

## **Town of Union Planning Board Minutes**

Tuesday, June 30, 2020

A special meeting of the Town of Union Planning Board was held Tuesday, June 30, 2020, via Zoom Video Conference.

Members present: L. Miller, L. Ciccicarelli, S. McLain, T. Crowley, S. Forster, M. Jaros, D. Kudgus, and S. Yalamanchili, Alternate

Others present: Marina Lane, Sara Zubalsky-Peer, Rick Materese, Alan Pope, Dave Culbertson, Chris Maby, and Shoba Agneshwar

### **A. CALL TO ORDER**

Chairman Miller opened the meeting of the Planning Board at 7:05 p.m. Ms. Miller then read the following proclamation. "This Planning Board meeting is being held in compliance with Executive Order 202.1 issued by Governor Andrew M. Cuomo on March 12, 2020. The Executive Order suspends Article 7 of the Public Officers Law to the extent necessary to permit any public body to meet and take any action authorized by law without permitting in public, in-person access to meetings, and authorizing such meetings to be held remotely by conference call and via Zoom virtual meeting software. This meeting is being held remotely by conference call and remotely via Zoom virtual meeting software. The public has the ability to view or listen to this meeting live via the Zoom app, web browser, and/or by telephone. This meeting is being recorded and will be transcribed at a later date."

Ms. Lane read the roll call and recorded the Planning Board members who were present. All Planning Board members except Scott Forster were present; and alternate Planning Board member, Surge Yalamanchili, was present. Ms. Lane noted that Mr. Rick Materese, Town Supervisor, and Alan Pope, Town Counsel, were also present.

### **B. MEETING MINUTES**

#### **1. Acceptance of March 10, 2020 Meeting Minutes**

Ms. Lane asked Mr. Pope to clarify what the voting requirements are for accepting meeting minutes when members were absent from meetings. Mr. Pope said that the good practice is if you were present at the meeting, then you should vote on the minutes, and if you were not there, you should abstain from voting to accept the minutes. Mr. Pope said that there has been a change within the last year where some municipalities are simply accepting the minutes and they are not actually voting to approve them. However, some municipalities like to go through the formality of voting for the benefit of the public. There is no right or wrong way of doing it; either way is fine.

Chairman Miller asked for a motion to accept the March 10, 2020, Meeting Minutes, as written.

Motion Made: S. McLain  
Motion Seconded: T. Crowley  
MOTION: Acceptance of the meeting minutes of March 10, 2020, as written.  
VOTE: In Favor: L. Miller, S. McLain, M. Jaros, T. Crowley  
Opposed: None  
Abstained: S. Forster, D. Kudgus, L. Ciccirelli  
Motion Carried.

**C. National Pipe & Plastics Office Building, 1 North Page Avenue,  
D. Culbertson**

Mr. Culbertson gave a short presentation, stating that two components of the office building project had prompted this meeting. The first component is the plan to move the driveway into the office area, east of where it was on the original site plan. The other component is an extension of the landscaping requirement to September 30, 2021.

At a prior meeting with the Planning Board there was discussion that the neighboring community did not want any pipe to be stored on the new office property at 1 North Page Avenue. Mr. Culbertson noted that he was not aware until recently that the driveway for the office was actually on what he calls “factory land” at 15 Mills Avenue. Mr. Culbertson thought putting the driveway for the office on factory land would set an undesirable precedent. Just before this meeting, Ms. Lane had explained to Mr. Culbertson that the original site plan for the new office building did have the driveway on what Mr. Culbertson considers factory land. After her explanation, Mr. Culbertson decided that he was okay with having the driveway where it is. Mr. Culbertson’s intent when he submitted a revised site plan was to correct what he thought was an administrative mistake. In conclusion, National Pipe and Plastics has decided that they do not have to move the driveway, as long as this is okay with the Planning Board members. Ms. Lane explained that it is Mr. Culbertson’s decision to either move forward with the current application to relocate the driveway, or not. Mr. Culbertson made the decision to maintain the original site plan layout.

Mr. Culbertson went on to explain why he is requesting an extension of the landscaping installation deadline. Construction was delayed until the EPA signed off on the removal of hazardous waste from the property at the end of 2019. The delay caused the construction process to be delayed a year.

Therefore, Mr. Culberson is requesting an extension of the landscaping deadline to September 30, 2021.

Ms. Lane noted that Mr. Forster had joined the meeting.

Chairman Miller then called for a motion to approve an extension for the landscaping installation from June 2020, to September 30, 2021.

Motion Made: S. McLain  
Motion Seconded: D. Kudgus  
MOTION: Approval for an extension of the landscaping installation from June 2020 to September 30, 2021.  
VOTE: In Favor: L. Miller, L. Cicciarelli, S. McLain, T. Crowley, S. Forster, M. Jaros, D. Kudgus  
Opposed: None  
Abstained: None  
Motion Carried

#### H. Other Such Matters as May Properly Come Before the Board

The Planning Board had several questions about the placement of pipe on the 15 Mills Avenue property. Ms. Lane clarified that the address for the National Pipe and Plastics factory is 15 Mills Avenue, and the office property is 1 North Page Avenue. Mr. Jaros asked whether there are code requirements about how close the pipe could be placed to the driveway on 1 N. Page Avenue, or a property line. Ms. Lane stated that she is not aware of any requirements regarding storage along the driveway. When the initial site plan for the factory property was under review in 2012, the focus was primarily on the special permit for the aquifer, not the storage of the pipe on the property. The Code was new, just adopted in 2011, and we were not as familiar with it. If the project were under review today, the Town would require a Special Permit for outdoor storage, but we cannot go back retroactively. There are regulations for parking along the front property line, but she would have to defer to Code Enforcement and Mr. Pope for further determinations.

Mr. Jaros said that if one were to look to the south from the 15 Mills Avenue driveway, if pipe is stored in that area, residents will be looking at 20-foot high piles of PVC pipe not only from their backyards but also when they drive down Mills Avenue. Ms. Lane sent the Planning Board members maps on which she highlighted the outdoor storage area that was identified when National Pipe and Plastics was approved in 2012. Technically, pipe should not be stored south of the building and extending eastward. Per the site plan approved for 1 N. Page Avenue last year, with the driveway to the employee parking lot being on 15 Mills Avenue, it appears there will not be space to store pipe south of the new driveway.

Chairman Miller asked for a motion to adjourn the meeting at 7:30 p.m.

Motion Made: L. Ciccirelli  
Motion Seconded: D. Kudgus  
MOTION: Adjourning the meeting.  
VOTE: **In Favor:** S. Miller, L. Ciccirelli, S. McLain,  
S. Forster, M. Jaros, D. Kudgus  
**Opposed:** None  
**Abstained:** None  
Motion Carried

**Next Meeting Date**

The next meeting of the Planning Board is tentatively scheduled for Tuesday, July 14, 2020, at 7:00 p.m. via Zoom

Respectfully Submitted,  
Carol Krawczyk