

Town of Union Planning Board Minutes  
Tuesday, May 28, 2019

A special meeting of the Town of Union Planning Board was held Tuesday, May 28, 2018, at the Town of Union Office Building, 3111 East Main Street, Endwell, New York.

Members present: L. Miller, L. Cicciarelli, S. McLain, T. Crowley, S. Forster, and M. Jaros

Members absent: D. Kudgus

Others present: Marina Lane, Sara Zubalsky-Peer, Alan Pope, Rick Materese, Sarah Campbell, David Culbertson, Chris Maby, and Surya Yalamanchili

**A. CALL TO ORDER**

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

**B. MEETING MINUTES**

**1. Acceptance of the Revised April 9, 2019 Meeting Minutes**

Motion Made:	L. Cicciarelli
Motion Seconded:	S. McLain
MOTION:	Acceptance of the revised meeting minutes of April 9, 2019, as written.
VOTE:	<b>In Favor:</b> L. Miller, L. Cicciarelli, S. McLain, S. Forster, M. Jaros <b>Opposed:</b> None <b>Abstained:</b> T. Crowley

Motion Carried

**C. NP&P Office Building, 1 North Page Avenue, S. Campbell**

National Pipe and Plastics plans to construct a new 22,690-square foot single-story building over the footprint of a former Endicott-Johnson factory building.

**1) SEQRA Determination**

Ms. Lane explained that at a previous meeting, the Planning Board had classified this project as an Unlisted Action. The DEC has modified the SEQRA procedures so that when in or adjacent to a Historic District, only those projects which meet or surpass 25 percent of a typical Type I Action threshold will be classified as a Type I Action. If this project had been presented last year, it would have been classified as a Type 1 action

because it is adjacent to historic resources, the carousel and the West Endicott Fire Company Building.

The applicants prepared the long EAF form, which is appropriate since this is a large construction project. The following are questions and answers posed on Part 2 of the EAF, prepared by Ms. Lane.

The first question addresses whether there will be an impact on the physical land. There will be no impact with regard to the construction on land where depth to water table is less than 3 feet. The construction will not involve construction on slopes of 15% or greater. The construction will not expose bedrock or involve the excavation and removal of more than 1,000 tons of natural material. The construction will not continue for more than one year. The proposed construction will not result in increased erosion; and the construction is not located within a Coastal Erosion hazard area.

There will be no impact on geological features. There will be no impact on surface water because there is no surface water at the site.

Although the proposed action may result in new or additional use of ground water, the proposed action will not require a new water supply or create additional demand on existing water supply wells as this building will house only 52 employees. The water supply will not exceed safe or sustainable capacity. The proposed action will not result in residential uses in areas without water and sewer services. The proposed action will not require wastewater to be discharged to groundwater because they have a regular sanitary sewer system. There will be no construction of water supply wells where the groundwater is contaminated. The project will not require the bulk storage of petroleum or chemical products over ground water of an aquifer. The proposed action will not involve the commercial application of pesticides within 100 feet of potable drinking water or irrigation sources.

The development will not have an impact on flooding. The aerial photos of the 2006 and 2011 floods showed that flood waters were not near the property. The proposed building will not have an impact on air.

The proposed action may result in a loss of flora or fauna. Ms. Lane explained that the DEC flagged this question as a “yes” due to the presence of the bald eagle, a protected animal. The project does not remove any habitat associated with the bald eagle. The action will not cause a reduction in a species of special interest or the reduction or degradation of any habitat used by any species of special concern to the federal government. The proposed action will not diminish the capacity of a registered National Natural Landmark to support the biological community it was established to protect. The proposed action will not result in the removal of any portion of a designated significant natural community. The proposed action will not

interfere with the nesting/breeding, foraging, or over-wintering habitat for the predominant species that occupy the site. The proposed action will not require the conversion of more than 10 acres of forest, grassland or any other regionally or locally important habitat. The use of commercial herbicides or pesticides on the lawn will be modest.

There will be no impact on agricultural resources or aesthetic resources. Although the project is located adjacent to historic and archeological resources, the project will not have an impact on these, per the 2019 memorandum from the NYS Office of Parks, Recreation and Historic Preservation.

The proposed action may impact recreational opportunities because the West Endicott Park is adjacent to the property. Although there will be no loss of any area now used by the community as an open space resource, there will be a temporary loss of parking for the park during construction. In addition, the developer wants to prevent parking on the south side of Maple Street after the construction is completed.

