

Town of Union Planning Board Minutes

Tuesday, September 13, 2016

A meeting of the Town of Union Planning Board was held Tuesday, September 13, 2016, at the Town of Union Office Building, 3111 East Main Street, Endwell, New York.

Members present: L. Miller, L. Cicciarelli, S. McLain, A. Elwood,
T. Crowley, S. Forster, S. Daglio

Others present: Marina Lane, Paul Nelson, Alan Pope, Robert Detrick,
John Witinski, Charles Lane, Stephen DellAversano, Brian
Midock, Dan Faldzinski, Jeffrey Stafford, Chris Thomas, Lisa
Darling, John Miller, Sarah Campbell, Brenda Nichols, Peter
Nichols, Thomas Kerwin, Jennifer Kerwin

A. CALL TO ORDER

Chairman Miller opened the meeting of the Planning Board at 7:00 PM.

B. MEETING MINUTES

1. Approval of 8/9/16 Meeting Minutes

Chairman Miller asked for motion to approve the August 9, 2016 Meeting Minutes as written.

Motion Made:	L. Cicciarelli
Motion Seconded:	S. Daglio
MOTION:	Approval of the August 9, 2016, Meeting Minutes as written.
VOTE	In Favor: L. Miller, L. Cicciarelli, S. McLain, A. Elwood, T. Crowley, S. Forster, S. Daglio Opposed: None Abstained: None Motion Carried

C. Detrick Family Chiropractic: 1364 Reynolds Road; R. Detrick

1. SEQRA Determination

Ms. Lane reviewed Parts 1 and 2 of the Short Environmental Assessment Form with members of the Planning Board and noted that all of the potential impacts were small to none. Per the Determination of Significance, the applicant is purchasing an existing building at 1364 Reynolds Road for the relocation of his chiropractic office. The property is zoned Suburban Multi-Family and a medical office use is permitted only by Special Permit from the Planning Board.

The site plan will not change from the original site plan approved in 1991. There is an existing parking lot with 74 parking spaces; 23 spaces are

required; therefore, there is ample parking. The project will not impact traffic, existing utilities, or impact wildlife or flora. There will be no significant impacts from odors, noise or lighting.

Although the property is within the buffer of an archeologically sensitive area, this project will not have any impacts since no soil disturbance is planned. The property is not in the 100-year floodplain, and the NWI map does not show any wetlands on the property. This property is not associated with any NYS DEC remediation sites.

Upon careful review, the project as proposed will not have a significantly negative impact upon the environment. Ms. Lane recommended a negative declaration under SEQRA.

Chairman Miller then asked for a motion to approve the Negative Declaration under SEQRA.

Motion Made:	S. Daglio
Motion Seconded:	L. Cicciarelli
MOTION:	Approval of the Negative Declaration under SEQRA
VOTE:	In Favor: S. McLain, L. Miller, A. Elwood, T. Crowley, S. Forster, L. Cicciarelli, S. Daglio Opposed: None Abstained: None Motion Carried

2. Public Hearing for Medical Office Use: Vote at Planning Board's Discretion

Chairman Miller opened the public hearing related to the Special Permit for Medical Office Use at 1364 Reynolds Road at 7:08PM. A nearby resident asked about the existing lighting, and the applicant agreed to address the timing of the parking lot light when he owns the building. Chairman Miller closed the public hearing at 7:10PM.

Ms. Lane then summarized her report for the members of the Planning Board. Robert Detrick has applied to open a chiropractic medical office in a Suburban Multi-Family zoning district. The proposed hours of operation are Monday through Friday 8:00 AM to 6:00 PM, and 9:00 AM to 12 noon on Saturdays. There will be four employees.

The 4,616 square foot existing one-story building already has office spaces and Dr. Detrick will add a receptionist desk and space. The parking requirement for the medical office is five spaces for every 1,000 square feet, and therefore 23 parking spaces are required.

