

**Town of Union Planning Board Minutes**  
Tuesday, October 13, 2020

A regular meeting of the Town of Union Planning Board was held Tuesday, October 13, 2020, at the Town of Union Office Building, 3111 East Main Street, Endwell, New York, and held remotely via Zoom Virtual Meeting Software.

Members present: L. Miller, L. Cicciarelli, S. McLain, S. Forster, M. Jaros  
D. Kudgus, and S. Yalamanchili (Alternate)

Members absent: T. Crowley

Others present: Marina Lane, Sara Zubalsky-Peer, Rick Materese, Bob Kashou,  
Mark Parker, Alex Urda, Ashley Perry, Steven Nickels, Robert  
Nickels, Hector Cabezudo, Bill Walsh, Vincent Carlini, Mike  
Heidi, Justin Miller

**A. CALL TO ORDER**

Chairman Miller opened the meeting of the Planning Board at 7:05 p.m. and read a short announcement regarding the Emergency Order by the Governor of the State of New York. She then took rollcall of the Planning Board members present.

**B. MEETING MINUTES**

**1. Acceptance of September 29, 2020, Meeting Minutes**

Motion Made: L. Cicciarelli

Motion Seconded: S. McLain

MOTION: Acceptance of the September 29, 2020, Planning  
Board Minutes, as written.

VOTE: **In Favor:** L. Miller, L. Cicciarelli, S. McLain,  
S. Forster, M. Jaros, D. Kudgus

**Opposed:** None

**Abstained:** None

Motion Carried

**C. Special Use Permit for Chelo's Delaware Market, 15 Delaware Avenue, Hector  
Cabezudo**

**1. Public Hearing for Retail Sales in an Industrial Zoning District**

Mr. Steven Nickels, a managing agent for the multi-use complex at 15 Delaware Avenue, gave a brief presentation about the project. Mr. Cabezudo submitted the application for a Special Permit to allow a convenience store in an Industrial zoning district. Originally, they planned to locate the market in Building B in a space of 566 square-feet, but they changed the location to Building A because it is a larger space, approximately 1,000 square-feet. The convenience store will serve the residents living in the apartments at 15 and 3 Delaware Avenue. The owners want to make it more convenient for the residents to get essentials, and they will not sell any alcohol, tobacco products

or lotto tickets. The owners are committed to converting the space according to Code specifications. Mr. Nickels commented that Mr. Cabezudo has already done a lot of work for the project. He thanked Ms. Lane for all her help and the Planning Board members for their time at the meeting.

Chairman Miller opened the Public Hearing for Retail Sales in an Industrial Zoning District at 7:15 p.m. and closed it at 7:16 p.m. There were no comments or questions from the public during the hearing.

## **2. Vote on Special Permit for Retail Sales in an Industrial Zoning District**

Ms. Lane read her report for the Planning Board. Hector Cabezudo submitted an application to open a convenience store, Chelo's Delaware Market, in the existing multi-use building at 15 Delaware Avenue. The retail market would be located on the first floor level of Building A as noted on the site plan, front side of the building.

The property is zoned Industrial, and retail is permitted with a special use permit. The convenience store is expected to serve residents of the building and adjacent residential buildings. The proposed hours of operation are 7:30 a.m. to 8:00 p.m., Monday through Sunday. The store will carry a variety of foods and convenience supplies, and no tobacco or alcohol products. Mr. Nickels noted that the legal entity that owns the building is Venture at Endicott Manor, LLC.

The building is multi-use with residential units, office space, a specialized adult daycare program, and open space that has the potential for a number of uses. Restroom facilities are available. The site has 136 parking spaces, and a separate 29-parking space and access easement with 3 Delaware Avenue, an adjacent multifamily residential complex. The retail use requires four spaces per 1,000 square-feet, and the existing parking plan meets the parking requirements for the entire building.

This location is subject to a 239-Review, and Broome County Planning, NYS DOT and BMTS have no concerns. The B.C. Health Department advised that the store might require a permit from the NYS Department of Agriculture and Markets. The current plan will not disturb any soil, so no stormwater management plan is required. The project, the reuse of an existing commercial space, is classified as a Type II Action under the New York State Environmental Quality Review Act (SEQRA). The Town of Union Code Enforcement and Engineering departments have reviewed the site plan. Ms. Lane added that the 239-Review was required because the project location is within 500 feet of the Village of Endicott, and Village staff have no concerns about the project.

