

Town of Union Planning Board Minutes

Tuesday, November 9, 2021

The Town of Union Planning Board held a regular meeting on Tuesday, November 9, 2021, at the Town of Union Office Building, 3111 East Main Street, Endwell, New York.

Members present: L. Miller, S. McLain, T. Crowley, S. Forster, C. Curtin (Alternate)
Members absent: D. Kudgus, M. Jaros, K. Rose
Others present: Marina Lane, Rick Materese, Mark Parker, Carmen DiDiano, Joseph Abisaid, Ashley Perry, Quinton Perry, Mohammad Amin

A. CALL TO ORDER

Chairman Miller called the meeting to order at 7:00 p.m.

B. MEETING MINUTES

1. Acceptance of September 21, 2021 Meeting Minutes

- Page 1, second paragraph, fifth sentence, change first word of sentence to "they."

Chairman Miller asked for a motion to accept the September 21, 2021, Meeting Minutes as revised.

Motion Made: T. Crowley
Motion Seconded: S. Forster
MOTION: Acceptance of the September 21, 2021, Meeting Minutes as revised.
VOTE: **In Favor:** L. Miller, S. McLain, S. Forster
T. Crowley
Opposed: None
Abstained: None
Motion Carried

2. Acceptance of October 19, 2021, Meeting Minutes

Chairman Miller asked for a motion to accept the October 19, 2021, Meeting Minutes as written.

Motion Made: T. Crowley
Motion Seconded: S. Forster
MOTION: Acceptance of the October 19, 2021, Meeting Minutes written.
VOTE: **In Favor:** L. Miller, S. McLain, S. Forster, T. Crowley
Opposed: None
Abstained: None
Motion Carried

3. Acceptance of October 19, 2021, Public Hearing Transcript; 1060 Robinson Hill Road, Special Use Permit to Keep Poultry

Chairman Miller asked for a motion to accept the Public Hearing Transcript for a Special Use Permit to Keep Poultry at 1060 Robinson Hill Road as written.

Motion Made: S. McLain
Motion Seconded: T. Crowley
MOTION: Acceptance of the Public Hearing Transcript for a Special Use Permit to Keep Chickens at 1060 Robinson Hill Road as written.
VOTE: **In Favor:** L. Miller, S. McLain, S. Forster, T. Crowley
Opposed: None
Abstained: None
Motion Carried

4. Acceptance of October 19, 2021, Public Hearing Transcript; 1571 Union Center-Maine Highway, Special Permit to Repair Pond in the Floodplain

Chairman Miller asked for a motion to accept the Public Hearing Transcript for a Special Permit to Repair Pond in the Floodplain at 1571 Union Center-Maine Highway as written.

Motion Made: S. Forster
Motion Seconded: T. Crowley
MOTION: Acceptance of the Public Hearing Transcript for a Special Permit to Repair Pond in the Floodplain at 1571 Union Center-Maine Highway as written.
VOTE: **In Favor:** L. Miller, S. McLain, S. Forster, T. Crowley
Opposed: None
Abstained: None
Motion Carried

5. Acceptance of October 19, 2021, Public Hearing Transcript; 2308 Riverview Drive, Special Permit to place a Residential Pool and Gazebo in the Floodplain

Chairman Miller asked for a motion to accept the Public Hearing Transcript for a Special Permit to Place a Residential Pool and Gazebo in the Floodplain.

Motion Made: S. Forster
Motion Seconded: T. Crowley
MOTION: Acceptance of the Public Hearing Transcript for a Special Permit to Place a Residential Pool and Gazebo in the Floodplain at 2308 Riverview Drive as written.
VOTE: **In Favor:** L. Miller, S. McLain, S. Forster, T. Crowley

Opposed: None
Abstained: None
Motion Carried

6. Acceptance of October 19, 2021, Public Hearing Transcript; 1101 River Drive, Special Use Permit to expand a Public Utility

Chairman Miller asked for a motion to accept the Public Hearing Transcript for a Special Use Permit to expand a Public Utility at 1101 River Drive as written.