There will be no impact on critical environmental areas because there are none in the Town of Union.

The proposed action may result in a small change to existing transportation systems. The projected traffic increase will not exceed the capacity of the existing road capacity nor result in the construction of paved parking for 500 or more vehicles. Existing pedestrian or bicycle accommodations will not be significantly impacted. There will be a small impact on the movement of people or goods as construction vehicles will affect Maple Street residential and recreational traffic during construction.

Mr. Jaros asked whether the recreational and residential traffic will also affect N. Page Avenue while they are widening N. Page Avenue and putting a curb in. Ms. Lane said the only impact on N. Page Avenue is when they dig up a part of the street to bring a water line from the east side of Page Avenue to the site. Mr. Maby stated that National Page and Plastics will help dig the trench for the waterline and this will be a one-day operation. Widening the road and putting in a new curb will be accommodated by putting in lane shifts, and the only time that the road will be affected is when they dig the trench to put new water lines in. Mr. Materese said there will be some disruption on the west side of N. Page Avenue, but as Mr. Maby noted, there will still be two lanes going down Page Avenue. After discussion about other impacts to the traffic in the area, Ms. Lane added N. Page Avenue under question 13(f), Other Impacts, of Part 2 of the EAF.

The proposed action will cause an increase in the use of energy. There will not be an upgrade to any substation, but they will be reworking the electrical

poles. A single line coming off the existing electrical transmission pole on 11 Frey Avenue will extend onto the project property. The proposed action will not require the creation or extension of an energy transmission or supply system to serve more than 50 single or two-family residences, will not utilize more than 2,500 MWH per year of electricity, and will not involve heating and/or cooling of more than 100,000 square feet because the building is about one-fifth of that square footage.

Mr. Materese questioned whether Frey Avenue was the correct address for the electrical pole, versus Mills Avenue. Ms. Lane answered that the property that National Pipe and Plastics factory sits on is now known as 11 Frey Avenue. Mills Avenue actually stops at Maple Street. Mr. Maby agreed the property address is 11 Frey Avenue, and noted that the factory property encompasses 43.8 acres. Mr. Culbertson added that originally the property had two parcels of land, 11 Frey Avenue and 15 Mills Avenue. Ms. Lane explained that 15 Mills was combined into 11 Frey Avenue in 2012.

The following question concerned whether the proposed action might result in an increase in the noise, odors, or outdoor lighting. The project should not be too noisy because it is just regular construction. Mr. Maby explained that the project involves typical construction machinery for building a stick building. Mr. Culbertson added that the building will rest on a steel base with windows on the base. There will be some noise from hammering during the construction and Mr. Maby said that there will also be noise from the grading machinery. There will be no blasting within 1,500 feet of any residence, hospital, school, licensed day care center or nursing home. The proposed action will not result in routine odors for more than one hour per day, and will not result in light shining onto adjoining properties or in lighting creating sky-glow brighter than existing area conditions.

There will be no impact on human health from exposure to new or existing sources of contaminants. The proposed action is consistent with adopted land use plans and the existing community character. Ms. Lane noted that the Town Board viewed the project as a good transitional use between residential, industrial and commercial uses.

Ms. Lane then reviewed Part 3, the Determination of Significance. She explained that this part of the EAF addresses sections of Part 2 where she answered “yes” due to potential impacts that required a second look. The following potential impacts were identified and required evaluation:

1. Impact on Land: The former factory and parking lot have been demolished. The site is vacant except for a former substation, which will be removed, and existing underground utilities, which will either be replaced, or abandoned in the ground over which there will be no development. The

site has been disturbed recently for the removal of two gas tanks, requiring additional fill. There will not be any significant impact to the land.

4. Impact on Ground Water: An existing water line will be replaced. Water use by the 52-personnel office building will be less than the factory usage.

7. Impact on Plants and Animals: The protected Bald Eagle has been identified by DEC; new construction will have no impact on the Bald Eagle's habitat.

10. Impact on Historic or Archeological Resources: Eligible historic resources include the Fair Play Factory, which is the former factory that was demolished, the West Endicott Park Carousel, and the West Endicott Hose Company No. 1. These will not be impacted by the new building, per the 2019 determination by the Office of Parks, Recreation and Historic Preservation (attached).

11. Impact on Open Space and Recreation: The proposed project is adjacent to an existing recreational park and may cause minor disturbances during the construction phase, but will not significantly impair use or enjoyment of that resource. Construction phases of the proposed project will temporarily reduce access to the recreational park. Loss of parking post-construction will be minor, as parking on both sides of Maple Street shall be maintained until the developer has satisfactorily resolved replacement parking spaces sufficiently before achieving the goal of "no parking" on the south side of Maple Street.