The Planning Department recommends approval of the special permit for a retail use in an Industrial zoning district with the following stipulations:

1. The convenience store area shall be inspected by Code Enforcement Staff for fire code compliance prior to the issuance of a Certificate of Compliance.

2. The area for the convenience store shall be posted for maximum occupancy prior to the issuance of a Certificate of Compliance. It shall be the responsibility of the applicant to ensure that maximum occupancy in the designated area shall not be exceeded at any time.
3. If required, the owner of the business shall display at all times the appropriate license to process food from the Division of Food Safety and Inspection of the NYS Agriculture & Markets, Article 20-C.
4. Refuse shall be disposed of daily in the property-managed dumpsters onsite.
5. The hours of operation shall be 7:30 a.m. to 8:00 p.m., Monday through Sunday.
6. If desired, the applicant shall apply for a sign permit from the Building Official prior to any sign being erected or installed. All temporary signs (including price signs), portable signs, 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.
7. There shall be no outdoor storage on the property.
8. § 300-66.11. Transferability.
  - a) The special permit is not transferable except upon approval by resolution of the issuing board.
  - b) The special permit shall authorize only one special use and shall expire if the special use ceases for more than three months for any reason.
9. The applicant shall be required to acknowledge all of the above conditions, in writing, prior to the issuance of a building permit or Certificate of Compliance, whichever shall come first. The applicant shall agree to operate the convenience store in strict accordance with the special permit approved by the Planning Board. Changes to the use following approval will require resubmittal to the Planning Board.

Chairman Miller then called for a motion to approve the Special Permit for Retail Sales in an Industrial Zoning District.

Motion Made: S. Forster  
Motion Seconded: D. Kudgus  
MOTION: Approval of the motion for a Special Permit for Retail Sales in an Industrial Zoning District.  
VOTE: In Favor: L. Miller, L. Cicciarelli, S. McLain, S. Forster, M. Jaros, D. Kudgus  
**Opposed:** None  
**Abstained:** None  
Motion Carried

**D. Request for Revision of Special Permit, 1500 County Airport Road, Bob Kashou**

**1. Public Hearing for Revision of Special Permit to extend hours of operation**

Chairman Miller opened the Public Hearing at 7:15 p.m. and closed it at 7:16 p.m. There were no comments or questions from the public during the hearing.

**2. Vote on Revision of a Special Permit to extend hours of operation up to three events per month**

Ms. Lane summarized her report for the Planning Board. Mr. Kashou has applied to hold up to three overnight indoor sporting events per month at 1500 County Airport Road. The dome is limited to primarily non-spectator sporting events as it does not have a sprinkler system and is therefore not fire-rated for spectators. Mr. Kashou is asking for an extension of the normal hours of operation, which are from 8 a.m. through 11 p.m. for sports events. No comments from the property owners have been received. The occupancy for sporting events is limited to 420 people.

Ms. Lane asked Mr. Kashou if he knew what the existing occupancy rules were under the NYS COVID regulations. Mr. Kashou answered that he believes the NYS rules allow a 50% occupancy rate. In addition, he will do everything he can to keep the teams apart. Ms. Miller asked if teams will come from out-of-town. Mr. Kashou answered that last year they had teams from Rochester and Syracuse, but he doesn't know if he will have any teams from out-of-town this year. Ms. Miller added that she expects Mr. Kashou will check with the Broome County Health Department to make sure he does everything in accordance with NYS COVID regulations. Ms. Lane asked if Gary Bush will be running the tournaments and Mr. Kashou said yes. Mr. Jaros asked if Mr. Kashou wanted two or three events per month. Mr. Kashou answered two weekends per month would be fine. Mr. Kudgus asked if the events would be held on both Friday and Saturday nights. Mr. Kashou answered the tournaments would be held from Saturday evening until Sunday morning.

Ms. Lane then read the staff requirements for the project. The Planning Department staff recommends temporary approval of the Special Permit to extend the hours of operation, currently from 8 a.m. to 11 p.m., to include up to three overnight non-spectator sports events per month, with the following stipulations specific to the overnight events:

- 1) The approval shall be for six months, and may be renewed upon request. Such a renewal shall require a new public hearing, per Section 300-66.9 of the Code Book.
- 2) The overnight events are limited to Friday and Saturday nights.
- 3) COVID-19 NY State Reopening Guidelines in place at the time of each event shall be adhered to at all times. Sign-in for contact tracing and health

screening compliance are required. At any time, if requested, copies of such sign-in sheets shall be provided to Code Enforcement.