Motion Made: S. Forster
Motion Seconded: T. Crowley
MOTION: Acceptance of the Public Hearing Transcript for a Special Use Permit to expand a Public Utility at 1101 River Drive as written.
VOTE: **In Favor:** L. Miller, S. McLain, S. Forster, T. Crowley
Opposed: None
Abstained: None
Motion Carried

C. 301 Glendale Drive, Modification of Special Use Permit to Expand Outdoor Storage, Mark Parker

1. SEQRA Determination

Ms. Lane noted that the Planning Board had essentially approved the same project in 2020 for the expansion of a storage facility. As part of that project, the applicant merged two parcels so the acreage on Part 1 of the EAF had changed. Ms. Lane then reviewed Part 2 of the EAF and noted that all the environmental impacts were small to none.

Per the Determination of Significance, part 3, a Special Use Permit to allow the expansion of outdoor storage of vehicles in the rear of the existing indoor storage building at 301 Glendale Drive was approved in 2020, but never constructed; hence the Special Use Permit has expired. The owners have reapplied for the Special Use Permit, modified to include the outdoor storage of storage containers in addition to vehicles. The property is zoned Industrial, and outdoor storage is permitted by Special Use Permit.

The existing area of proposed outdoor storage is 62,700 square-feet, and the proposed area is 34,650 square-feet, totaling about 2.23-acres on approximately 21-acres of land owned by the developer. The approximately 0.8-acre additional parking area will replace grass, and have minimal impact on flora and fauna.

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 storage is proposed behind current and additional screening landscaping, and would not be visible from Glendale Drive, as is required for outdoor storage.

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 archaeological 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 asked for a motion to approve the Negative Declaration under SEQRA.

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

2. Public Hearing for a Revised Special Use Permit to Expand Outdoor Storage, Vote at Planning Board’s Discretion

Chairman Miller read the public notice and then opened the Public Hearing for a Special Use Permit to Expand Outdoor Storage at 301 Glendale Drive at 7:08 p.m. After discussion, Chairman Miller closed the Public Hearing at 7:20 p.m.

In addition to the outdoor storage of vehicles, RVs and boats, the new application also includes the storage of outdoor storage units. Mr. Parker noted that the client added outdoor storage units to the application because there is a strong demand for them. Mr. Parker noted that they would still be storing vehicles, RVs and boats on the lot as well. The applicant will not stripe the parking lot to give more flexibility for outdoor storage based on customer demand.

Per the staff report, 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 a Negative Declaration under SEQRA. A Stormwater Pollution Prevention Plan was not required because the proposed disturbance to the site is under an acre and there is a large gently sloping expanse of trees and grass between the proposed parking area and any other development. The project does require stormwater mitigation, and the plan to maintain the same or lower rate of stormwater runoff has been approved by the Town Commissioner of Public Works.

The Planning Department recommends approval of the Special Use 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 storage containers, 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, which 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), weather permitting.
- 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 any excavation or building permit.

There was some discussion about the wording of some of the stipulations. Ms. Lane substituted the word “units” in place of the word “containers,” and added the words “as submitted” to the second stipulation. Ms. Lane also changed the sixth stipulation by changing the wording “excavation or building” to “fill or grading” permit. Mr. Forster wanted to exclude shipping containers in the language of the second stipulation; however, Mr. Crowley did not agree with this change because he thought it was too restrictive to the applicant. Ms. Lane noted that the units are attractive and she apologized for not bringing the brochure for the units to the meeting. Ms. Perry added that all of the units have corrugated pull down doors and are painted white on the side. She added that Janus is a nationwide company that produces the storage units, if the Planning Board members want to see pictures of the units.

Mr. Parker noted that the outdoor storage units would not be used to screen the outdoor vehicles from the public. He also commented that there were existing trees that shielded the storage units from public view. Mr. Parker stated that he would do whatever the Planning Board required for the landscaping, and that he would work with the client’s landscaper to develop a plan for planting the trees in the spring.

Chairman Miller called for a motion to approve the Special Use Permit to Expand Outdoor Storage, with revised stipulations.

Motion Made: T. Crowley

Motion Seconded: S. McLain

MOTION: Approval of the Special Use Permit to Expand Outdoor Storage, with revised stipulations.

