

TOWN OF VESTAL PLANNING BOARD MINUTES

DATE: March 10, 2026

PRESENT: Madeleine Cotts; Chairwoman, Michon Stuart; Member, Tom Gorman; Member, Dan Hayes, Member, William Stewart; Alternate Member

NOT PRESENT: Bob Warner; Member

ALSO PRESENT: Dan Reynolds; Town Attorney, Shawn Pero; Planning Board Secretary, Thomas Sullivan; Town Engineer, Carle Truman; Fire Marshall

Madeleine Cotts called the meeting to order at 6:00p.m. and appointed William Stewart as a voting member for tonight's meeting. Then asked for a motion to approve the minutes of the February 10, 2026, meeting. Michon Stuart made a motion to accept as printed, Tom Gorman seconded, with all members voting in favor.

- **Chopra Development/CJB Sports**
732 Vestal Parkway East
BCTMP #157.19-2-2
Site Plan Review
Represented by: Ish Chopra (owner) & Joe Orlando (Contractor)

Madeleine Cotts: Our understanding is that you have to go back to the ZBA for approval of the variance.

Joe Orlando: Yes, on Thursday.

Madeleine Cotts: So, what we're here tonight to look at is your revised parking plan that doesn't encroach on DOT property, Correct? Could you please describe what you've done to make that work.

Joe Orlando: Correct. The encroachment involved 10 parking spaces in the northwest corner of the building, which will be evacuated and landscaped or whatever the state requests. Then, as seen on A101 there have been 20 spaces added up on the southwest corner to accommodate the lost spaces and to have additional spaces available to decrease the required variance.

Madeleine Cotts: Tom, are you comfortable with the new layout?

Tom Sullivan: Talked to DOT after the last meeting and they gave three options. They could acquire it, have a UNL where they have to pay an annual fee or they could just basically get off the DOT right away and that's what they've elected to do. When it come's time to do the work, they will have to apply for a right-of-way permit with DOT. As a part of this, DOT will okay what they're planning to do in terms of topsoil or seed. I think the plan right now is just saw cut down the parking line.

Bill Stewart: Just out of curiosity does DOT consider concrete or asphalt a building material when not allowing anybody to build on their property?

Tom Sullivan: Yes, basically anything permanent.

Madeleine Cotts: Okay, so the layout and SEQR are good. They need ZBA approval and just vacate the DOT right-of-way or just build it the way it's shown but also demo and restore to DOT requirements.

Madeleine Cotts opened the forum for public comment: None

Chairperson Madeleine Cotts read the SEQR negative declaration statement:

The planning board of the Town of Vestal (hereinafter the "Board"), Hereby finds and determines that: (a) It has considered the action, reviewed the environmental assessment of form, reviewed the criteria set forth in 6, NYSCR section, 617.7(c). Thoroughly analyzed the relevant area of potential environment concern and has duly considered all of the potential environmental impacts and their magnitude in connection with the proposed project. (b) The project will not result in any large and important environmental impacts, and therefore, is one which will not have significant impact on the environment, and therefore, a negative declaration will be prepared; and (c) the reasons supporting this determination are set forth on the attached form.

Michon Stuart made the motion to accept the SEQR, William Stewart seconded the motion with all members in favor, and no one opposed.

Madeleine Cotts listed the following contingencies:

1. Meet all DOT requirements regarding the encroachment
2. Must have ZBA approval of both the Use and Parking Variances

William Stewart made the motion to accept the site plan with these contingencies, Michon Stuart seconded the motion with all members in favor, and no one opposed.

- **JP Morgan Chase, NA**
4024 Vestal Parkway East
BCTMP #159.13-1-34
Site Plan Review
Represented by: Danielle Federico & Matt Cessna; CSG Law, Peter Bagnello;
MLK and Matthew Cheka; Stonefield Engineering and Design.

Danielle Federico: With respect to the redevelopment of the property located at 4024 Vestal Parkway East, we're proposing to demolish the existing Denny's restaurant and associated access drives and parking areas and construct a new bank, which you'll hear about from our civil engineer. There will also be a number of additional improvements on the site, all zoning, signage, off-street parking, and supplemental requirements for the project to be conformed with the standards of the town, except for the amount of screening provided to the adjacent residential lot, which we were at the Zoning Board for this past Thursday night.

