Town of Vestal Planning Board Minutes
July 7, 2009

7:30 P.M.

Present: Chairwoman, Joyce Majewski
Board Members: Bob Warner, Madeleine Cotts, and Augie Gates
Absent: Ed Zimmer and Bob Bennett

Also present: Gary Campo, Town Engineer; David Berger, Town Attorney; Carl Truman, Fire Marshall; Rosemary West, Town Crier Newspaper and Vanessa Ebbeling, Binghamton Press

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

1). Approval of Past Minutes
Motion was made to approve the April 2009 minutes: Motion by Bob Warner, second By Madeleine Cotts. Motion passed with all members voting in favor.

2). Vista Square Inc, 1915 Vestal Parkway West, East of Old Owego Road, (Old Wilmorite site) BCTMP#172.15-1-20; Miniature Golf/batting cage/food court

3). Our Lady of Sorrows, 801 Main Street – present school site, BCTM#173.10-1-24 and 173.40-2-42, Building a new church and remodel the school.

Vista Square

Pani Shah – property owner
Bill Hall – Hall Designs

Phase one and phase two of Visa Square
Planning Board review list was requested to be gone over by Mr. Hall.

C-2 zoning- restaurant use Ok, with tenants unknown at this time. A special permit for recreational use was received by ZBA for the mini-golf and go-kart use.

Building set backs are OK. Parking: 148 shown with 96 required for restaurant buildings.

Gary states Zoning Board probably should have looked at the requirement for parking spots, but they did not. When phase two is developed, they might have to develop more parking then shown.

Landscape – Bill states they are not putting any buffers between the neighborhoods because they do not have neighbors. They are building behind the wetlands, not touching them and are putting trees in the parking lot to break down the lot along RT 434, so it does not stand out.

Drainage on site will need to get DEC permit for over 1 acre disturbed. No adjacent neighbors will be adversely affected. It will require construction silt protections. And they must have a professional engineer with engineer practices develop the SWPPP. Gary states he can not review this, since it has to be done by a professional engineer or a landscape architect according to the DEC.

Lighting: pole mounts lights shown in the parking lot. Madeleine asks what the highest foot candles are? The highest is in the eleven and twelve range. The concentration of lighting is going to be over the holes on the golf course. They will re-direct the lights if there are any complaints. "What are the pole heights", asked by Madeleine, and Bill stated 18 feet high.

Dumpsters are shown and screened. Elevation view for the building was previously shown. There will be some grade changes when they develop the go cart track. The sprinkler system is for phase two. Golf course is for phase one only along with batting cages. Phase two being the go-kart track. Construction should start late summer or early fall so they can open in the spring of 2010, with the go-cart track in 2011.

Bob Warner asks about the food concessions. It will probably will be a portable vendor with a cart-type system, truck/trailer with soda vending machines.

Location of the fire hydrant – The developer needs to extend the water main across the frontage of the developed area. The Town of Vestal may help with material cost to increase the size to 12 "instead of the existing 8". The developer will bring a hydrant into the site, with the location to be determined. For phase one the developer will tap off existing water/sewer since it crosses this portion of the development. They will extend as they extend the phases.

- Flood Plain – Buildings will be located outside the 100 year.
- Grease separator is required. The 239L&M was sent on 3-30-09.
- Zoning board's special permit for recreation use has been received.
- SEQR is attached.

Gary needs copy of wetland survey and letter.

Fire Knox box, 8" number signs and water backflow device are all needed.

Gary asks what the hours are going to be? - Monday through Saturday noon to 12 midnight for the summer hours, with Sunday being noon to midnight and drops down to 9 and 7PM as fall approaches. It is typically a zoning board discussion but we wanted it for our record. This will include the go karts which are electric operated, very quite with no odor and fun to ride. It is concrete based, no asphalt surface.

County comments were discussed at the last meeting according to Gary.
They will not take action until work sheet items have been addressed and we are addressing them as we go. The noise impact for the neighborhood is important and was

more in the purview of the Zoning Board; they should have looked into that, which they did.

Storm water plan needs to be done and NYSDOT wanted to see the study. They probably will not need the Army Corp permit but the developer needs to confirm, with regards to wetlands.

BMTS has no traffic concerns on the full project; the site only has two hundred car parking lots. No need for a traffic study.

Gary states he would like to see them move along on this project since they have been before the board a numerous times. There are a lot of things outstanding - storm water is 90 percent of the outstanding items. This has to be in place before construction can start. The only other issue would be the entrance - should it be asphalt or stone and oil? Bob Warner states he would prefer they use a base coat of asphalt.