VOTE: **In Favor:** L. Miller, S. McLain, S. Forster
T. Crowley

Opposed: None

Abstained: None

Motion Carried

3. Pending SUP approval, Site Plan Review

Ms. Lane noted that the Planning Board should focus on the changes that have been made to the landscaping plan. Ms. Lane had discussed the landscaping plan with a NYS master forester and separately with Mr. Lincoln Ellis, the Acting Code Enforcement Official, and Mr. Ellis had suggested planting the trees closer to the parking lot and spreading them out to provide better growth and screening for the project. The master forester suggested that the trees be spread at least twenty-feet apart so they would grow more fully. He also suggested that they use Norway spruce trees rather than blue spruce trees because they were hardier. Mr. Ellis suggested that the applicant could fill in the space between the spruce trees with a few Japanese maples. Mr. Parker said that he would do whatever the Planning Board required for the

landscaping. Ms. Perry offered to work with the client's landscaper to develop a plan for planting the trees in the spring. Ms. Lane summarized the discussion by saying that there will have to be trees planted as screening for the project.

Planning Department staff recommends approval of the site plan with the following stipulations:

1. A revised landscaping plan shall be submitted, per the plan approved by the Planning Board. The landscaping plan shall be installed per the approved site plan by June 30, 2022. An extension of this deadline may be approved by the Planning Board.
2. 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.
3. 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.
4. If any new outdoor lighting is proposed, the applicant shall first submit cut-sheets to the Code Enforcement Officer for approval.
5. Per NYS law, all commercial buildings must be inspected by Code Enforcement every three years. It is your responsibility to coordinate the next inspection by calling the Code Enforcement office at (607) 786-2920.
6. Site plan approval shall expire after one year, unless substantial improvements have been made pursuant to the approved site plan.
7. 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.
8. The applicant shall be required to acknowledge all of the above conditions, in writing, prior to the issuance of a fill and grading 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 made the following changes to the stipulations: Stipulation 1 was changed to read "per the town code screening requirement" rather than "per the plan approved by the Planning Board." Stipulation 6 was revised to include the sentence "The Planning Board may extend Site Plan Approval upon request."

Chairman Miller asked for a motion to approve the Site Plan for 301 Glendale Drive, with revised stipulations.

Motion Made: S. McLain
Motion Seconded: T. Crowley
MOTION: Approval of the Site Plan for 301 Glendale Drive, with revised stipulations.
VOTE: In Favor: L. Miller, S. McLain, S. Forster, T. Crowley
Opposed: None
Abstained: None
Motion Carried

D. 2705 and 2713 East Main Street, AutoZone Expansion, Carmen DiDiano

Mr. DiDiano reminded the Planning Board that he had presented to the Planning Board in September, and they had made a negative declaration per SEQRA. He then went before the ZBA and received approval for the faux windows across the front of the addition. Mr. DiDiano's firm, MDM Engineers, provided a storm water management plan for the project. The project has been submitted to the DOT and they received some comments about the trees not impeding the sidewalk across the front of the building. Mr. DiDiano noted that he would capture this better on the landscaping plan. The conditions in Ms. Lane's staff memo were acceptable to AutoZone and they will provide written consent upon approval of the site plan from the Planning Board.

1. Site Plan Review

The intention is to make this store a distribution hub for other AutoZone stores within an approximate 25-mile radius. AutoZone anticipates that the new hub store would have three to four additional deliveries a week from their tractor-trailer trucks. They will increase the inventory they have to satisfy the normal customer but they will also carry specialty items. Typically the hub store is designed to serve anywhere from eight to twelve AutoZone stores. Those small truck deliveries only occur once a week so there will not be a significant increase in traffic.

The parking requirement for a retail use is four per 1,000 square feet, and a warehouse use requires one space per employee. The requirement is 35 spaces for the retail use, and with a maximum of five employees per shift, the total number of required parking spaces is 40. The site plan provides 68 spaces, including three accessible spaces.

The Planning Board made a Negative Declaration on September 21, 2021. A full Stormwater Pollution Prevention Plan is not required, but with 0.808-acres disturbance, AutoZone submitted a stormwater study to show that the proposed underground drainage system will be sufficient.