13. Impact on Transportation: During construction, trucks will use Maple Street, and will impact the existing residential and recreational traffic. Post construction, there will be an increase in employee traffic of 50-60 vehicles at typical office opening and closing hours. A project generating fewer than 100 peak hour vehicle trips per hour will not result in any significant increases in traffic, per the DEC.

14. Impact on Energy: The office building is anticipated to use 120 MWH per year, which is significantly less than the threshold of, 2500 MWH per year.

15. Impact on Noise, Odor, and Light: There will be a temporary increase in noise during construction. Hours of outdoor construction will be limited to 7:00 am to 6:00 pm. The outdoor construction season is anticipated to be completed by the end of the summer or fall. This noise will impact the community park directly across the street, but it is temporary. Construction on the interior shall continue, but it is not expected to create any significant noise.

Considering the magnitude of each identified potential impact, it is the conclusion of the Town of Union Planning Board, as Lead Agency, that the project will result in no significant adverse impact on the environment and therefore an environmental impact statement need not be prepared.

The Planning Board had several questions about the environmental impacts of the project. Mr. Crowley asked whether the construction trucks can go through National Pipe and Plastics' property to reach the construction site instead of going through the residential area. He said that there are tractor-trailers that move through the site all the time. Mr. Culbertson responded that National Pipe and Plastics has a lot of people on the ground in the yard; they will not be able to see the construction trucks coming through and it could be a significant hazard. Ms. Campbell also noted that once the construction trucks get to the site, they will stay there; they won't be coming in and out every day. Mr. Forster added that construction deliveries are unloaded at construction sites periodically and generally there are not construction deliveries every day. Mr. Culbertson said there will not be an extreme amount of material delivered to the site for this size building. Once materials are delivered, most of the work will involve assembling them.

Mr. Crowley stated he just wanted to raise the issue of traffic near the park where there will be a lot of kids going back and forth during the summer months. Mr. Materese said that most of the deliveries will be early in the morning before the park is really being used, and he asked if there was some way that the deliveries could be staged between 7 and 8 o'clock in the morning. Mr. Forster added that this is not a big project and he does not think that there will be many people working there. Mr. Crowley asked why they can't use 17C to access the job site if there are not a lot of people working there. Mr. Culbertson noted that the pipe delivery trucks terminate at 11 Frey Avenue. Mr. Forster said that there is a fence at the west end of the National Pipe and Plastics factory site so this alternate route will not be feasible. Ms. Miller asked what time the park is open. Mr. Materese answered the park opens at 8 o'clock. Mr. Cicciarelli noted that the Planning Board cannot restrict commerce so the trucks can come and go as they please. Mr. Crowley responded that the Planning Board can restrict where deliveries are made, and he thinks that deliveries should come in through the 11 Frey Avenue property. Mr. Culbertson said he will talk to Lane Construction to see if the deliveries can be managed so that no one in the park is impacted.

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

Motion Made: S. McLain  
Motion Seconded: L. Cicciarelli

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

## 2) Site Plan Review

Ms. Lane asked Mr. Maby if he would like to explain a few of the changes that have been made in the last few weeks. Mr. Maby noted that there have been a few subtle changes, nothing of major consequence. The major changes involve the work that will be done along Maple Street and N. Page Avenue to improve parking. There will be parallel parking on N. Page Avenue and angled parking on the north side of Maple Street. The main issues that have been discussed are who is going to build the curb and sidewalk, and pave the street. The final decision is that National Pipe and Plastics is going to pay for this work.

Mr. Cicciarelli asked if the work will shift the street. Mr. Maby answered that the north side of Maple Street is going to stay where it is, but the center line of the street is going to shift south about twelve feet so that parking of some sort can be accommodated on the north side of the street. Mr. Crowley asked how many parking spaces there will be. Mr. Maby answered that depending on the type of parking, there will be 18 to 31 spaces on Maple Street. Currently there are eighteen spaces on the north side of Maple Street. Mr. Crowley said that there are about thirty spaces available on Maple Street now, and he asked if the new design will replace all these spaces. Mr. Maby answered that it will depend on the type of parking that is used. Ms. Lane reminded everyone that on-street parking is not subject to the Planning Board's review.