The project required a 239 review from the County. Broome County Planning did advise that the project should include landscaping around the building perimeter, signage, and parking lot, and at the driveway entrance. The Broome County Department of Public Works had no comments, nor did Code Enforcement.

Chairman Miller then asked for a motion to approve the Special Permit for Medical Office Use at 1364 Reynolds Road with stipulations.

Motion Made:	A. Elwood
Motion Seconded:	L. Cicciarelli
MOTION:	Motion to approve the Special Permit for Medical Office Use at 1364 Reynolds Road with stipulations.
VOTE	In Favor: L. Miller, S. McLain, A. Elwood T. Crowley, S. Forster, L. Cicciarelli, S. Daglio Opposed: None Abstained: None Motion Carried

3. Site Plan Review, Pending Approval of Special Permit

Ms. Lane summarized her site plan report and recommended that the Planning Board approve the site plan with the following stipulations. The parking lot is to be striped within 30 days of sealcoating, and the new striping shall designate three nine-foot by eight-foot wide handicapped access aisles adjacent to the handicapped parking area. The handicapped access aisle shall have signage reading "No Parking Anytime." A revised site plan showing the changes to the parking lot shall be submitted to the Planning Department prior to the issuance of a building permit. Outdoor lighting shall be programmed to dim after dusk to minimize night light. The applicant shall apply for a sign permit from the Building Official for both permanent and temporary signs; signs that blink or move are not permitted. The site plan shall be valid for one year unless substantial improvements have been made pursuant to the approved site plan; and the applicant shall be required to acknowledge all of the stipulations in writing prior to the issuance of a building certificate. The applicant also agrees to construct the project in strict accordance with the site plan approved by the Planning Board.

Following the previous discussion about outdoor lighting, the consensus of the Planning Board members was that the parking lot lighting should be dimmed at night because the building is in a residential area.

Ms. Lane also reminded Dr. Detrick to check with Code Enforcement before installing any signage on the property.

Chairman Miller asked for a motion to approve the Site Plan for The Detrick Family Chiropractic Office at 1364 Reynolds Road with stipulations.

Motion Made: T. Crowley
Motion Seconded: S. McLain
MOTION: Approval of the Site Plan for the Detrick Family Chiropractic Office at 1364 Reynolds Road, with stipulations.

VOTE **In Favor:** L. Miller, S. McLain, T. Crowley, L. Cicciarelli, S. Forster, A. Elwood, S. Daglio
Opposed: None
Abstained: None
Motion Carried

**D. Empire Plastics, Inc.; 513 & 515 Fairmont Drive, and 310 Kent Avenue;
J. Witinski
Special Permit for Floodplain Development**

1. SEQRA Determination

Ms. Lane reviewed Parts 1 and 2 of the Short Environmental Assessment Form with members of the Planning Board and noted that all of the potential impacts were small to none.

Ms. Lane then reviewed the Determination of the Significance. The applicant, Empire Plastics, Inc., owns an existing warehouse-style building at 513 Fairmont Avenue and adjacent properties 515 Fairmont and 310 Kent Avenue, which are enclosed with chain link fencing. The applicant is in the process of purchasing two other properties, 517 Fairmont and 312 Kent Avenue that are also within the chain link fence enclosure. A use variance for a contractor's storage yard was approved by the ZBA on July 26th, 2016.

The site plan shows six parking spaces for contractor vehicles and employees. One parking space is required per employee, and the intended occupant's company has four employees. The parking area shall be stabilized with compacted stone or millings. The project will not impact traffic, existing utilities, and will not impact wildlife or flora as there is no construction planned. There will be no significant impacts pertaining to odors, noise, or lighting.