Matthew Cheka: As you know this project is on the corner lot of the Vestal Parkway and Bunn Hill Rd, the existing Denny's site which is currently abandoned. We're proposing a new 3,400 square foot Chase Bank on this 1.1acre lot, which lies within the C-1 General Shopping Zoning District but is adjacent to a residential lot. The site will have 28 parking stalls and a drive-up ATM. We're keeping the access as it is today with curb cuts in the exact same locations, one the Vestal Parkway and another on Bunn Hill Rd. The existing building will be demolished with Chase Bank basically going on top of that existing building with of course a new foundation and building. Parking will generally remain the same but obviously restriped and regraded to conform with the slight differential building footprint. The non-human ATM is located fronting the Vestal Parkway with access that comes from the back of the property adjacent to

Bunn Hill Road and typically Chase sees about four to five cars max in their queue. There is a bypass lane should a customer choose to exit the drive-thru lane, they can step back through the property or exit the parcel itself.

Michon Stuart: Will customers be able to walk up to the ATM?

Matthew Cheka: There will be an ATM inside of the building, the drive-thru will be just for vehicles.

Michon Stuart: Do you know if Denny's was built with asbestos?

Matthew Cheka: Not too sure.

Matthew Cheka: Back to the site plan, Chase is very serious with their security and lighting requirements, and NYS has their own requirements for ADA security lighting and ATM security lighting. We are providing the necessary light measures for the front of the building as well as the back for the ATM accessible entrance. Keeping the residential neighbors in mind, we have very limited spillage over the property line, 0.1-foot candles. We've taken the necessary measures to make sure it's as dim as possible, while also meeting the security lighting requirements. All lighting is downward facing, dark side complaint, LED. We will be decreasing the impervious surface by 6,000 square feet, adding a lot more green to this area in comparison to what's there today with the existing Denny's. Also, since we're disturbing more than one acre of disturbance, we will need to submit a SWPPP permit and SPDES permit. But naturally, just due to the decrease in pervious surfaces, we are reducing the peak 1, 10, and 100-year stormwater events. With that we're adding about 100 new shrubs and planting to make it a little bit more eye appealing than it is today. Lastly there's a unique portion to the lot, a park and ride to the rear of the facility for a park easement with the adjacent development which has been a little neglected over time so we're just resurfacing it with a new mill and overlay.

Peter Bagnello: The building is a prototypical Chase brand identity building. The materials are stone, concrete board, and aluminum clad glass system. Very modern looking, very sleek, but also very material conscious and energy efficient. The entry portion of the building will have lots of glass. Lots of look into the building and as you go around the building, there's what they call the jewel case and there's a conference room with very high visibility. As you get to the back of house service areas it's a little more of a solid look, much more security, so it's a lot more stone. The utilities are in the back area and a service entrance through the back. There are canopies over the front entrance and the ATM to help mitigate some of the stormwater, should it be raining. There's a small stone trash enclosure with security fencing.

Madeleine Cotts: When you say security fencing, is it an open chain link fence?

Peter Bagnello: No, a solid metal fence with no visibility.

Dan Hayes: Where is this located?

Peter Bagnello: The trash enclosure is located in the corner here (showing on the site plan), so it's easy for the trash vehicle to pick up, back out and exit via Bunn Hill Rd.

Dan Hayes: Could you take a minute and show how you see traffic flowing through the site.

Peter Bagnello: The way I see it, main traffic flow will come from the Vestal Parkway, park and enter through the main entrance or drive around back to get to the ATM. Or traffic could enter from Bunn Hill Rd. Either way, then exit the parcel either via the Parkway or Bunn Hill Rd.

Dan Hayes: So, exiting via Bunn Hill Road will still be either a left- or right-hand turn?

Peter Bagnello: Correct, there's no change to the curb cut or any change of striping.

Matthew Cheka: It's full movement at Bunn Hill Road and only right in, right out only on the Vestal Parkway and the county/state have not asked for any changes.

Michon Stuart: Will you still be able to drive through from Martha Road to Bunn Hill Road, to access KFC or Chase or will it be blocked off?

Matthew Cheka: We're not changing much with the circulation, so if it exists today, you will have the same access with this redevelopment. It will remain interconnected.

Dan Hayes: Will there be any issues backing out on the east side?

Matthew Cheka: No, we checked all the turning maneuverability with a Ford F250 for the site plan.

Bill Stewart: This site plan looks great, but I don't understand why a traffic study wasn't required for the left hand turn from Chase onto Bunn Hill as the traffic is already busy at the intersection light for the Parkway and it's more than likely going to increase with the Bunn Hill housing project, SUNY increasing student size and the apartment project across the street.