SEQR is the normal short form. They did the long form which was handed out the last time and it was review as unlisted action because it is less than 10 acres, and we did not consider this the segmentation. They have no clue what is happening in the future, so we did not go with it.

Motion was made to approve Phase One A only – which includes the 1st mini golf, batting cages, ticket booth, office building, plaza area, vendor food area, 52 car parking lots, inclusive of landscape and lighting.

They need to come back for phase 1B and 1C which includes the go-cart and 2nd mini golf. Gary will supply list of properties that need to join water/sewer district. SWPPP and grading plan is needed. They need to create new lot lines as shown. Driveway entrance to 52 car lot to be base blacktop, with gravel parking lot. OK now for this phase. They need to provide wetlands study, obtain DOT work permit and provide copy of SWPPP to DOT for their review.

Motion by Bob Warner, second by Augie Gates. Ayes: All.

Our Lady of Sorrows

James Tofte -Project Engineer
Norm Davis – Architect
Phase One – New Sanctuary in front of the existing school
Phase #2 – Upper Level
Phase #3 – classrooms lower level

Steel frame building, but it will not look like a metal building.

Augie Gates asked a question to the fire department representative, Carl Truman, Fire Marshall. He said he liked the existing drives on both sides to help the trucks get around the building. A reflecting pool maybe included in design with possible assessable for the trucks to get around as well, this to be reviewed again.

Parking is the major concern and with traffic flow an issue. The Board would like more green and feel parking lot needs more numbers.

Chairwoman asked Gary to go through the checklist.

Zoning –uses- OK. RA-1 on side lot, RA-2 on main lot. Setbacks, OK, except accessory building needs to be10 feet from the rear of the principal building, you might have to move that back a little. Parking- the number shown, 7 handicapped and 160 to meet code but they are trying to get more. MS4 requirement rules apply. Landscape, elevation view, lighting, dumpster, all are required, as well as grades but minimal. The new building will be sprinklered. The location of the fire hydrant is on Main Street; and they are not in the flood plain. Grease separator for the remodeled kitchen will be in phase two. The 239L&M is not needed as it is over 500 feet from State/County Road; no Town Board or ZBA issues; and a short form SEQR was received. Fire department Knox box is required as well as 8 inch street numbers; and water device back flow and engineered stamped plans are required. The lot is within the water/sewer district and the Planning Board fees need to be paid, $500.00. – (These fees have been waived.)

Additional items: Existing Town drainage system on Main Street is very shallow according to Gary. It does go to a location that should not be adverse to neighbors. It basically goes across Main Street and right to the Choconut Creek.

Gary says the parking is going to be the major concern, as they can not park on Main Street, however they do not feel the traffic flow will be a problem at this time.
Gary advised against exiting parking lot onto Delano, worried about neighbors concerns.

Chairwoman Joyce Majewski asked the public if there were any questions about the new building, stated questions should be specific to the site plan only.

Norm Davis asked about the directional vehicle flow at the site, as conversations have been made about the flow of traffic going both ways. Maybe shrinking the parking lanes from 24 feet to smaller lane to make more green space? It is OK for front/pull in parking, but not backward parking. Madeleine is concerned about the traffic flow, that drivers will become confused. Adjustments to be made.

Meeting adjourned.

Engineer's report prepared outside of this meeting.

A). Change of Tenant, 3321 Vestal Parkway East, BCTMP#158.11-2-42
Finkelstein & Partners to occupy the reference parcel.

B). Bike Nights, Texas Roadhouse 4399 Vestal Parkway East
Proposal to have the Vestal site sponsor "Bike Nights" on Monday nights thru the summer of 2009 ha been reviewed and approved.

C). Change of tenant, 307 Vestal Parkway East, BCTMP#157.18-1-18.2
Crown Treasures to occupy reference building previously occupied by Made in Japan, has been approved.

D). Change of Tenant, 4700 Vestal Parkway East, BCTMP#159.15-2-34.11
University Park. Greek food restaurant to occupy building previously used by Radio Shack has been approved.

E). Sam's Club expansion/remodel, BCTMP#158.10-2-2.1
Site modifications for reworking the front drive to provide a pull off lane for vehicles, Extend/rework the canopy and small modification to the rear loading area, have been approved.

F). 600 sf addition, west side, bCTMP#158.13-3-27
Feduke Ford Proposal to remove the shed type structure on the west side of the main building and replace with a roughly 600 sf addition, has been approved.

G). Change of Tenant, 3748 Vestal Parkway East, BCTMP#158.12-3-26
Proposal to remodel 1,033 sf of the 2,966 sf building previously used by mattress store for a new take out Chinese restaurant has been approved.