Although the property is within the buffer of an archeologically sensitive area, this project will not have any impacts since no soil disturbance is planned. The property is also located in the 100-year floodplain and the occupant of the property shall not store any toxic, hazardous, or motor fluids on site except those stored two feet above the base flood elevation. Should

a flood appear imminent, all outdoor vehicles shall be moved to an area not in the floodplain. This property is located within the buffer area of the NYS DEC remediation site #704038, the Endicott Area-Wide Investigation, but is not directly impacted by the contamination.

The occupant shall be required to minimize negative visual impacts by maintaining the properties and avoiding the placement of construction debris within the fenced area.

Upon careful review, the project as proposed will not have a significantly negative impact upon the environment. Ms. Lane recommended a negative declaration under SEQRA.

Chairman Miller then asked for a motion to approve the Negative Declaration under SEQRA.

Motion Made:	L. Cicciarelli
Motion Seconded:	S. Daglio
MOTION:	Approval of the Negative Declaration under SEQRA
VOTE:	In Favor: S. McLain, L. Miller, A. Elwood, T. Crowley, S. Forster, L. Cicciarelli, S. Daglio Opposed: None Abstained: None Motion Carried

2. Public Hearing for Floodplain Development: Vote at Planning Board's Discretion

Chairman Miller opened the public hearing related to the Special Permit for Floodplain Development at 513 and 515 Fairmont Drive and 310 Kent Avenue at 7:30 PM. After discussion concerning the equipment stored on site, the existing status of the site, stabilization of the parking area, and the requirements of a special permit for floodplain development, Chairman Miller closed the public hearing at 7:41 PM.

Ms. Lane then gave a short summary of her staff report. She noted the project required a 239 review by the County. The Broome County Planning Department suggested that the applicant remove all debris and junk from the property, and that the Planning Board limit the number of trucks allowed on the site, allow no unenclosed outdoor storage and advised that the applicant be made aware of potential flooding because the project is located in the FEMA Special Flood Hazard Area. The B. C. Health Department requested that any chemical or fuel storage should be located inside the building to prevent accidental spills from contaminating the local aquifer; and if this is not possible, secondary containment should be provided for

the fuels/chemicals. If floor drains connected to dry wells are present inside the building, the U.S. Environmental Protection Agency requires that the drains either be closed or permitted under the Underground Injection Control (UIC) program. The Code Enforcement Department requires that the broken window on the Kent Side of the building be replaced, a sign from a previous business be removed, an interior inspection to ensure that the building meets fire code requirements be conducted, and regular mowing and trimming of the property be done.

The Planning Board discussed the County recommendations, the approval of the Special Permit for eighteen months, and the expiration of the Special Permit if the business ceases for more than eight months. The Board members felt that these deadlines were reasonable due to the seasonal nature of Mr. Lane's business. Ms. Lane noted that the Planning Board was granting the Special Permit with the expectation that the property would be properly maintained in the future, including painting the building.

Ms. Lane stated that the owner would also be responsible for providing privacy screening for the contractor's yard so that the site would fit in with the residential zoning. The DEC requirements state that the screening should not be fully opaque so that flood water can move across the site. Mr. Lane agreed to plant bushes inside the fence to provide the screening.

Ms. Lane then read her recommendations for the approval of the Special Permit to the Planning Board: The use of the property as a contractor's storage yard shall meet the requirements of Town Code 121, Flood Damage Prevention, an elevation certificate from a licensed surveyor or engineer shall be submitted to the Code Enforcement Office no later than September 30, 2016, and no toxic, hazardous materials or flammable fluids shall be stored in the building less than two feet above base flood elevation.

Materials are not to be stored or stockpiled on the County-owned properties 517 Fairmont and 312 Kent Avenue, until such time that the Code Enforcement Officer should make a determination that the situation has changed.

Per Section 300-66.11, a) The special permit is not transferable except upon approval by resolution of the issuing board, and b) the special permit shall authorize only one special use and shall expire if the special use ceases for more than eight months for any reason, as the business is seasonal. The applicant may request the renewal of the Special Permit by submitting a request in writing, or email, no less than two months prior to the expiration of the Special Permit.