Mr. Maby showed the site plan calls for adding twelve parallel parking spaces on N. Page Avenue where there is no parking now. The waterline will extend from N. Page Avenue into the building. Power will come from a new pole and drop underground into the building. Mr. Cicciarelli asked if there will be a sprinkler system. Mr. Maby answered that the building is not big enough to require a sprinkler system and there is fire hydrant coverage.

Mr. Jaros asked if N. Page Avenue is going to be widened. Mr. Maby answered that Page Avenue will be widened by nine feet to accommodate the new parking spaces, curbs, green space and sidewalk. Mr. Materese added that the curb and sidewalk will be eliminated where the parallel

spaces will be on Page Avenue, and then the sidewalk will be moved further west on Page Avenue.

Mr. Maby said that the Village of Endicott is going to replace the two hydrants along this property. National Pipe will provide the equipment to remove the existing pipes from the ground and will also dig the trench for the new waterline. Endicott Water will put in the pipes and the hydrants. Mr. Maby noted that a couple of the laterals will be removed from the road and just the main will be replaced.

Mr. Crowley asked whether the 30 parking spaces on Maple will be drive-in parking or back-in parking. He is not in favor of back-in parking because many people use the West Endicott Park with their young children. Ms. Lane responded that she and Mr. Materese agree. Mr. Crowley wants to be sure that the character of the park will be maintained for the community. Mr. Materese added that the Town Board also wants to make sure that there is enough parking for the park and the additional twelve spaces on N. Page Avenue will add to the number of parking spaces that will be available for people who are using the park.

Mr. Crowley asked whether the angled parking could be put in on N. Page Avenue. Mr. Materese said the Town is in favor of parallel parking on N. Page Avenue because of the speed and the density of traffic on this street. Mr. Crowley asked whether the speed limit can be lowered on N. Page Avenue to make the area safer for the kids using the park.

Ms. Lane then read her staff report for the Planning Board. Sarah Campbell, Esq., submitted an application on behalf of National Pipe and Plastics, Inc. (NP&P) for the construction of a new single-story 22,690 square-foot office building on the site of a former Endicott Johnson factory, the Fair Play Factory, located at 1 North Page Avenue. The property was rezoned to Commercial Office in July 2018, and the office use is permitted. The new building will house the headquarters of National Pipe and Plastics, Inc.

Parking for an office use is five per 1000 square feet of office space, and therefore 114 parking spaces are required. At this time, NP&P plans to have 52 employees at the office building with a few occasional visitors. The Town prefers that only the necessary number of parking spaces be constructed in an effort to minimize impervious surfaces. Therefore, 64 parking spaces are shown on the site plan, including four handicapped accessible spaces. In order to demonstrate that they have the space to

meet the requirement, a secondary parking plan is provided with the remaining 50 parking spaces, which Code Enforcement can require be constructed if they see a consistent issue with lack of parking.

Raised curb and gutter will be constructed at the property along Maple Street and 1 N. Page Avenue, with depressed curb at the double entrance on Maple Street. A sidewalk shall be constructed along the N. Page Avenue side of the property, ultimately with a donation by NP&P of a strip of land, approximately twenty-one feet deep, to add parallel parking in return for prohibiting parking along the south side of Maple Street. In addition, a strip of approximately 15.5 feet deep will be donated by NP&P to widen Maple Street.

Tests conducted for the 2006-2007 Area-Wide Study of Endicott indicated non-detectable to acceptable levels of TCE at the periphery of the property, which is not located in the plume area. In the summer of 2007, samples taken from the soil and transformers indicated a small amount of PCBs (polychlorinated biphenyls) had contaminated soil around the perimeter of a concrete slab over which the leaking transformers were located. The site is currently in the process of remediation; the transformers have been drained and remain on site until a specialized land fill in Alabama can receive them and the contaminated soil and the concrete slab. The soil remaining on site will be tested to confirm that no PCBs remain, and then the EPA/DEC case will be closed. This effort is being coordinated among the EPA, DEC and Delta Engineering.

The site is served by public water, sanitary sewer and municipal storm sewer. As a part of the relocation of the street to accommodate parking along N. Page Avenue, new fire hydrants and water lines shall be installed by the Village of Endicott with excavation support from NP&P contractors. A four-inch water lateral shall be brought into the building from North Page Avenue. The storm sewer system and catch basins shall be relocated to be in line with the new right-of-way. An existing sanitary sewer trunk extends through the property from Maple Street, and the sanitary sewer lateral will tie into this trunk. Although the sewer main is owned by the Town of Union, an access and maintenance easement will be filed by the Town of Union.