4) Staff shall be available at all times to maintain hygiene and cleanliness compliance.

5) The applicant shall notify Code Enforcement and the Choconut Center Fire Chief at least one week prior to each overnight event.

6) Electric loud speakers are prohibited due to the proximity of adjacent residences.

7) Noise at all times shall not exceed the Town's noise limits, which must be decreased by six decibels as this property is in a residential district (Chapter 300, Article 50).

8) The property owner shall be responsible for all activities that occur on the property.

9) Parking shall be prohibited in clearly marked areas dedicated to emergency vehicles and their access-ways. No parking shall be permitted on the east side of the Dome except as approved in the 2016 site plan, showing five spaces at the northeast corner. Parking shall not be closer than 10 feet to any property line, and not within the Columbia / Millennium Pipeline Group's 50-foot utility right-of-way.

10) Portable heaters, LP gas tanks, and flammable or combustible liquids or gases are not permitted inside the structure.

11) No motor vehicles shall be permitted to run longer than 10 minutes on site. No motor vehicles shall be permitted to race within the site at speeds higher than 10 miles per hour.

12) No alcohol shall be brought on site by attendees.

13) Special permit modification approval will be required if there are any changes to the site plan or change in use of the property.

14) 300-66.11. Transferability of Special Permits

A special permit is not transferable except upon approval by resolution of the issuing board. A special permit shall authorize only one special use and shall expire if the special use ceases for more than three months for any reason.

Ms. Lane changed the number of events from three to two, and clarified that sign-in sheets shall be provided to the Broome County Health Department, not Code Enforcement. Ms. Lane reminded Mr. Kashou that at this time, competitive tournaments of multiple games, matches, or scrimmages requiring travel are not permitted. Ms. Lane noted that she would like the Planning Board to approve this Special Permit with the understanding that he must comply with the COVID regulations.

Chairman Miller called for a motion to approve the Revision of a Special Permit to extend hours of operation, with the changes that were made to the stipulations.

Motion Made: S. Forster  
Motion Seconded: M. Jaros  
MOTION: Approval of the motion for Revision of a Special Permit to extend hours of operation, with the changes made to the stipulations.  
VOTE: In Favor: L. Miller, L. Cicciarelli, S. McLain, S. Forster, M. Jaros, D. Kudgus  
**Opposed:** None  
**Abstained:** None  
Motion Carried

Mr. Kashou asked if he could discuss the issue of the outdoor lighting. His business depends on the winter months from November through April, and at this time many of the indoor participants are not interested in playing indoors. He is looking for opportunities to have his business survive and having outdoor lights would enable him to have the games move outside where participants feel safer. Mr. Kashou stated he is not looking to put in permanent outdoor lights and added that if anyone complains about the lights, he will just take them down. Mr. Kashou added that the lights would allow participants to use the outdoor fields until 8:30 or 9:00 p.m.

Ms. Lane said she had discussed the outdoor lights with Code Enforcement. As is typical of proposed outdoor lighting, it would require that Mr. Kashou submit a site plan application with a photometric study to show that the lighting would not spill over onto any neighbor's property. Ms. Lane added that she would ask the Planning Board members for their feedback on the outdoor lights and get back to him. Mr. Kashou thanked the Planning Board for their consideration and noted that the Board has always been very good to him.

**E. Special Use Permit for Storage Sense Self Storage, LLC: 301 & 349 Glendale Drive, Mark Parker**

**1. SEQRA Determination**

Ms. Lane reviewed Part I of the Environmental Assessment Form. Mark Parker applied for the expansion of a parking lot for the outdoor storage of vehicles and boats. Per Part I of the EAF, the total acreage of the three parcels is 22.85-acres. The project will disturb 0.93-acres of the property and the area of the parking lot is 0.75-acres. Ms. Lane noted that per question 17, there will be stormwater discharge, but the stormwater will not go off site. Under Part 2 of the EAF, all of the impacts were small to none.