Finally, the applicant shall be required to acknowledge all of the above conditions, in writing, prior to the issuance of a Certificate of Compliance. The applicant agrees to develop and maintain the project in strict

accordance with the site plan or specially permitted use approved by the Planning Board.

Chairman Miller asked for a motion to approve the Special Permit for Floodplain Development at 313 & 315 Fairmont Drive and 310 Kent Avenue for eighteen months, with stipulations.

Motion Made:	S. Forster
Motion Seconded:	T. Crowley
MOTION:	Approval of the Special Permit for Floodplain Development at 313 & 315 Fairmont Drive and 310 Kent Avenue for eighteen months, with stipulations.
VOTE	In Favor: L. Miller, S. McLain, T. Crowley, L. Ciccicarelli, S. Forster, A. Elwood, S. Daglio Opposed: None Abstained: None Motion Carried

3. Site Plan Review, Pending Approval of Special Permit

Ms. Lane reviewed her report for the site plan review of a contractor's storage yard. The staff recommendation is to approve the Site Plan with the following stipulations:

The application to combine properties 513 and 515 Fairmont and 310 Kent Avenue shall be submitted to the Town by October 1, 2016. The parking area noted on the site plan shall be stabilized with millings or stone by October 31, 2016, and the site plan shall be revised to include approximate locations of stockpiling of materials, and shall not include the properties currently owned by the County.

There shall be no outdoor storage or display at any time outside of the enclosure, and the applicant shall contact the Fire Code Inspector to schedule a fire code inspection and meet maintenance requirements by Code Enforcement by October 1, 2016.

A plan for screening of the storage yard shall be submitted to the Planning Department prior to installation of plants, by October 15, 2016, and if the applicant wishes to add any outdoor lighting, the lighting plan shall be submitted to Code Enforcement for their approval prior to installation.

The current sign on the building shall be removed by October 1, 2016. If a new sign is desired, the applicant shall apply for a sign permit from the Building Official. All temporary signs (including price signs), portable signs, search lights, balloons, sidewalk and curb signs shall be reviewed and approved by the Code Enforcement Office prior to being placed on the

property. Signs that blink, rotate, or move are not permitted.

Site plan approval shall be valid for twelve months, unless substantial improvements have been made pursuant to the approved site plan. If the Special Permit should expire without re-approval by the Planning Board, the site plan shall also become invalid.

The applicant shall be required to acknowledge all of the above stipulations, in writing, prior to the issuance of a Certificate of Compliance, agreeing to construct the project in strict accordance with the site plan approved by the Planning Board.

Chairman Miller asked for a motion to approve the Site Plan for a contractor's storage yard at 313 and 315 Fairmont Drive and 310 Kent Avenue with stipulations.

Motion Made:	L. Cicciarelli
Motion Seconded:	S. McLain
MOTION:	Approval of the Site Plan for a contractor's storage yard at 313 and 315 Fairmont Drive and 310 Kent Avenue, with stipulations.
VOTE	In Favor: L. Miller, S. McLain, T. Crowley, L. Cicciarelli, S. Forster, A. Elwood, S. Daglio Opposed: None Abstained: None Motion Carried

E. Visions FCU Expansion; 3301 Country Club Road, J. Stafford, D. Faldzinski
1. Site Plan Review

Ms. Lane noted that the Visions FCU expansion project is a permitted use in a Commercial Office zoning district. Visions FCU plans to construct a three-story addition to the existing building increasing the office footprint by 20,900 square feet. The Planning Board made a Negative Declaration per SEQRA for the project on August 9, 2016.

The site plan provides 462 parking spaces, including two handicapped accessible spaces in the underground parking lot and seven handicapped spaces aboveground. The operation and staff hours overlap so that the facility is generally open from 6 a.m. to 10 p.m. on the weekdays with shorter hours on Saturday. Mr. Crowley discussed expanding the hours of operation to allow some flexibility, and it was noted that the proposed hours of operation were informational only, not restrictive. The project was not subject to a 239 review and a draft Stormwater Pollution Prevention Plan has been submitted.

