

PLANNING BOARD MINUTES

DECEMBER 27, 2011

MEMBERS PRESENT

MARK AGLE, CHAIRMAN
WILLIAM MAHONEY, VICE-CHAIRMAN
KEVIN O’GORMAN M.D.
ANDREW ROMANOWSKI
TONY WEISS

MEMBERS EXCUSED

WILLIAM ZITTEL
JUANITA MAJEWSKI
FRANK MEYER, D.D.S.

GUESTS PRESENT

DAVID JOHNSON- NUSSBAUMER & CLARKE (TOWN OF EDEN ENGINEER)
EDWARD KRYCIA – TOWN COUNCILMAN
DR. TORRIDO – EDEN VETERINARY CLINIC
DR. CZECH – EDEN VETERINARY CLINIC
MARK ALIANELLO – ENGINEER FOR EDEN VETERINARY CLINIC
JAKE ALIANELLO – ENGINEER FOR EDEN VETERINARY CLINIC

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*Chairman Agle called the December 27<sup>th</sup>, meeting to order at 7:02pm and asked the board if there were any changes to the September 27<sup>th</sup> minutes as printed. Andrew Romanowski made a motion to approve the minutes seconded by Tony Weiss all “ayes” motion approved.*  
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NEW AND UNFINISHED BUSINESS:

1. EDEN VETERINARY CLINIC – SITE PLAN REVIEW

The applicant’s engineer, Mark Alianello explained that there is an existing clinic there now, the new building will be built to the rear of that and then after the new building is ready, then the old building will be demolished and then that will be a parking lot. The existing parking lot that comes back will remain as is.

We have marked out parking spaces and also in the additional paving we have added. The parking to the rear of the building is expected to be for employees, we have a total of 27 parking spaces. Mark Alianello proceeded to show the board a rendering of the building. He stated that one of the comments in a letter distributed to them by the Eden Town Engineer concerned the roofing pitch. So with the rendering, Mr. Alianello thought the board would get a better feel for what the building was going to look like.

We read in the ordinances about a medical office, and that the Town would like 4 spaces per doctor and then 1 space for an examining room. Right now there are 2 doctors and they would like to think that sometime in the future there might be 3, so that would put us at about 18 required parking spaces. Doctor Torrido emphasized to them that he didn't feel they had enough parking now so they wanted us to get as many as we could, so that's why we are at 27 spaces. Some of that is parallel parking, which Alianello expects to be for overflow parking. Alianello also explained that they did not want to increase size of the paved area up in the front because we are pretty close to the property line and there are some trees on the other side of the property line, which is on the Highway Departments property. The parking that will be in front of the new building where the existing building is now will not connect with the driveway that comes on the south side of the building by The Dollar General.

Mark Agle commented that Mr. Alianello has just addressed some of the issues set forth in the letter from our Town Engineer with respect to the parking. The other issue that comes up obviously is the drainage with respect to a SWPP plan whether you need one or not. I don't think you are over an acre with your disturbance? This site also must comply with MS4 requirements. Is the area greater than 5000 sq ft.?, are you going to hit that number? Jake Alianello answered "yes, a net increase of total pervious area of about 5300 sq. ft. The total existing pervious is about 27,700 sq ft. and with the proposal it will be about 33,000 sq ft. The total disturbed area is about .75 acres.

Mark Alianello explained that what happens with the drainage on the site right now is that the building itself is the highpoint, everything kind of drains towards the Highway Department and then there is a drainage ditch that goes to the east and drains into the back area. So most of the property is going to have to drain that way, there is a drainage inlet that doesn't appear to be taking any water on the Dollar General property. Our soil boring showed that a soak a way will not offer much opportunity. Agle suggested that the applicant work with the Town Engineer to ensure these issues are adequately addressed.

Dave Johnson then was asked to go over the items set forth in their review comment letter. Dave mentioned that he and Mark Alianello had talked about the lack of utilities being shown on the plans and that they are forthcoming. Next, is the existing encroachment of a portion of the existing concrete onto Dollar General property. Dave just wanted to make sure this was not going to be an issue going forward; it's a continuance of the use. Dr. Czech had contacted Dollar General and asked if they would like them to take it out.