Ms. Lane then read the Determination of Significance for the Planning Board. The project includes a Special Permit to allow the expansion of outdoor

storage in the rear of the existing indoor storage building at 301 and 349 Glendale Drive. The properties are zoned Industrial, and outdoor storage is permitted by Special Permit.

The existing area of proposed outdoor storage is 62,700 square-feet, and the proposed area is 33,278.4 square-feet, totaling about 2.2-acres on approximately 22.85-acres of land owned by the developer.

The proposed use fits with the surrounding utility, industrial and office uses, and will not alter the character of the community, or use of the land. The proposed storage is behind a solid line of trees and would not be visible from Glendale Drive.

The proposed outdoor storage will not create adverse changes to traffic, parking, or utilities, nor historical, architectural or aesthetic resources. The parking lot is existing, and the proposed outdoor storage use would not have significant negative impacts on the ground, flora, fauna, endangered or threatened species, water or the air.

The property is not in the flood plain, and does not have wetlands. It will not affect any archeological sites as it is already developed.

The proposal would not create a hazard to human health. The identified nearby DEC remediation sites do not affect this parcel.

Upon review of the information submitted, the proposed expansion of outdoor storage associated with an existing indoor storage building will not have a significant adverse impact on the environment.

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

Motion Made: D. Kudgus  
Motion Seconded: S. Forster  
MOTION: Approval of the motion for a Negative Declaration under SEQRA.  
VOTE: In Favor: L. Miller, L. Cicciarelli, S. McLain, S. Forster, M. Jaros, D. Kudgus  
**Opposed:** None  
**Abstained:** None  
Motion Carried

## 2. Vote on Special Permit to expand Area of Outdoor Storage

Chairman Miller opened the Public Hearing for a Special Permit to expand the area of outdoor storage at 7:58 p.m., and closed it at 8:07 p.m.

During the Public Hearing, two residents spoke about their concerns with the expansion of the outdoor storage site. Mr. Vincent Carlini noted that the type of proposed privacy hedge was not deer-resistant and he suggested that the

species be changed to a deer-resistant species. Mr. Mike Heidi asked if something could be done to prevent the headlights from shining into his living room as tenants leave the site. Ms. Ashley, the manager of the site, will suggest to the owners that they erect a no-loitering sign on the property to address this issue.

Ms. Lane then read her report for the Special Permit to the Planning Board. The project area includes three parcels, 301, 349 and 367 Glendale Drive, which together are approximately 22.85-acres. The properties are zoned Industrial (I) and the expansion of the outdoor storage is permitted only by Special Permit from the Planning Board. The total area of impervious surface would cover approximately 4.47-acres.

Outdoor storage is required to be fully screened. There are existing trees between the road and proposed area of storage, with several additional trees proposed in one area of potential visibility. For the most part, stored vehicles have not been visible to the public because the building is elevated from the road and provides screening.

The Planning Department recommends approval of the Special Permit with the following conditions:

- 1) Per § 300-40.16. B, Outdoor storage, in General Commercial and Industrial districts:
  - (1) Outdoor storage shall not be allowed forward of the building.
  - (2) All outdoor storage shall be screened to ensure the area is not visible from the public right-of-way or adjacent residential districts or uses.
  - (3) Screening shall be of sufficient height and density to hide the storage from public view.
  - (4) All screening shall be maintained in such a manner as to present a neat and orderly appearance at all times.
- 2) Outdoor storage shall be limited to boats, trailers, recreational vehicles and other such vehicles. There shall be no outdoor storage of waste products or unsanitary equipment. Accommodations for no more than ten semi-trucks and/or tractor trailers (18-wheelers) is permitted.
- 3) Spill prevention materials shall be maintained on site in the event of the leakage of any automobile fluids onto the pavement or ground. All spills shall be cleaned up immediately.
- 4) Should Code Enforcement become aware that outdoor storage is visible from Glendale Drive, they shall have the authority to require that additional screening be provided. The trees or other acceptable screening material shall be maintained at all times, and if damaged, shall be replaced or repaired within fourteen days (two weeks).
- 5) The Special Permit for Outdoor Storage shall expire should the property

or business be sold to another entity, per § 300-66.11. Transferability:

- a) A special permit is not transferable except upon approval by resolution of the issuing board.
- b) A special permit shall authorize only one special use and shall expire if the special use ceases for more than three months for any reason.
- 6) The applicant shall be required to acknowledge all of the above conditions in writing, prior to the issuance of an excavation permit.