The project will be done in phases and the final stormwater, lighting and landscaping plans will be submitted and reviewed separately by the Planning Board so that details on these plans can be carefully reviewed. A pre-construction meeting shall be held with all contractors, subcontractors, the Village of Endicott Water Department, Town Engineering and Town Code Enforcement and Building Officials, prior to any site work, including grading or tree removal.

The Planning Department recommended approval of the project with the following stipulations: no grading or excavation permit shall be issued prior to the final approval of the Stormwater Pollution Prevention Plan (SWPPP), including the approved grading plan, and approval of final construction details. The revised site plan shall be submitted for review for the October 11, 2016, Planning Board meeting and show construction details (curb cuts, parking lot dimension for spaces, access aisle), a landscaping plan and a lighting plan. Handicapped accessible parking spaces will be signed per ADA requirements.

The required landscaping shall be planted between the months of June and October 31, 2017, at the east end of the property, and between the months of June and October 31, 2018, for the west end of the property. Any proposed changes to the landscaping plan shall require review by the Planning Review Team.

All outdoor lighting fixtures shall be shielded or otherwise contained on the property from which it originates. The lighting shall be programmed to dim after hours of dusk to minimize night light and designed so that the parking lot is lit from the outside perimeter inward.

The Town of Union requires a Stormwater Maintenance Agreement and Access Easement to be filed with the deed defining obligations by Visions FCU, or any future owner, regarding the detention system maintenance as described in the SWPPP Plan. The underground detention system maintenance and access language must be submitted for approval sufficiently in advance of the issuance of a building permit.

A Street Work Permit for any work in the Town right-of-way shall be submitted to the Highway Department prior to any work being done. A traffic control plan addressing maintenance procedures and pedestrian safety shall also be submitted with the Street Work Permit. If any damage occurs to the sidewalks, curb and gutters during construction, the applicant shall be responsible to repair the damages to Town specifications within 45 days of notice.

Prior to the erection or display of any new signage, including temporary signs, the applicant shall apply for a sign permit from the Building Official. Signs that blink, rotate, or move are not permitted.

Fire access and coverage shall be coordinated with the Endwell Fire Chief, and a Knox Box will be required on the building for fire department access.

Prior to the issuance of a final Certificate of Occupancy, the Developer shall submit an AutoCAD as-built drawing of all infrastructure improvements and erosion and sediment control measures to the Engineering Department, and one PDF version to the Planning and Code Enforcement offices.

The new parking area must be striped and posted per the approved site plan within two weeks of the established sub-base and binder in 2016, prior to being utilized by customers and/or employees or the issuance of a Certificate of Occupancy. Black vinyl-coated chain link fencing shall be installed prior to the issuance of a Certificate of Occupancy.

If any approved site plan improvements are not complete prior to the request for a Certificate of Occupancy, the Building Official may issue a Temporary Certificate of Occupancy. If so, a one-year bond shall be posted to the Town Board prior to the issuance of the Temporary C. of O. Site plan approval shall be valid for one year, unless substantial improvements have been made pursuant to the approved site plan and a valid building permit.

The applicant shall be required to acknowledge all of the above conditions, in writing, prior to the final plans being stamped for approval.

Planning Board members discussed the increase in night time light. Ms. Lane noted that this issue would be addressed in the lighting plan that Visions will submit. The members also asked about the effectiveness of the drainage system due to the increase in the impervious area on the site. The engineers addressed this concern by stating that all of their tests had indicated that the seasonal ground water table is at a depth greater than 20 feet which will allow the drainage system to operate efficiently. The Planning Board members also suggested that the landscaping plan could be changed to incorporate solid fences to prevent light pollution from vehicles exiting the parking lot late in the evening.