The properties are subject to a 239-Review because they are located on State Route 17C. NYS DOT will require a PERM 33-COM Highway Work Permit for the modifications to the access points along SR 17C. The driveway entrances

shall conform with the NYS Policy and Standards for the Design of Entrances to State Highways. Post-development stormwater outflows to the State right-of-way may not exceed pre-development condition, and nothing may be placed within the State right-of-way. Finally, as a condition of the Highway Work Permit, the DOT required that the developer construct a pedestrian connection between the store and the sidewalk along SR 17C. The site plan was updated to meet this requirement.

The Broome County Health Department recommend that any hazardous materials/wastes stored on site should utilize primary and secondary containment systems. A spill response plan and equipment should be readily available for any spills, leaks or other discharges of hazardous materials/wastes. AutoZone staff should notify the NYS Spill Hotline of any “reportable spill,” as defined by the NYS DEC. Broome County Planning concurred with all the recommendations.

Planning staff recommendation is to approve the site plan, with the following stipulations:

1. The two parcels shall be combined into 2705 E. Main Street at the time of the sale, prior to the issuance of a building permit.
2. A pre-construction meeting shall be held with all contractors and Town Code Enforcement and Building Officers prior to any site work, including grading or tree removal.
3. AutoZone Parts, Inc., as the owner of the property on which the underground stormwater detention system is located, shall have the initial obligation to maintain the underground detention system in a functional condition, as described in the Storm Water Management Study. The underground stormwater detention system shall be maintained in perpetuity by the owner of the property.
4. The new parking area must be striped per the approved site plan prior to being utilized by customers and/or employees. All parking lots shall be striped and posted per the approved site plan prior to the issuance of a Certificate of Occupancy.
5. The required accessible parking spaces shall be maintained with signage displaying the international symbol of accessibility. The access aisle shall be provided with signage reading “No Parking Anytime.” Signs shall be permanently installed at a clear height of between 60 inches and 84 inches above grade and shall not interfere with an accessible route from an access aisle.
6. The required landscaping shall be planted prior to the issuance of a Certificate of Occupancy for the warehouse. 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. Changes to the landscaping should be submitted to the Planning Department for review.

7. The parking lot lights and any lights on the building shall not exceed light levels necessary for safety and for locating vehicles at night. The lighting plan shall be designed so that the parking lot is lit from the outside perimeter inward and/or incorporate design features with the intent of eliminating off-site light spillage. Lights shall be programmed or designed to dim after hours of dusk to minimize night light.

8. A Knox Box will be required for fire department access. Contact the Fire Chief of the Endwell Fire Department at (607) 785-0985 to coordinate fire access and coverage prior to the issuance of a Certificate of Occupancy.

9. Prior to the erection or display of any new signage, the applicant shall apply for a sign permit from the Building Official. All temporary signs, portable signs, balloons, and sidewalk 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.

10. Site plan approval shall expire after one year, unless substantial improvements have been made pursuant to the approved site plan and a valid building permit.

11. The applicant shall be required to acknowledge all of the above conditions, in writing, prior to the issuance of a building 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.

Mr. Crowley asked if AutoZone was still required to take used oil, and Mr. DiDiano answered in the affirmative. He added that AutoZone has a double-walled containment facility in the building for the used oil. The revised site plan shows the crosswalk that the DOT requested, which brings pedestrians right up to the front door of the store. Mr. Forster asked if the Planning Board wanted to restrict the type of repairs that would be done in the parking lot. Mr. DiDiano noted that windshield wipers, batteries and lamps are often changed in their parking lot by qualified AutoZone staff. The Planning Board members felt that these minor repairs in the parking lot were fine. Mr. DiDiano also commented on the two new lighting fixtures that were added to the site plan. AutoZone keeps one of the parking lot lights lit for security. There will be a couple of building-mounted lights over the doors for security, which will have cut-off fixtures and are designed to light just directly in the door area.

Chairman Miller asked for a motion to approve the Site Plan for 2705 and 2713 East Main Street, with stipulations.