Existing NYSEG utility poles on the property shall be replaced with two new poles. One new utility pole will provide electricity to the site from a distribution and transmission facility on 11 Frey Avenue. The new electrical line shall be extended underground to the building, parking lot lights, and a light for the flag pole. A second pole will bring electrical power, also from the distribution and transmission facility on 11 Frey Avenue, to a new pole

in West Endicott Park, which is a part of the electric transmission line. The new pole will be placed approximately 20-feet north of the existing pole in the park, and may require parkland alienation.

A landscaping plan has been submitted.

Mr. Jaros asked if landscaping maintenance will be addressed by the plan. Ms. Lane answered that landscaping maintenance is addressed in the stipulations of approval.

Mr. Forster asked why NP& P was putting a new electric pole in West Endicott Park. Mr. Maby said the existing tower in the park is not built to withstand the proposed download tension on the wires. Mr. Culbertson added that previously the power line to the metal pole was supported by a power line from on top of the old factory building. During the demolition of the former factory, all the power systems were supposed to be removed and changed but this was never completed. Mr. Maby added that the existing tower in the park will be eliminated and a new wood pole will be installed there. Ms. Lane said she had spoken to Peter Bauerle at NYSEG who agreed that all of the utility poles need to be upgraded, and that the new pole in the park is located in an existing easement in the park. Mr. Jaros asked if the park pole will be supplying the electricity to the office building and the plant. Mr. Culbertson said it will not; power from the plant comes across National Pipe and Plastics' factory driveway. From there, one new line will connect underground to supply power to the office building. The other line that goes through the second new National Pipe and Plastic electric pole will continue to the wooden pole in the park. Mr. Culbertson said that new transmission wire will send power all over West Endicott and will be just for West Endicott, not the National Pipe and Plastic properties.

Ms. Lane continued her report with the environmental and 239 review of the project. The applicant's proposal was classified as an Unlisted Action under the New York State Environmental Quality Review Act (SEQRA) because although it is adjacent to historic resources, the West Endicott Park Carousel and West Endicott Hose Company No. 1, the project does not surpass 25% of any thresholds for a Type I action. Under the requirements of Section 617.7(c), the Planning Department recommends the approval of a Negative Declaration based on completion and review of the Full Environmental Assessment Form.

As over an acre of soil will be disturbed, a Stormwater Pollution Prevent Plan (SWPPP) has been approved for erosion control measures during construction and post-construction stormwater remediation. A bio retention basin will collect stormwater from the new staff parking lot, and that stormwater runoff will be directed into a closed stormwater system that eventually runs westward along the south side of 11 Frey Avenue and outlets between the detention ponds on 11 Frey Avenue adjacent to the flood levee. Stormwater from the visitor parking lot will drain into the stormwater system in Maple Street.

This location was subject to a 239-Review as it is within 500 feet of the Village of Endicott. The Village of Endicott had no concerns, and felt the new office building would be an improvement. The Broome County Planning Department did not identify any countywide impacts, but had the following suggestions: The project site is located almost entirely within the preliminary FEMA special flood hazard area (flood waters did not come close to the property in 2006 or 2011). B.C. Planning also recommended that there be no light spillover into adjacent residential neighborhoods; that the Town conduct routine SWPPP inspections; that NYS DEC reports be filed with the Town; that sidewalks along Maple Street be extended; that the NYS DEC be contacted if contaminated soil is encountered; that there be no outdoor storage; that the project landscaping plan include caliper sizes of plants, signage, and building renderings. NYS DOT questioned the whether trucks would be using Maple Street. In response, only office supply trucks and a slightly increased number of employee vehicles will be using Maple Street. B.C. Health Department referred the Town to the NYS DEC for further information regarding the PCB contamination. The Town Code Enforcement and Engineering departments have no concerns with the project.