Tom Sullivan: In terms of traffic analysis, it doesn't meet the trip requirements as you have to hit 100 one-way trips in a peak hour to do a real traffic impact study, which this definitely doesn't. Generally when we're looking at traffic, we're looking at intersection delays, or accident history.

Matthew Cheka: We typically don't look at that, but we did do a traffic study for the state that we'd be more than happy to share with the board and municipality.

Bill Stewart: I just think that with the knowledge we have with these other projects, that if you don't put a forced right hand turn onto Bunn Hill, that it's going to be a mess when the projects are completed.

Matthew Cheka: Our study will only show a comparison from Denny's to Chase and I think that you're looking for a regional study of the neighborhood, which I don't think our application should be subject to that.

Tom Sullivan: I actually talked to SUNY Binghamton about three weeks ago and they're doing a traffic study for this area because of the new lecture hall they're building. So, they're evaluating this exact intersection and talking to DOT about different lane configurations or alternatives to mitigate some of those issues that you're talking about. So, they are doing a comprehensive look

Bill Stewart: Would it be possible to ask them to ask DOT about making the hard right?

Tom Sullivan: I would say part of the problem is that you have two separate driveways both technically turning into the intersection queue, so if you divert all the exit traffic onto the parkway you could end up with the same situation.

Madeleine Cotts: It does seem to be likely that there's actually less traffic coming this than from Denny's.

Matthew Cheka: In comparison the trip generation is significantly less.

Madeleine Cotts: Customers could make a decision not to go to the bank during rush hour.

Dan Hayes: I noticed that DOT and BC Transit recommended a sidewalk on the Bunn Hill side.

Matthew Cheka: We haven't received comments from them so if we could be in receipt of those it would be helpful.

Tom Sullivan: I sent the project for review to the state and county for their roads as a part of the 239 process and BMTS and DOT both came back with a request to link this around the radius to the transit stop or the sidewalk system and with this being a corner lot they want to see frontage sidewalk along their frontage on both sides.

Matthew Cheka: We have no objection to the sidewalk; we will add it to our subsequent submission.

Dan Hayes: And I see that Tom had some questions about water/sewer connection.

Tom Sullivan: How close did you guys look at that in terms of verifying it's feasible? I see the contractor did verify some things.

Matthew Cheka: That's just standard notation but there is availability as we did obtain a copy of the approval from when Denny's was built back in the seventies or eighties, which are hand drawn plans and really well kept.

Tom Sullivan: I think it said connect to existing sanitary and do you know the diameter for the water line?

Matthew Cheka: Would have to look into that.

Dan Hayes: Was the SWPPP signed off?

Tom Sullivan: Yes, no issues there; they're decreasing the pervious area and the criteria is good with no post-construction stormwater measures

Dan Hayes: What's the plan for snow removal?

Matthew Cheka: There is a lot of area in the back part of the property for the snow to be pushed to.

Dan Hayes: Is everything to the west side of the green space egress?

Matthew Cheka: That is empty space/random asphalt and a shared access easement with the adjacent property that we essentially really can't do much with.

Dan Hayes: There looks to be a fence at the back of this area?

Matthew Cheka: Correct, it borders the residential lot(s)

Madeleine Cotts: Back where there's a variance for screening against the residential neighborhood?

Matthew Cheka: Yes, I believe the requirement is 7 and we're 2 ½, so this is something we'll have to figure out.

Madeleine Cotts: Can you show exactly where we're talking about?

Matthew Cheka: (pointed out the area on the site plan)

Madeleine Cotts: Can you cut back the asphalt here and add some additional planting?

Matthew Cheka: We can't due to the access easement, so we're keeping it like for like, as it is today.

Madeleine Cotts: An easement between this parcel and the adjacent commercial property?

Matthew Cheka: Yes, so it would have to be agreed upon between both. But we do plan on resurfacing it.

Bill Stewart: For the green space area, are you putting any plants or will it just be grass?

Matthew Cheka: As it is today there are a couple of trees in the area and we'll be adding shrubs intermittently in between the existing trees. Then there's like an existing planter island with about a half dozen trees that will be removed and we'll extend and widen the island to make it a bit larger.

Bill Stewart: What about out front?

Matthew Cheka: It's all lawn that was pretty well kept so we're just going to keep it lawn to follow the character of what it looks like today in relationship to the adjacent properties like Binghamton University. And then we're actually adding a lot of foundation plantings along the building itself and then within the planter islands.

Tom Sullivan: Will you be upgrading in any way the southwest portion of the site?

Matthew Cheka: We weren't planning to.

