

Town of Vestal Planning Board Minutes
April 1, 2008

7:30 P.M.

Present: Board Members: Planning Board Chairwoman, Joyce Majewski; Ed Zimmer; Madeleine Cotts; Bob Warner

Absent: Augie Gates, Bob Bennett

Also present: Gary Campo, Town Engineer; Dave Burger, Town Attorney; Carl Truman, Fire Marshall; Emil Bielecki, Fran Majewski and Patty Fitzgerald; Town Board Members, Robert Hynes, Zoning Board Chairman; Vanessa Ebbeling, Binghamton Press; Rosemary West, Town Crier Newspaper; and Fox 40 TV station.

Chairwoman, Joyce Majewski announced to the crowd filled board room that this is a Planning Board meeting, which is a site review board. We are not discussing the zoning of the parcels. She also advised them that the Town does not have a master plan. It was never adopted. When we do ask for questions, they have to be "site plan" specific questions. This is not a public hearing.

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

1). **Approval of Past Minutes**

Motion was made to approve the March Minutes. Motion made by Ed Zimmer, second by Bob Warner: Motion was passed with all members voting in favor.

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2). Best Buy, BCTP# 158.11-1-22.11, 22.2, 22.12, 23, 3209/3213 Vestal Parkway East, demolish existing buildings and build new Best Buy and additional out building.

Jeff Feinberg, Developer
Matt Napierla Engineer
Gordon Stansbury Traffic Consultant for Best Buy

Best Buy representatives went before the Zoning Board of Appeals and were granted a parking variance. The Town Board, a zone change, from industrial portion to make it commercial zoning, and a special permit for a vehicle service permit, both were approved. We are here before the Planning Board to discuss site plan issues.

Question asked about the access to the loading dock area for the tractor trucks. We had a full landscape island in this portion. We changed some radius at this point, stripping a half island so the trucks can access it at different times of the night. They are also proposing better access to the back and west side of the building for the fire trucks as requested.

Traffic issues addressed by Gordon Stansbury, Best Buys traffic consultant.

Question asked by Bob Warner if a traffic light is going to be needed for traffic at Vestal Rd and Jensen. Gary Campo says not enough traffic to warrant a light per by County/DOT requirements.

Parkway trucks turning onto North Jensen have to hit the wrong lane to make the turn or take out the hydrant. Also check the site distance on the Stewart Road access, feels it is going to be tight unless the wall

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is moved back. North Jensen presently two lanes, should a center turn lane be added. State Department of Transportation did suggest the second exit at the Walsh site be modified to a "out only", not allowed in. Issue is the fire trucks making it through. DOT knows that a right out only is needed but it needs to be clarified that it won't work, and then maybe they will re-consider their letter. Best Buy wants to approach State Department of Transportation with their traffic consultant, and let them make the decision.

Land transfer needed, our road being on your property.
Storm water plan, inspectors needed. Best Buy will provide.

Madeline Cotts feels too many foot candles, number is too high, Request you go back to your lightning representative, with Gary Campo being in agreement with too many hot spots.

Landscaping plan is to level out the area, create a building pad for the office areas and plant low lying landscape, so no mowing is required.

Motion to approve the Environmental Assess Form, with the correction by Bob Warner that project not located contiguous to a historic building. Motion by Bob Warner, second by Ed Zimmer, with all members voting yes.

Motion made by Ed Zimmer to accept the site plan approval and was seconded by Madeleine Cotts with the following conditions:
Discussion with DOT; discussion with Gary Campo on the center left on North Jensen; lane transfer on Stewart Rd; storm water inspectors as needed; looking at the lighting plan again; and the slopes seeded with the suggestions as stated; demolition permit, with all members voting in favor.

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3). **Feinberg-Smith Associates, 500 Plaza Drive**

BCTMP #159.19-1-2

Three (3) new Apartment buildings, sketch plan, buffer issues

Present: Matt Napierla, Engineer; Jeff Feinberg-Developer, owner

We meet before the board earlier with a concept plan. We are here with our latest scenario. We still have 72 units, with adequate parking to serve students of SUNY Binghamton. We are back to gain information and understand the Town's needs and desires as we develop this project further.

Comparing our existing complex we think we have been a good neighbor. Noise level is down. Not a lot of police calls or fire calls. The majority of the students walk to school or take the bus. The student renters are serious students, who are there to study. And the apartments are normally vacant during the summer. These are a few points I wanted to bring to your attention.

Is there a buffer for the north side of Oxford Place?

Gary Campo, states the zoning is RC, which apartments are an allowed use. These are one and two student units. You need 2000 square foot a lot per unit. You need 6.6 versa 3.8 that you have, a ZBA issue. At this time handicap spots are not shown, but we understanding this is a sketch plan. The drainage issues will have to be MS4 requirements, so this site will be controlled with storm drainage to the point where it is better than it is today. Curb site, storm water flows off the site, will be equal to or less than existing, this will help. Next future phase what will be needed are, landscape, elevation view, lighting, dumpster,

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and grades. The buildings will be sprinklered. There are fire hydrants in the area. It is not in the flood plain. Grease and oil separators are not required. 2.39 is not sent because it is over 500 ft. It is not a Town Board issue. ZBA will need them for parking, and lot size. Others are fire department Knox box, and so on. Living space has to be 400 feet per unit.