Chairman Miller asked for a motion to approve the Site Plan sheets 102 and 103 with stipulations:

Motion Made:	S. Daglio
Motion Seconded:	L. Cicciarelli
MOTION:	Approval of the Site Plan Sheets 102 and 103 for Visions Federal Credit Union at 3301 Country Club Road, with stipulations.
VOTE	In Favor: L. Miller, S. McLain, T. Crowley, L. Cicciarelli, S. Forster, A. Elwood, S. Daglio Opposed: None

Abstained: None
Motion Carried

F. Fishs Eddy / Visions FCU, Drive-thru Facility, 511 Hooper Rd.

Chris Thomas, from Delta Engineering, presented the project, noting that Visions FCU plans to relocate three ATMs from their current location at 3301 Country Club Road to the plaza at 511 Hooper Road. Patrons will enter the site from existing curb cuts and they will be able to exit either onto Country Club Road or Hooper Road by driving through the plaza parking lot. The driving lanes that approach the ATMs will be bound by six-inch-high curbs and the existing sidewalks will be maintained. Low-growing, salt and winter-resistant landscaping will be planted in the front and rear of the site. Pole-mounted lights will be installed, and calculations submitted to address any concerns. The ATMs will be a canopy structure with small columns that have the Visions logo supporting them. No other advertising signage is planned.

The Planning Board was concerned about the placement of the ATM stacking lanes at the corner of Hooper and Country Club Road because a driver would need to make two very quick right turns from Country Club Road to enter them. There were also concerns about how the traffic would be affected within the parking lot, and during peak hours since the site is located at a very busy intersection. Sarah Campbell, attorney for the property owner, commented that this was a preliminary meeting to get feedback from the Planning Board on what issues needed to be addressed prior to the submission of the final site plan by Visions. Ms. Campbell also noted that the Town Board would also need to approve a change in zoning code before the stand alone ATMs would be permitted in the Town.

1. Declare Lead Agency

Chairman Miller asked for a motion to declare the Planning Board Lead Agency.

Motion Made:	S. Forster
Motion Seconded:	A. Elwood
MOTION:	Declaring the Planning Board Lead Agency
VOTE:	In Favor: L. Miller, A. Elwood, S. McLain, T. Crowley, S. Forster, L. Cicciarelli, S. Daglio
	Opposed: None
	Abstained: None
	Motion Carried

2. Declare Action as Unlisted Action

Chairman Miller asked for a motion to declare the project an Unlisted Action under SEQRA.

Motion Made:	S. Forster
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Motion Seconded: L. Cicciarelli
MOTION: Declaring the action an Unlisted Action.
VOTE: **In Favor:** A. Elwood, S. McLain, L. Miller,
T. Crowley, S. Forster, L. Cicciarelli, S. Daglio
Opposed: None
Abstained: None
Motion Carried

3. Call for a Public Hearing for Visions FCU Drive Through Facility to be held on October 11, at 7:00PM

Chairman Miller asked for a motion to call for a Public Hearing for Visions FCU Drive-through Facility to be held on October 11, 2016, at 7:00PM.

Motion Made: A. Elwood
Motion Seconded: L. Cicciarelli
MOTION: Call for a Public Hearing for Visions FCU Drive through facility on October 11, 2016, at 7:00PM.
VOTE: **In Favor:** L. Miller, S. McLain, A. Elwood,
T. Crowley, S. Forster, L. Cicciarelli, S. Daglio
Opposed: None
Abstained: None
Motion Carried

**G. Amendment to Zoning Chapter, Chapter 300-21.3, Table 21-2, Permitted and Specially Permitted Uses
Advisory Opinion to the Town Board**

Ms. Lane noted that an amendment to the Zoning Code, Section 300-21.3 Uses, Table 21-2: Permitted and Specially Permitted Uses, under "Neighborhood Commercial," had been presented to the Town Board, proposing to add the following land use as follows:

Stand-alone drive through establishments excluding beverages, food or food products.