Ms. Lane amended the fourth stipulation by adding the words “weather permitting” after the time-frame of fourteen days.

Chairman Miller called for a motion to approve the Special Permit to expand Outdoor Storage in an Industrial Zoning District with an amended stipulation.

Motion Made: S. McLain  
Motion Seconded: D. Kudgus  
MOTION: Approval of the motion for a Special Permit to expand Outdoor Storage in an Industrial Zoning District with an amended stipulation.  
VOTE: In Favor: L. Miller, L. Cicciarelli, S. McLain, S. Forster, M. Jaros, D. Kudgus  
**Opposed:** None  
**Abstained:** None  
Motion Carried

### 3. Site Plan Review

Ms. Lane asked Ms. Perry how many tractor-trailers are parked on the site. Ms. Perry answered that they have two tractor-trailers on the site. Ms. Lane then read her recommendations for the approval of the site plan to the Planning Board.

1. The Property Combination form combining the properties 301 Glendale Drive (tax map #156.11-1-1) and 349 Glendale Drive (tax map #156.41-1-10) shall be provided to the Assessor’s Office prior to the issuance of any excavation permit.
2. The landscaping plan shall be installed per the approved site plan by June 30, 2021. An extension of this deadline may be approved by the Planning Board.
3. The landscaping shall be maintained according to the landscaping plan, and any dead or dying plants shall be replaced with similar plants within one month, weather permitting. Failure to maintain such landscaping or to replace dead or diseased landscaping required by this chapter shall constitute a violation of these regulations 300-54.2.
4. Prior to posting any new signage, the applicant shall apply for a sign

permit from the Building Official. All temporary signs and portable 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.

5. If any new outdoor lighting is proposed, the applicant shall first submit cut-sheets to the Code Enforcement Officer for approval.

6. Per NYS law, all commercial buildings must be inspected by the Municipal Fire Code Inspector every three years. It is your responsibility to coordinate the next inspection by calling the Code Enforcement office at (607) 786-2920.

7. Site plan approval shall expire after one year, unless substantial improvements have been made pursuant to the approved site plan.

8. The stipulations of site plan approval shall follow the property as approved until such time that a new site plan application is approved by the Planning Board.

9. The applicant shall be required to acknowledge all of the above conditions, in writing, prior to the issuance of an excavation permit. The applicant agrees to construct the project in strict accordance with the site plan approved by the Planning Board. Should the applicant change the site plan, the applicant must resubmit a new site plan to the Town of Union Planning Department and Code Enforcement Office.

Ms. Lane asked Mr. Parker to discuss the changes that he had made to the site plan. Mr. Parker noted that the client is adamant about taking care of the lighting problem, and he felt that light problem comes from cars coming out of that driveway straight toward the road. Mr. Parker noted that the input from the neighbor about the tree species was helpful. He will definitely research what deer-resistant arborvitae are available.

Mr. Parker explained the drainage ditch on the site plan. There is no pinch point spot on the parking lot where stormwater is going to drain off. There is plenty of land with brush and grass to take care of the runoff that comes off the parking lot. There is a ditch currently on the side of the existing parking lot; they will cover that area with fine white stone to prevent erosion and to help disperse stormwater before it goes onto the land.

Mr. Jaros commented that the bushes that are going to be planted on the sides of the driveway would not resolve the lights shining into neighbors' windows. Mr. Parker agreed with Mr. Jaros that if people are stopping at the end of the driveway, the landscaping will not relieve the problem of headlights shining into the neighbors' windows. Mr. Jaros noted Ms. Perry promised to advise the current renters to refrain from shining their headlights into the neighbors' windows and he feels that this action may resolve the problem. Mr. Parker said that he would share this concern with the owners. Ms. Lane will discuss the types of plants and their location on the site with Mr. Parker later.

Chairman Miller called for a motion to approve the Site Plan for the expansion of the parking lot at 301 and 349 Glendale Drive, with stipulations.