Tom Sullivan: Is that a visual and are there slats?

Matthew Cheka: It's a red slatted fence that's in fairly poor condition.

Tom Sullivan: But it provides screening. Is it on your parcel?

Matthew Cheka: On our property and I'm assuming it was put up by the residents a long time ago. But I think we could replace it.

Tom Sullivan: Okay, as anytime we've got lighting of this magnitude adjacent to residential we would want to see some good screening there.

Matthew Cheka: The trash encloses this area as well and we are providing seven evergreen trees around the trash enclosure to keep a buffer between the residents and our property. The fence will only just provide additional buffering and we're only over the property line like a foot candle.

Tom Sullivan: Is the KFC going to be able to operate the drive-thru through this whole project? And if you guys are doing full depth will this become an exit only?

Matthew Cheka: We're keeping it as is, with limited changes during construction but we'll need to confirm this with the GC and coordinate with the adjacent property.

Bill Stewart: Will the path from Martha to Bunn Hill and access from the plaza side be blocked off during construction?

Matthew Cheka: Yes; temporarily and typically construction fencing is put up, but they will have the main access points.

Tom Sullivan: The existing pipe that you're tying into at the west side of the site, right at the one little driveway, is that an 18?

Matthew Cheka: I believe so.

Tom Sullivan: Checking as that will contribute to our one catch basin

Matthew Cheka: It has a fairly decent pitch to it and the CFS is pretty minimal.

Tom Sullivan: Okay.

Bill Stewart: When do you plan on starting this project?

Matthew Cheka: We'd love to start tomorrow but it's more of a question for Peter.

Peter Bagnello: We will submit a building permit application once we get Planning Board approval and the variances from the Zoning Board.

Bill Stewart: What's the turn around time on construction?

Peter Bagnello: 26 to 28 weeks

Bill Stewart: Does this include tear down?

Rep in the Audience: Yes, the plan is to start in about 5 to 6 months, so this summer and then open next spring.

Carle Truman: Is this a single story and is it masonry?

Peter Bagnello: It is single story with masonry and fenestrated.

Carle Truman: Are the entrances from the Parkway or Bunn Hill wide enough for fire trucks?

Peter Bagnello: They aren't being changed from the way they are today so they should be wide enough for a fire truck in and out.

Carle Truman: Is the building accessible?

Peter Bagnello: Very accessible with the parking's basically on the face of the building.

Madeleine Cotts: For the SEQR, advised that Vestal doesn't have an adopted comprehensive plan so for #5B we need to update to N/A and then for #13A I have a question, what wetlands or other bodies of water adjoin this parcel for this to be answered Yes?

Matthew Cheka: There isn't any, sorry, sometimes the EAF populates automatically.

Madeleine Cotts: Okay, so we'll have you update this to no and initial as well.

SEQR Part 1 was handed to Matthew Cheka, updated/initialed both 5B and 13A and handed it back.

Madeleine Cotts opened the forum for public comment: None

Chairperson Madeleine Cotts read the SEQR negative declaration statement:

The planning board of the Town of Vestal (hereinafter the "Board"), Hereby finds and determines that: (a) It has considered the action, reviewed the environmental assessment of form, reviewed the criteria set forth in 6, NYSCRR section, 617.7(c). Thoroughly analyzed the relevant area of potential environment concern and has duly considered all of the potential environmental impacts and their magnitude in connection with the proposed project. (b) The project will not result in any large and important environmental impacts, and therefore, is one which will not have significant impact on the environment, and therefore, a negative declaration will be prepared; and (c) the reasons supporting this determination are set forth on the attached form.

Michon Stuart made the motion to accept the SEQR with the amendments on #5B and #13A, Dan Hayes seconded the motion with all members in favor, and no one opposed.

Madeleine Cotts listed the following contingencies:

1. New fence at the southwest corner of the property
2. Sidewalk installed along Bunn Hill Road
3. Special Permit granted for the ATM Drive Thru

Dan Hayes made the motion to accept the site plan with these contingencies, Tom Gorman seconded the motion with all members in favor, and no one opposed.

The board reviewed and approved the Change of Tenant letter.

William Stewart made the motion to adjourn the meeting, Michon Stuart seconded the motion, with all members in favor.

Meeting was adjourned at 7:03pm.

ENGINEER'S REPORT

(Prepared before the meeting)

- 1) **Change of Tenant, 253 Vestal Parkway East**, BCTMP# 157.18-1-20
"607 Plants" to occupy space at the 253 Vestal Parkway East property, has been reviewed and approved.