The Planning Board discussed what kind of businesses could use stand-alone drive-through technology. Currently banks are the only businesses that use this technology. Alan Pope, the Town Attorney, was asked if car wash businesses would qualify if the amendment was adopted and Mr. Pope answered that car washing businesses would be excluded from this classification because they are in buildings. Since the use of stand-alone drive through technology is so limited in use, the Planning Board agreed to recommend the passage of the amendment to the Town Board.

Chairman Miller asked for a motion to recommend approval to the Town Board for the Amendment to Zoning Chapter 300-21.3, Table 21-2, Permitted and Specialty Permitted Uses to add stand-alone drive through establishments as a Special Permit use a classification.

Motion Made: S. McLain
Motion Seconded: S. Daglio
MOTION: Recommendation of approval of the amendment to Zoning Chapter 300-21.3, Table 21-2, Permitted and Specialty Permitted Uses by the Town Board.
VOTE: **In Favor:** A. Elwood, S. McLain, T. Crowley, L. Miller, S. Daglio, S. Forster, L. Cicciarelli
Opposed: None
Abstained: None

H. Krebbeks Auto Overflow, 712 & 720 Main Street; D. Krebbeks

Ms. Lane handed out several aerial photos of the site to the Planning Board. She noted that Mr. Krebbeks wants to store overflow vehicles on 712 & 720 Main Street, which is across the street from his automobile repair and sales business located at 704 Main Street.

1. Declare Lead Agency

Chairman Miller asked for a motion to declare the Planning Board Lead Agency.

Motion Made: L. Cicciarelli
Motion Seconded: A. Elwood
MOTION: Declare the Planning Board Lead Agency
VOTE: **In Favor:** S. McLain, L. Miller, A. Elwood, T. Crowley, S. Forster, L. Cicciarelli, S. Daglio
Opposed: None
Abstained: None
Motion Carried

2. Declare Action as Unlisted Action

Chairman Miller asked for a motion to declare the project an Unlisted Action under SEQRA.

Motion Made: A. Elwood
Motion Seconded: L. Cicciarelli
MOTION: Declaring the action an Unlisted Action.
VOTE: **In Favor:** A. Elwood, S. McLain, L. Miller, T. Crowley, S. Forster, L. Cicciarelli, S. Daglio
Opposed: None
Abstained: None

Motion Carried

3. Call for a Public Hearing for Auto Sales to be held on October 11, 2016, at 7:10PM

Chairman Miller asked for a motion to call for a Public Hearing for Auto Sales to be held on October 11, 2016, at 7:10 PM.

Motion Made: L. Cicciarelli
Motion Seconded: A. Elwood
MOTION: Call for a Public Hearing for Auto Sales on October 11, 2016, at 7:10PM.
VOTE **In Favor:** L. Miller, S. McLain, A. Elwood, T. Crowley, S. Forster, L. Cicciarelli, S. Daglio
Opposed: None
Abstained: None
Motion Carried

I. Kerwin Appliance Sales (Retail); 728 Riverside Drive; T. Kerwin

Ms. Lane noted that Jerry Einhorn had decided not to pursue his plans for this property as an office space for an asbestos abatement business. Instead, Mr. Thomas Kerwin wants to open a sales and service shop for appliances in the same location. Mr. Kerwin said that the only other company in the area that sells used appliances is the Square Deal in Endicott. Mr. Kerwin found a distributor in Long Island that provides a bigger selection of used appliances and he feels that his company, Tommy's Appliance Service & Repair Shop, could offer consumers other options for used appliances.

1. Declare Lead Agency

Chairman Miller asked for a motion to declare the Planning Board Lead Agency.