Motion Made: S. McLain  
Motion Seconded: D. Kudgus  
MOTION: Approval of the motion for a Site Plan for the expansion of the parking lot at 301 and 349 Glendale Drive, with stipulations.  
VOTE: In Favor: L. Miller, L. Cicciarelli, S. McLain, S. Forster, M. Jaros, D. Kudgus  
**Opposed:** None  
**Abstained:** None  
Motion Carried

**F. Special Use Permit for Domesticated Chickens (Poultry), 130 Dimmock Hill Road, Bob Kashou**

**1. Declare Lead Agency and Classify the Project as an Unlisted Action**

Chairman Miller then asked for a motion to declare Lead Agency and to classify the project as an Unlisted Action.

Motion Made: S. Forster  
Motion Seconded: S. McLain  
MOTION: Declare the Planning Board as Lead Agency and Classify the Project as an Unlisted Action.  
VOTE: **In Favor:** L. Miller, L. Cicciarelli, S. McLain, S. Forster, M. Jaros, D. Kudgus  
**Opposed:** None  
**Abstained:** None  
Motion Carried

**2. Call for Public Hearing for a Special Permit for Domesticated Chickens, at 7:00 p.m. on November 10, 2020**

Chairman Miller then asked for a motion to call for a Public Hearing for a Special Permit for Domesticated Chickens, at 7:00 pm. On November 10, 2020.

Motion Made: D. Kudgus  
Motion Seconded: L. Cicciarelli  
MOTION: Call for a Public Hearing for a Special Permit for Domesticated Chickens at 7:00 p.m. on November 10, 2020.  
VOTE: In Favor: L. Miller, L. Cicciarelli, S. McLain, S. Forster, M. Jaros, D. Kudgus  
**Opposed:** None

**Abstained:** None  
Motion Carried

**G. Special Use Permit for Fill in the 100-Year Floodplain, 3901 Watson Blvd., Bill Walsh**

Ms. Lane had asked Mr. Alex Urda to confirm whether the hydrology study submitted by Rick Woidt in 2007 would still be valid. Mr. Urda reached out to Nick DiGennaro at Shumaker Engineering who is Mr. Woidt's replacement due to retirement. Mr. DiGennaro confirmed that Mr. Woidt's study utilized the 2007 preliminary flood map. Mr. Urda noted that these preliminary maps have not been adopted, but they are a better model than those available in the 1980s. Mr. DiGennaro agreed with Mr. Urda that nothing has changed that warrants a change to Mr. Woidt's report. Mr. Urda added that the stormwater permit is still valid because it never lapsed. Since there was a lapse in the fill permit, Mr. Walsh is applying to renew the Special Permit for filling in the 100-year floodplain. The flood study and the stormwater permit are still accurate.

**1. Declare Lead Agency and Classify the Project as an Unlisted Action**

Chairman Miller then asked for a motion to declare Lead Agency and to classify the Project as an Unlisted Action.

Motion Made: S. McLain  
Motion Seconded: D. Kudgus  
MOTION: Declare the Planning Board as Lead Agency and Classify the Project as an Unlisted Action.  
VOTE: **In Favor:** L. Miller, L. Ciccirelli, S. McLain, S. Forster, M. Jaros, D. Kudgus  
**Opposed:** None  
**Abstained:** None  
Motion Carried

**2. Call for Public Hearing for a Special Permit for Fill in the 100-Year Floodplain, at 7:05 p.m. on November 10, 2020**

Chairman Miller then asked for a motion to call for a Public Hearing for Fill in the 100-Year Floodplain, at 7:05 p.m. on November 10, 2020.

Motion Made: S. Forster  
Motion Seconded: M. Jaros  
MOTION: Call for a Public Hearing for a Special Permit for Fill in the 100-Year Floodplain at 7:05 p.m. on November 10, 2020.  
VOTE: **In Favor:** L. Miller, L. Ciccirelli, S. McLain, S. Forster, M. Jaros, D. Kudgus  
**Opposed:** None  
**Abstained:** None  
Motion Carried

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

Dave Culbertson has approached the Town to install 500 landscaping trees to buffer adjacent residents from the view of National Pipe and Plastics' pipe storage at 15 Mills Avenue. The trees would be planted on the south side of property from the eastern corner of 1 North Page Avenue to where the building starts, and along the north perimeter of the property behind the chain link fence. Mr. Culbertson would not remove any existing trees. Mr. Jaros explained that the neighbors have been talking to Mr. Culbertson about a privacy fence. However, Mr. Culbertson does not want to deal with the maintenance for the fence so he suggested planting the arborvitae on National Pipe and Plastics' property as an alternative to the fence.

