

**Town of Vestal Planning Board Meeting
January 8, 2013**

7:30 P.M.

Present: Chairwoman, Joyce Majewski
Board Members: Bob Bennett and Madeleine Cotts

Absent: Augie Gates, Bob Warner and Ed Zimmer

Also present: Gary Campo, Town Engineer; David Berger, Town Attorney;
Carl Truman, Fire Marshall

Chairwoman Joyce Majewski approved Madeleine Cotts to be a voting member.

1). Approval of Past Minutes

Motion by Bob Bennett to approve the October 9, 2012 minutes, second by Madeline Cotts. Motion passed with all members voting in favor.

2). Vestal Park Rehabilitation and Nursing Center

BCTMP# 189.12-1-41.2-portion of 1501 SR 26 (at West Sheedy)
Preliminary review of the new nursing center
148,396 sf building

Present: Ken Kamlet, Hinman, Howard and Kattell; David Schopfer, Project Architect; Denise Johnson, Administrator, former Vestal Nursing Center will play a similar role in the new nursing facility.

The site is part of the old Botnick Tract, 19 acre property on the North West corner of West Sheedy Road and Route 26. We are proposing to divide this property into two lots. We are looking for a HUD mortgage and they do not want anything to do with properties with any flood plain on them. This is a smaller parcel, 4.4 acre which does connect the 100 and 500 year flood zones. The proposed 2010 FEMA maps contains fewer flood plain areas than the current ones So we will separate it so the HUD financing will be limited to the main 14 acre parcel. The entire 19 acre lot will be part of the application to the rezone to the new zoning of PDD from the current C- 2 zoning.

Dave Berger questions the two lots. The idea is too limit construction to the flat area of the larger lot, as there are some steep slopes on the eastern boundary of this lot that are not build able. The build able area of this lot is roughly 10 acres and the other one is 4.4 and the steep slopes are 6 acres.

(PDD-Planned Development District)

The PDD is for tracts of land 10 acres or more in an area. The entire tract, 19 acres, is what we propose to be rezoned. Dave Berger states his concern is if you rezone it as 19 acre partial then divide it, the smaller lot will be illegal under PDD. Gary states the 4 acre is going to be vacant; it is going to be the ponding area.

**Town of Vestal Planning Board Meeting
January 8, 2013**

David Schopfer, Architect states he can leave the 4 acre parcel as is which leaves the 14 acres as PDD, meeting all setback requirements, if this is going to be an issue. The only issue would be is he needs to use both of them. The 14 acre plus is for primary development, and the other is to be used as storm water retention area and bio-retention for filtering along with utility lines need to cross it. Dave Berger says you don't need PDD for this, just an easement agreement. Dave Schopfer states they will need an agreement between the two owners; however the owners are essentially the same - just two separate corporations.

Gary Campo states the bottom line is if they go with the 19 acre lot, its PDD and then they divide it, they create an illegal lot; they will never get a building permit for it.

Bob Bennett asks what the plus is for rezoning it. Ken Kamlet states if they don't re-zone it, the option is to keep it as a C-2, and if there is no problem constructing the storm water management facility, surfacing the larger lot, he says it would be OK to do it that way. But he doesn't see the advantage to doing it this way.

Town Attorney Dave Berger and Ken Kamlet will discuss this further and come to an agreement.

Dave Schopfer, Project Architect explains the plans.

Upstate Services Group LLC, (F. Stief), operator/owner, manages 13 facilities and has an excellent reputation with the Department of Health.

The building is a senior long term community composed of three different levels of licensed Dept of Health care. The first is the skilled nursing area with 160 beds, with two stories. The 40 bed assistant living facility and the 31 bed adult day care, is one story and is 8 hour a day operation, while the others are 24-7. Between these three components, you have common area services such as receiving, kitchen, dietary, therapy, which will be used interchangeable. They have separate entries for each service.

Denise Johnson, administration states the entire nursing departments are on 12 hour shifts. The others work a normal 8 hour days, 8-4:30PM, so no parking or traffic issues to and from the center, 198 parking spaces.

Madeleine Cotts asked if there was a resident designated parking area. Denise Johnson states in talking with other facilities there are not a lot of residents that drive and there is plenty of parking there.

Dave Berger asked about the 239 L&M report where it mentioned future expansion. They have no plans for future expansion.