Motion Made: L. Cicciarelli
Motion Seconded: A. Elwood
MOTION: Declare the Planning Board Lead Agency for the Special Permit
VOTE: **In Favor:** S. McLain, L. Miller, A. Elwood, T. Crowley, S. Forster, L. Cicciarelli, S. Daglio
Opposed: None
Abstained: None
Motion Carried

2. Declare Action as Unlisted Action

Chairman Miller asked for a motion to declare the Project an Unlisted Action under SEQRA.

Motion Made: L. Cicciarelli

Motion Seconded: S. McLain
MOTION: Declaring the action an Unlisted Action.
VOTE: **In Favor:** A. Elwood, S. McLain, L. Miller,
T. Crowley, S. Forster, L. Cicciarelli, S. Daglio
Opposed: None
Abstained: None
Motion Carried

3. Call for Public Hearing to be held May 17, 2016 at 7:05 PM

Chairman Miller asked for a motion to call for a Public Hearing for Retail Sales to be held on October 11, 2016, at 7:05 PM.

Motion Made: L. Cicciarelli
Motion Seconded: T. Crowley
MOTION: Call for a Public Hearing for the Special Permit for Retail Sales to be held on October 11, 2016, at 7:05 PM.
VOTE: **In Favor:** A. Elwood, S. McLain, L. Miller,
T. Crowley, S. Forster, L. Cicciarelli, S. Daglio
Opposed: None
Abstained: None
Motion Carried

**J. Greater Sports Facility Special Overnight Event: 1500 Co. Airport Rd.,
B. Kashou**

1. Discussion

Mr. Kashou of Kashou Enterprises is requesting a one-time per year annual extension of operating hours beginning the evening of November 18th through the morning of November 19th to host the annual Word of Life overnight sporting event. The event will take place at the sports dome located at 1500 County Airport Road. Ms. Lane noted that there had been no reported problems at last year's event.

The normal hours of operation were approved for 8 a.m. to 11p.m. The extension of hours requires approval by the Planning Board.

2. Decision at the Planning Board's Discretion

The Planning Department staff recommends approval of the overnight event based on the following stipulations:

Only sports-related uses are permitted. No live bands are permitted, and noise shall be monitored by the applicant and shall not exceed 50 dBAs (decibels), taken from the identified locations. Clients must use County Airport Road, not Dimmock Hill Road or Middle Stella Ireland Road, other than to immediately access County Airport Road.

Mr. Kashou shall notify residents by mail within one-quarter mile one week in advance of the event and three signs must be posted on the property four days in advance of the event, and removed within 24 hours after the event.

Buses shall run no longer than approximately ten minutes, and the Choconut Center Fire District Chief shall be notified two weeks prior to the event.

Chairman Miller asked for a motion to approve the one-time extension of operating hours for an annual overnight event between November 18th and November 19th with the conditions as outlined.

Motion Made: L. Cicciarelli
Motion Seconded: S. McLain
MOTION: Approval of the extension of operating hours on November 18th and 19th at 1500 County Airport Road with stipulations.
VOTE: **In Favor:** A. Elwood, S. McLain, T. Crowley, L. Miller, S. Forster, S. Daglio, L. Cicciarelli.
Opposed: None
Abstained: None
Motion Carried

K. Other Such Matters as May Properly Come Before the Board

Ms. Miller asked if anyone else wanted to sign up for a flu shot offered by the Town of Union.

L. Adjournment

Chairman Miller asked for a motion to adjourn the meeting at 9:23 PM.

Motion Made: L. Cicciarelli
Motion Seconded: S. Daglio
MOTION: Adjourning the meeting.
VOTE: **In Favor:** S. McLain, A. Elwood, L. Miller, L. Cicciarelli, T. Crowley, S. Forster, S. Daglio
Opposed: None
Abstained: None
Motion Carried

Next Meeting Date

The next meeting of the Planning Board is scheduled for Tuesday, October 11, 2016 at 7:00 PM.

Respectfully Submitted,
Carol Krawczyk