street) continued

Commissioner Overbey replied forget what he said about a berm because it would really have to spread out into the parking lot to put a berm in there. He said the main thing was for them to look at the guidelines for that zoning district and follow them.

6. Dmitriy Litvenko and Marjorie Louissaint, City View Drive

The following Memorandum, dated July 11, 2012, was received from Code Enforcement Officer Chiappisi:

“SUBJECT: **PROPERTY ADDRESS:** *City View Drive*
 PROPERTY OWNER(S): *Thomas Oliver*
 TAX MAP #: *288.19-1-42.01—Lot B*
 BUSINESS ADDRESS:
 BUSINESS OWNER(S):
 APPLICANT(S): *Dmitri Litvenko and Marjorie Louissaint*
 ZONING DISTRICT: *R-3 High Density Residential*
OF DWELLING UNITS: *1*
 APPLICATION TYPE(S): *Sketch Plan Conference*

PROPOSAL: *Pending approval of the Planning Commission the applicants wish to subdivide and purchase a 4.78A parcel to build a single family home.*

CODE SECTIONS:

§300-80

- A.** *Whenever any subdivision of land is proposed and before any contract for the sale of or any offer to sell such subdivision or any part thereof is made, the subdividing owner or his agent shall apply, in writing, to the Planning Commission for approval of such subdivision. He or she shall first file with the Planning Commission a preliminary layout and subsequently a formal plat as hereinafter specified, three hard copies and one electronic copy of each.*

- B.** *Pre-application procedure. Prior to the filing of an application for conditional approval of the preliminary layout, the subdivider may submit general site information, a location map and a sketch plan with a request for informal consideration and advice. This step does not require a formal application, fee or the filing of a plat. The purpose of a pre-application procedure is to afford the subdivider an opportunity to consult early and informally with the Planning Commission, Code Enforcement Officer, City Engineer, and Board of Public Service before preparation of the preliminary layout in order to save time and money and to make the most of opportunities for desirable development.”*

Ms. Karen Oliver introduced herself and her husband Tom Oliver. She said they were the owners of 8 acres of forest land on City View Drive that was located between North Fifth and North Sixth Street. She said they also live on City View Drive and the 8 acres of land starts adjacent to theirs and ends up running along some of the Wilber Park Apartments. She said they have had these 8 acres of forest land for 20 years and basically just purchased it to protect their immediate boundaries and have enjoyed it immensely. She said Marjorie and Dmitriy approached them about purchasing their back 4 acres to build a single-family home on it. She said the land was not on the market but the couple saw the land and liked it. She said Tom and she were willing to part with the back 4 acres. She said the entrance to the 4 acres would be North Fifth Street in which Marjorie and

ONEONTA, NEW YORK - JULY 18, 2012 - 7:00 P.M.

REGULAR MEETING OF THE PLANNING COMMISSION PG. 12

(City View Drive) continued

Dmitriy would cut a driveway. She said the main thing was that they would be neighbors and their desire in selling this was to only have a single-family built there and not 8-10 units and the traffic flow would be minimal. She said they would be happy with a single-family home neighboring them.

Ms. Marjorie Louissaint introduced herself and her husband Dmitriy Litvenko. She said as Karen had said they had found this land that they liked and would like to eventually build on it. She said to be able to build there were some things they needed and they had some questions. She said they needed city water and sewer extended and North Fifth Street extended. She said the questions were if it was okay to build on the site and if so what further documents did the city need for construction and did they need a fire hydrant.

Mr. Oliver stated that the sewer and water go right up North Fifth Street where Wilber Park Apartments are.

Code Enforcement Officer Chiappisi stated this was his first subdivision. He said technically this came under the heading of major subdivision even though there was just one house there and basically that was because of the requirements for the extension of the water and sewer lines. He said the Facilities/Technology/Operations Committee had a meeting about that and they were amenable to extending them for this but needed more details. He said so far there was preliminary approval for the proposal and the city was willing to work with the applicants. He said at some point the city engineer would be consulted about what the costs would be. He said a performance bond would be needed and the city attorney would have to work out the details on that. He said this was just a preliminary sketch plan conference showing the grade of the property and giving the basic idea of what the applicants and owners were going to do. He said there would be a requirement for a sign off on the project from the city engineer and the Board of Public Service, the board that oversees municipal services. He said that would be another step in this process and he would get this project on their agenda. He said the plan was to build one house so there would not be a major drain on the system. He asked the Fire Chief Pidgeon about the need for a fire hydrant.

Fire Chief Pidgeon stated that it depended on downtown density. He said in downtown density there was a fire hydrant every 500' and in residential there was one every 1000'. He said the engines carry 1000' of supply line. He said he believed there was a hydrant at the bottom of North Fifth and one at the turn to City View Drive. He said he did not know the distances but if it was more than 1000' they would have to extend the water lines and get another hydrant there.

Code Enforcement Officer Chiappisi questioned who would be responsible for that.

Fire Chief Pidgeon responded not the Fire Department.

Code Enforcement Officer Chiappisi stated he suspected that would be a Board of Public Service issue or Facilities/Technology/Operations Committee. He said he would check. He said he would have to review the Code section on the subdivision of land with the applicants and make of list of what would be needed. He said the project would have to come back to the commission as some point for final approval of the plans. He said there were specifications on the plat that need to be filed with the city and county and there would be a fee for that. He said the survey showed the proposed subdivision line and the commission was being asked to consider the division of the property into 2 parcels.

MOTION, made by Commissioner Herzig and seconded by Commissioners Eastman and Overbey, that the commission approves the division of Thomas Oliver's City View Drive (288.19-1-42.01 – Lot B) 8-acre parcel into two (2) 4-acre parcels as shown in the map presented.

ONEONTA, NEW YORK - JULY 18, 2012 - 7:00 P.M.

REGULAR MEETING OF THE PLANNING COMMISSION PG. 13

(Voting)

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

Noes: None

Absent: None

MOTION CARRIED

Voting followed this discussion.

Mr. Oliver stated according to the City Attorney this was not a subdivision but just the signing off of some land.

Ms. Oliver stated according to City Attorney Merzig dividing a parcel into 2 parcels was not a subdivision and suggested that the commission check that.

Code Enforcement Officer Chiappisi stated that was interesting and he mentioned the issues of a plat still needing to be filed, there still had to be a filing fee and the water and sewer line still needed to be extended. He said if this was not being considered a subdivision there was no reason for this to be before the commission because a single-family home was an approved use. He said he would consult with the City Attorney. He said approval was not needed for a boundary line agreement as long as the lots being created were conforming.

Commissioner Herzig stated he was all for making this as simple as possible and if they could just divide the parcel into 2 parcels and that end the whole thing.

Commissioner Overbey stated he did not think there was anyone on the commission opposing the building of a single-family structure on that property.

There being no further business to come before the commission, Chair Finn adjourned the regular meeting at approximately 8:30 p.m.

JAMES R. KOURY, City Clerk

JRK/pab