Ms. Lane asked Mr. Jaros if he thinks that the neighbors on Maple Street are aware that these trees could get quite tall, and they may lose some sunlight. Mr. Jaros said that it would probably take thirty to forty years for those trees to mature, and the neighbors feel that it is a good idea since a lot of that area had woods at one time. Mr. Jaros added that the only reason that Mr. Culbertson is not planting trees on the west side of the building is because there are train cars blocking the view of the pipe. Mr. Jaros noted that the train cars are another issue that the neighbors have not been able to resolve with the railroad company.

Mr. Rick Materese asked whether it was possible for Mr. Culbertson to stagger these trees rather than putting them in a straight line. Mr. Jaros said that he has been in conversation with Mr. Culbertson and the landscaping plan is to have a little bit of a zigzag to achieve a more natural look. Ms. Lane added that Mr. Culbertson is not removing any trees and she is sure the new trees will be an improvement over what is there now.

Ms. Miller called for a motion to approve the revision to National Pipe and Plastics' landscaping plan to include 500 arborvitae trees.

Motion Made: D. Kudgus  
Motion Seconded: M. Jaros  
MOTION: Approval of the motion to revise National Pipe and Plastics' Landscaping Plan to include 500 arborvitae trees.  
VOTE: In Favor: L. Miller, L. Cicciarelli, S. McLain, S. Forster, M. Jaros, D. Kudgus  
**Opposed:** None  
**Abstained:** None  
Motion Carried

Ms. Lane asked the Planning Board for their input on Mr. Kashou's plan for outdoor lighting. She does not want Mr. Kashou spending money on a photometric study if the Planning Board is not going to support the project.

Mr. Kashou would like to place two diesel-powered construction lights on his outdoor fields. Ms. Miller asked if these lights were noisy and Mr. Forster responded that they are not that loud; however, he reminded the members about the rule that cars are not allowed to idle more than ten minutes during events, and the diesel engines on these lights would be running continuously. Mr. Jaros noted that he had researched the diesel-powered lights and it is the generator noise that residents will hear continuously. Ms. McLain asked how close the lights would be to the neighbors' homes. Ms. Lane answered that one of the lights would be at the north end of the field close to Bill Kuzel's home and the other would be on the south side of the field, which is not close to anyone's house.

Mr. Materese asked if it is possible to call the company that makes the construction lights and to make a recording of what they sound like to get a better idea of the noise level. He added that this is something Mr. Kashou could do. He noted that if Mr. Kashou wants to do this, he should give the Planning Board some proof that these lights aren't going to be a problem.

Mr. Kudgus suggested that perhaps the Planning Board could consider making the request for the outdoor construction lights COVID specific. He would not want the outdoor lights to be a long-term thing, but he wants to help Mr. Kashou keep his business operating. Mr. Cicciarelli also said that he would entertain a temporary use of outdoor lights due to the COVID situation. Ms. McLain added that she also agrees with a temporary time-frame with specific time limits. Ms. Lane said that Ms. Golazeski will require a photometric study and a site plan in order for Mr. Kashou to put the lights on his fields.

Mr. Cicciarelli said that if Mr. Kashou was willing to do the required testing that he could certainly entertain the proposal. Mr. Forster noted that it was not practical to do a light study on the construction lights because if the lights moved a fraction of an inch the readings would be different. Mr. Cicciarelli replied that the Planning Board has rules and regulations and he felt that the Planning Board needed to adhere to Ms. Golazeski's requirements for this project. Ms. Lane thanked the Planning Board for their input and she said that she would discuss the Planning Board's input with Ms. Golazeski.

#### I. Adjournment

Chairman Miller asked for a motion to adjourn the meeting at 8:57 p.m.

Motion Made:	D. Kudgus
Motion Seconded:	L. Cicciarelli
MOTION:	Adjourning the meeting.
VOTE:	<b>In Favor:</b> L. Miller, L. Cicciarelli, T. Crowley, S. Forster, M. Jaros
	<b>Opposed:</b> None

**Abstained:** None  
Motion Carried

**Next Meeting Date**

The next meeting of the Planning Board is tentatively scheduled for Tuesday, November 10, 2020, at 7:00 p.m.

Respectfully Submitted,  
Carol Krawczyk