Gary did notify 17 neighbors in the area that there was a meeting tonight. There are three issues, the buffer issue, the lot size and number of parking.

Town of Vestal Attorney **David Berger** stated: Since there was no filed map showing the buffer zone, the Planning Board can not enforce that restriction.

Hedge row and stock aide fencing is on the plans for the neighbors.

A letter was received from Daniel Gorman, a neighbor, at 409 Manchester Drive, and that will be entered into our records.

There were many people at the meeting with opposition of this project and we are looking for questions about the site sketch.

Residents from Manchester Drive, spokespersons for the group stating, they just received the letter about this plan on Friday and totally unaware that they were going to have new neighbors looking into their backyards. There are thirty neighbors at the meeting who are in opposition about this complex. One question is the density issue. They don't see any green space on the plan. Drainage and traffic issues as well. They are requesting the planning board to come to the site themselves.

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Joyce Majewski, Chairwoman explained to the group of people that this is a discussion only. The perimeters of the Planning Board, a public notice is not required. When it is a public hearing there are legal requirements for public notifications. We can only look at how they are developing this site, in a sense of safety and engineering function. Density issue is a Zoning Broad of Appeals issue. Like how much can they legally fit on that site. We only have jurisdiction as long as it is within code. It was suggested that the group could meet with the developer to go over the issues that they have.

4). **The Grove At Binghamton**

BCTMP# 174.12-1-4,5,6,7,8,& 10 833 Bunn Hill Road
New Student Housing Project, Sketch Plan review only

Dan Norman, Vice President, Campus Crest Development
Ken Ellsworth with Keystone Associations

The background on the company is they are a student apartment housing company that is all we do is build and manage college complexes.

The layout is 192 apartments, with 11 buildings, 10 apartment buildings and one clubhouse. The clubhouse will hold the sales office, model, coffee shop, exercise room and swimming pool, with 10 apartment buildings consisting of 504 bedrooms. This is their first move to the north.

The building is a three story brick with vinyl siding. They promote a lot in the clubhouse area for the students. They want the students to be on site and hang out. The layouts consist of two bedrooms, two bath

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layouts and three bathroom, three bathroom layouts. Each student will have their own bathroom, walk in closet, and we supply all the furniture and utilities. Students will share the laundry, kitchen area and great room.

(A short presentation was done with pictures,)

They will be using 19 acres out of the 43 acres that they have on site. It is a gated community and a keycard will allow them to enter. One card to get them anywhere on the site.

This is a preliminary sketch.

Traffic impact study will be done, they are only 3000 feet from the entrance to SUNY, and feel this is where they will enter.

We are here only to seek your input and ask the residents for their concerns.

Bob Warner asked, how are the students getting to school? Possibly a shuttle, but that has not been discussed with SUNY as of yet. The area that is not developed with that stay green, some place for the students to go? That has not been totally discussed.

Bob Warner also asked is this for student housing only? It is geared for students, 100 percent students? They could not say yes.

They do not rent to families. But renters could sub let the apartments. They do require a back ground check, and credit check on all renters. Cost is \$550.00 per bedroom with a 12 month lease.

Questions asked by the board on the water/sewer impact, EMS, Fire Department. Booster station, generator, tank?

A lot of interested parties at the meeting, Joyce Majewski asks, is there a spokesperson?

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Resident from Bunn Hill Rd who lives directly across from the proposal location was the spokesperson and their main issue is with the zoning. They are not against SUNY or the company but they feel it is a wrong location for this complex.

A resident from Martha Rd is concerned about the flooding, drainage, clearing of trees and traffic.

A resident from Horan Rd wants to know what brought this company to Vestal. How does this fit in this rural area?

Residents from Jensen and Foster Roads are concerned about traffic issues and the protection of people walking in the area.

200 emails and letters received from the neighbors about their concerns. This is only a preliminary hearing, this is the first time this planning board has heard this information. This is an initial step to gather information and to gather opinions, it is not a public hearing, and there is a process that has to be followed.

Site plan review board, if the purpose of the project meets the zoning and the regulatory process than we will be making a decision on that site. Again, Joyce states the Town has never adopted a master plan, there is not one in existence for the Town of Vestal. We are appointed by the board, we review within the boarders of the site but it is up to the elected officials to make the final decision.

Meeting adjourned at 10 P.M.

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Engineer's report (prepared outside of this meeting)

A. Change of Tenant, 137 Vestal Parkway East

BCTMP# 157.18-1-25

Stephanie Ventura, Sierra Oil Management to occupy the former Jiffy Lube site for DC Pitstop business.

B. Change of Tenant, University Plaza

BCTMP#159.15-2-34.11

Gen Li to occupy space of the formally used Pat's Florist for a Tea House business.

C. Change of Tenant, 160 Vestal Parkway East

BCTMP#157.18-2-5

Peter Maciak, JMM Realty Inc Att: MM Maintenance to have G.S.S. Information Services (an engineering firm) to occupy the former Sofa and Chairs building.

D. New Tenant, 2508 Vestal Parkway East

BCTM# 158.14-1-5

Cathy Cornelius, retail service, work under way now for a new building. Request is for a Metro Mattress to occupy the new 6240 sf building, and Allcare Dental for the other 3000 SF.

Submitted by Barb Taggart

Cc: planning board
bat