Motion Made: T. Crowley

Motion Seconded: S. McLain
MOTION: Approval of the Site Plan for 2705 and 2713 East Main Street, with stipulations.
VOTE: In Favor: L. Miller, S. McLain, S. Forster, T. Crowley
Opposed: None
Abstained: None
Motion Carried

E. 3122 and 3124 E. Main Street and 3106 Andover Road, Joe’s Legacy Auto, Special Permit for Auto Sales, and Use Variance to allow vehicle storage in an Urban Single-Family Zoning District, Joseph Abisaid

Mr. Abisaid is applying to keep an existing auto sales business open, as a new owner. Ms. Lane explained that in 1999 the ZBA improperly granted a use variance to store vehicles on 3106 Andover Road to the owner of the business rather than the property itself. The Andover property is zoned Urban Single-Family and parking is not permitted as a principal use, so the Planning Board will make a recommendation to the ZBA regarding a use variance for the property. Mr. Crowley asked if the former use variance could be grandfathered and Ms. Lane answered it could not because the variance was granted to a specific owner rather than to the property.

1. Declare Lead Agency

Chairman Miller asked for a motion to Declare Lead Agency.

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

2. Classify the Project as an Unlisted Action

Chairman Miller asked for a motion to classify the Project as an Unlisted Action.

Motion Made: S. Forster
Motion Seconded: T. Crowley
MOTION: Classify the Project as an Unlisted Action.
VOTE: **In Favor:** L. Miller, S. McLain, S. Forster, T. Crowley
Opposed: None
Abstained: None
Motion Carried

3. SEQRA Determination

Ms. Lane gave a brief description of the project from Part 1 of the EAF. The project is for auto sales and there will be two employees between 9:00 a.m. and 5:p.m. The owner is requesting a use variance to store vehicles on 3106 Andover Road. She noted that the total acreage for all three parcels is 0.42 acres. Ms. Lane also reviewed Part 2 of the EAF and noted that all of the environmental impacts were small to none.

Per the Determination of Significance, Part 3, Joseph Abisaid applied to open an auto sales business in an existing building at 3124 E. Main Street, originally approved for auto sales in 1999, including parking on 3122 East Main Street, both zoned General Commercial. Auto sales are permitted by special use permit from the Planning Board. In 1999, the ZBA granted the former owner of the business a use variance to park vehicles on 3106 Andover Road, zoned Urban Single Family, a 0.1-acre parcel to the rear of the principal property. The applicant does not propose any changes to the building or properties. The applicant must reapply for the use variance to park vehicles on 3106 Andover Road, as the original variance was improperly applied to the owner of the property rather than the property itself. There have been no complaints associated with the existing vehicle storage on 3106 Andover Road.

The proposed action will not have any significant negative impacts on existing air quality, noise levels, existing traffic patterns, solid waste production or disposal. The main corridor route is traveled regularly by traffic not associated with the project, and the number of vehicles parked on the property is regulated by special use permit.

The proposed action will not result in adverse impacts to aesthetic, agricultural, historic or other natural or cultural resources; or community or neighborhood character. There will not be any significant impacts to any Critical Environmental Area, or endangered or threatened vegetation or animals. The proposal will not create a hazard to environmental resources or human health. The property is not in the 100-year floodplain, and there are no wetlands on the site.

The proposed project will not adversely impact the use of energy, nor have adverse impacts on subsequent development. The proposed action will not result in any adverse effects on the community's existing plans or goals, or significant change in use or intensity of use of land.

The review of the project found no significant adverse impacts to the environment, and therefore Ms. Lane proposed a Negative Declaration.

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

Motion Made:	S. Forster
Motion Seconded:	T. Crowley
MOTION:	Approval of the Negative Declaration under SEQRA
VOTE:	In Favor: L. Miller, S. McLain, S. Forster, T. Crowley

Opposed: None
Abstained: None
Motion Carried

4. Advisory Opinion for Use Variance to allow Vehicle Storage in an Urban Single Family Zoning District (3106 Andover Road)

Ms. Lane recommended that the Planning Board recommend the ZBA approve the use variance to permit vehicle storage as a principal use on 3106 Andover Road, with similar stipulations approved in 1999:

1. A six-foot high fence along the adjacent property lines should be maintained.
2. A screening fence should be maintained 10-feet from the front property line along Andover Road, with a gate for safety purposes.
3. No vehicles shall be test-driven from the property via Andover Road.
4. Any lighting on the property shall be maintained as low level lighting, no higher than 15-feet, and directed only downward, to prevent any glare into adjacent homes.