Review List as prepared by the Town Engineer:

- Zoning is requested to PDD, 1-23-13 Public Hearing, need to work out the issues with the 4 acre lot

**Town of Vestal Planning Board Meeting
January 8, 2013**

- Setbacks, PDD does not have setbacks/nothing establish but exceed C-2 and RC
- Parking, 198 spaces again nothing in parking section of the code that relates to the 3 combined uses.
- Drainage, SWPPP required and a draft has been provided
- Landscaping was produced
- Elevation view provided
- Lighting is shown with down lights, 60 watt in the courtyard. Gary noted the need to protect the residents along Juneberry from light glare.
- They have a compactor on the loading docks; residents will not see it from the road.
- Grades are minimal
- The building has a sprinkler system, 3 fire areas
- Fire hydrant near entrance on West Sheedy and take out some and add others on site
- The building will not be in the flood plain- present of proposed future one.
- Restaurant grease separator required and shown
- 239 L&M sent on 11-29-12 and is back with questions, which have been addresses by applicant.
- Comment from DOT, traffic study states no need for a traffic signal at SR 26.
- Town Board required to rezone to PDD - Public Hearing is scheduled for 1-23-13
- NO ZBA issues
- SEQR attached
- Fire Department Knox box required
- Street numbers are required
- Water device backflow required
- Engineered stamped and plans received
- They are within the water and sewer district
- Planning Board fee have been paid in full

Fire department will see the review on the 3rd Monday of January. Fire department wants a loop around the building, architect is against it. They need these comments before the next Planning Board meeting.

Concusses of the Board was to approve with the following comments:

- Bob Bennett taking a looking at the SWPPP
- Fire department comments.
- Per SWPPP requirements, the storm water maintenance plan is added to the deed of the property.
- Return to Planning Board for final site plan approval.

**Town of Vestal Planning Board Meeting
January 8, 2013**

Engineer's report (prepared outside of this meeting)

A). 1800 Vestal Parkway East, BCTMP# 158.13-3-1

Jeff Hammond, Kost Tire

Reference made with respect to building a 12' by 50' addition to your building for use By Bottle Babes, the present C-1 zoning allows the retail service of Bottle Babes as a permitted use, has been reviewed and approved with conditions. (10-30-12)

B). Apartment at 408 Front Street, BCTMP#173.22-1-25

Marty Klucka was advised not to rent the upstairs apartment within the building to anyone until the use is approved. April 2003 request granted to change the zoning from C-1 to C-2. At that time the area upstairs was to be used as an office, you have since remodeled that area for an apartment. Residential use is not allowed in C-2 zoning.

C). Change of tenant, 408 Front Street, BCTMP#173.22-1-25

Emily Traver, intent to occupy the space for an EBay business, previously used by a tile store. The owner of the building established an apartment upstairs without permission and this had to be resolved first. Your proposal has been reviewed and approved.

D). Change of tenant, 2101 Vestal Parkway West, BCTMP#172.14-1-13

Sergey Mesheryakov, Real Motors, intent to occupy the space for used auto sales business previously used by Crosshairs Consultants, has been reviewed and approved.

E.) Change of tenant, 4104 Vestal Road, BCTMP# 159.09-2-8-12

Christopher Kradjian, Vestal Executive Park, intent to have Paycheck of NY occupy space within the Executive Park previously used by Samuel and Son has been reviewed and approved.

F. Change of tenant, 2505 Vestal Parkway East, Town Square Mall, BCTMP#158.10-2-1.1

Forrest Gibson, WD Partners, intent to occupy space previously used by Fashion Bug Store for a GAP Factory store (outlet) has been reviewed and approved.

G. Change of tenant, 417 Commerce Road, BCTMP#158.08-1-25

Kevin Vercauteren, Graybar Electric, intent to occupy space previously used by Haun Welding for wholesale type electric distribution business has been reviewed and approved.

H. Change of tenant, 2505 Vestal Parkway East, Town Square Mall, BCTMP# 158.10-2-1-1

He Lin, Hibachi Sushi Supreme Buffet, intent to occupy space previously used Old Country Buffet for a new restaurant has been reviewed and approved.

I. Change of tenant, 441 Commerce Road, BCTMP# 142.04-1-29

Eric Webb, JFM Real Estate, intent to have Han Welding occupy space with in the building for gas and welding supply business, has been reviewed and approved.

J. Change of tenant, 216 Main Street, BCTMP# 173.23-1-14

David Williams, Beyond The Print, intent to occupy the vacant building for digital printing and camera business, has been reviewed and approved.