Mark Agle said that when you have encroachments it can get into all kinds of legal issues. Some rights may have accrued to you depending on the use, duration and things like that but we are not asking you to solve all those issues or even to get into to all of those. But as part of this approval, we are approving the Site Plan, and thus essentially the encroachment. Therefore, we just want some assurance and/or acknowledgement of its existence by the affected neighbor. Andrew Romanowski asked if the applicant would need a cross access agreement. Mark answered that he agreed with Dave Johnson that there should be some acknowledgement from the neighbor that they are aware of the fact that it's there. Once they are on notice and then they can deal with you accordingly either through permission or whatever means they feel necessary.

Dave Johnson said that they would need to detail the erosion and sediment control as part of Chapter 177 of the code. We wanted to point out to you that this is in the Hamlet Transition Area and landscaping is a big issue. There are a few maple trees out front that you said you would probably leave there and that will kind of give some screening and maturity. Dr. Torrido said that they haven't yet gotten into the landscaping aspect of the plans for the front of the clinic but they would be meeting with those people in mid-January. Mark asked that the landscaping, existing and proposed, be shown on one of their plans so the Board knows what is staying and what the applicant will be proposing to be planted.

Mark asked the Board members if anyone had any issues with the layout as it is submitted right now, the building, the visual aesthetics, etc.? Obviously, the elevations the ones they have presented tonight and the ones we received in our packages are pretty much what the building is proposed to look like. Mark did state that the board does have discretion as far as application of the Hamlet Overlay requirements. Andrew Romanowski asked what the exterior building siding would be? The applicants engineer said that there are several different textures they plan to use, they have offset the walls and have put up gables in an attempt to address the architectural requirements.

During the pre-submission meeting, we discussed the lighting; we were not sure if you were going to have area lighting or lights on the building. The applicant said they have not addressed it yet. With the lighting, you will have to consider the neighbors; are the lights going to be on 24 hours a day?, are they going to be shining only on your property?, etc. Mark brought up the example of Dollar General. In that case, the State DOT told them that their lighting had to be directional so it would not shine out into the public highway (Route 62). Kevin O'Gorman asked if the applicants needed a Special Use Permit. They do not since the applicants have already been to the Zoning Board of Appeals and they have already given their approval. At this point the only thing left is the Site Plan Approval by the Planning Board. The signage is the only other thing that should be addressed on the final Site Plan; the location, size etc.

The Engineer for the applicant asked about the dumpsters screening and what the board would be looking for? Mark said that you can look at Tim Horton's and how they screened theirs. We are not asking you to spend a ton of money but they just need to be enclosed so it complies with the code.

Dave Johnson asked if they would have a crematorium on site and the applicant replied, "no".

Bill Mahoney asked if there would be any boarding of animals and the applicant said not at this time. The boarding would be only if they have a patient that needs to be kept while receiving certain care.

REPORTS:

We need to complete the 5 chapters that the board was given in September as a group to receive credit for the required training hours. So please get the completed tests back to Diane a.s.a.p. so they can be graded and recorded.

ANNOUNCEMENTS: NONE

ADJOURNMENT: Mark Agle made the motion to adjourn the Planning Board Meeting at 7:31pm, seconded by Kevin O'Gorman. All Ayes

NEW ACTION ITEM: Received a written request from Nussbaumer & Clarke, Inc. (NCI), on behalf of their client Mr. Richard Minikime, for a 90 day extension (until April 26, 2012) for Final Plat approval for the Evergreen Acres Subdivision, Part 2 pursuant to Section 184.20(E) of the Town Code.

Reason: NCI has been notified that **ECHD** cannot provide its sign-off of the subdivision plans until it can verify the proposed fire flows. This verification cannot be done until the new Shadagee Road pump station becomes operational (scheduled for February 2012). Since this situation is beyond their control, they feel that the requested extension is warranted and therefore seek Planning Board approval of same.

Action: On January 20, 2012, a phone poll vote of the Planning Board members was conducted on the question of whether to grant the requested extension based upon the stated reason.

Result: In favor: 5 Opposed: 1 Unavailable: 1

Next Planning Board meeting scheduled for January 31, 2012 @ 7:00pm is cancelled due to lack of any agenda items.