Ms. Lane reminded Mr. Abisaid that he would need to remove the vehicle parts from the property.

Chairman Miller asked for a motion to recommend approval by the ZBA of a use variance to allow Vehicle Storage in an Urban Single-Family Zoning District at 3106 Andover Road.

Motion Made: S. Forster
Motion Seconded: T. Crowley
MOTION: Recommendation of approval by the ZBA of Use Variance to allow Vehicle Storage in an Urban Single-Family Zoning District at 3106 Andover Road.
VOTE: **In Favor:** L. Miller, S. McLain, S. Forster, T. Crowley
Opposed: None
Absent: None
Motion Carried

5. Call for a Public Hearing for a Special Use Permit for Vehicle Sales, to be held on December 14, 2021, at 7:00 p.m.

Chairman Miller asked for a motion to call for a Public Hearing for a Special Use Permit for Vehicle Sales, to be held on December 14, 2021, at 7:00 p.m.

Motion Made: S. Forster
Motion Seconded: S. McLain
MOTION: Call for a Public Hearing for a Special Use Permit for Vehicle Sales, to be held on December 14, 2021, at 7:00 p.m.
VOTE: **In Favor:** L. Miller, D. Kudgus, T. Crowley, S. Forster,

Opposed: S. Forster
Abstained: None
Motion Carried

F. 684 Main Street, Veen Auto - Special Use Permit for Auto Sales and Repair, Mohammad Amin

Ms. Lane stated that the owner of the former garage had been granted a Special Use Permit for Auto Sales and Repairs. The Planning Board is not be able to transfer the Special Permit because the business had been closed for more than three months. Mr. Amin stated that he would also like to apply for a Special Use Permit for both Auto Sales and Repairs.

1. Declare Lead Agency

Chairman Miller asked for a motion to Declare Lead Agency.

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

2. Classify the Project as an Unlisted Action

Chairman Miller asked for a motion to classify the Project as an Unlisted Action.

Motion Made: S. Forster
Motion Seconded: S. McLain
MOTION: Classify the Project as an Unlisted Action.
VOTE: **In Favor:** L. Miller, S. McLain, S. Forster,
T. Crowley
Opposed: None
Abstained: None
Motion Carried

3. Call for a Public Hearing for Special Use Permits for Vehicle Sales and Repair, to be held on December 14, 2021, at 7:05 p.m.

Chairman Miller asked for a motion to call for a Public Hearing for Special Use Permits for Vehicle Sales and Repair, to be held on December 14, 2021, at 7:05 p.m.

Motion Made: S. Forster
Motion Seconded: S. McLain
MOTION: Call for a Public Hearing for Special Use Permits for Vehicle Sales and Repair, to be held on December 14, 2021, at 7:05 p.m.
VOTE: **In Favor:** L. Miller, D. Kudgus,

S. Forster, M. Jaros, K. Rose

Opposed: S. Forster

Abstained: None

Motion Carried

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

Ms. Lane noted that the Planning Board will have a site plan review for a new salon at 3502 Country Club Road and a site plan review for a new used-clothing store at 623 Main Street.

Mr. Crowley asked why alternate Planning Board members are not allowed to vote. Ms. Lane noted that currently the town code only permits alternate member to vote when another member has to recuse themselves from the vote. Ms. Lane noted that she will be working with the Town Board to change this.

H. Adjournment

Chairman Miller asked for a motion to adjourn the meeting at 8:35 p.m.

Motion Made: S. Forster

Motion Seconded: T. Crowley

MOTION: Adjourning the meeting.

VOTE: **In Favor:** L. Miller, S. McLain, S. Forster,
T. Crowley

Opposed: None

Abstained: None

Motion Carried

Next Meeting Date

The next meeting of the Planning Board is tentatively scheduled for Tuesday, December 14, 2021, at 7:00 p.m.

Respectfully Submitted,
Carol Krawczyk