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

1. The contractor shall utilize erosion control and stormwater runoff preventative measures during construction, per the approved SWPPP. The bioretention pond shall be maintained by the property owner, indefinitely, per the SWPPP. A maintenance agreement and access easement shall be reviewed and approved by the Town Department of Public Works and the Town Attorney. Subsequently, they shall be filed with the deed, and a copy of the filing receipt shall be submitted to the Town Clerk's Office.
2. Orange fencing shall be placed 10-feet from the curb around the contaminated concrete pad to prevent exposure to the contamination, until such time that the transformers, oil, concrete pad and contaminated soil have been removed, remaining soil tested and shown clean, and the EPA/DEC case is closed. Once the case has been closed, final documentation stating so shall be submitted to the Planning and Code Enforcement offices promptly.
3. Sidewalk, curb and gutter shall be constructed per Town of Union standards. The contractor shall apply for a highway work permit prior to any work in the right-of-way. Curbs and gutters, and all other infrastructure facilities to be eventually deeded to the Town must be installed and noted deficiencies corrected in accordance with Town Standards and the Planning Board plan by October 15<sup>th</sup> of the year in which street acceptance is requested. (*Section 181-19B[2]*)
4. The street deed and any easement descriptions shall be submitted

to the Department of Public Works for their review and approval prior to their transfer to the Town.

5. The applicant is responsible to submit all deeds, easements, and other appropriate legal documentation to convey to the Town, all improvements shown on the site plan no later than four weeks prior to their transfer to the Town. The applicant shall submit a gains affidavit(s), real property transfer form(s), abstract(s), if required by the Town Attorney, and funds sufficient to record or file, as the case may be, all legal documents. (*Section 181-16B*)

6. A maintenance bond, a letter of credit, or other guarantee approved by the Town Attorney for ten (10) per cent of the cost of the construction of improvements along North Page Avenue and Maple Street shall be presented to the Department of Public Works for their review. Said bond shall be submitted to the Town Board for their acceptance. The bond shall cover a period of one (1) year. (*Section 181-19G*)

7. Prior to the Town's acceptance of the street and utility improvements, one AutoCAD version 2015, one PDF version, and two paper copies of the as-built drawings must be submitted to the Engineering and Planning Departments. The as-built shall include all improvements, including the stormwater control system.

8. A Memorandum of Understanding between the Town Board and the developer shall be approved and signed prior to the issuance of a Certificate of Occupancy.

9. The property owner shall facilitate the Town of Union filing an access and maintenance easement 20-feet wide over the existing Town 24-inch to 48-inch sanitary sewer trunk that runs through 1 N. Page Avenue.

10. During the replacement of any NYSEG electric utility facilities, should parkland alienation be required, the Town shall not be responsible for any related costs.

11. The parking lot shall be striped according to Town Code Chapter 300, Article 51, Off-Street Parking, Loading and Stacking Regulations. The required handicapped-accessible parking spaces shall conform to the Property Maintenance Code of NYS, and shall be posted with signage displaying the international symbol of accessibility. The handicap parking access spaces shall be no less than eight-feet by eighteen-feet (8'x18'). All paving and striping shall be complete prior to the issuance of a Certificate of Occupancy.

12. The secondary parking plan with 50 parking spaces shall be constructed if Code Enforcement requires due to a consistent issue with lack of parking. The additional parking shall be constructed within one month of notification by the Code Enforcement Official. Should the building be occupied by a new business at any time in the future, the Code Enforcement Official shall be notified and a determination may be

made that the additional parking be installed prior to their occupancy. A minimum of one landscaped island, at least 200 square feet in size, shall be provided for every 20 parking spaces contained within each single row of parking. Islands shall be planted with trees and shrubs with a minimum of one tree per 20 parking spaces.

13. The landscaping plan shall be completed by June 30, 2020. An extension of this deadline may be approved by the Planning Board.
14. The trunks of deciduous trees shall not be planted within fifteen (15) feet of the proposed right-of-way in order to minimize leaf spillage into the road. Trees shall have minimum caliper of two inches at the time of planting. Shrubs shall have a minimum height of two feet at the time of planting.
15. 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.
16. For any new signage, the applicant shall first apply for a sign permit from the Building Official prior to display. 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. The use of electronic message boards is expressly prohibited.
17. Per 300-55.4, General Requirements,
  - A. All outdoor lighting fixtures shall be shielded or otherwise contained on the property from which it originates (known as "light trespass limitations").
  - B. Exterior lighting fixtures shall conform to the Illuminating Engineer Society of North America (IESNA) criteria for full cutoff fixtures. In addition, the lighting levels shall be designed to meet the minimum requirements of the latest recommended levels set forth by IESNA. Where no standard from IESNA exists, the Planning Board shall determine the appropriate level, taking into account levels for the closest IESNA activity.
  - C. To minimize the indiscriminate use of illumination, lighting, except as required for security, shall be extinguished during non-operating hours. Where practicable, lighting installations are encouraged to include timers, sensors, and dimmers to reduce energy consumption and unnecessary lighting.
18. Any new exterior lighting not shown on the lighting plan shall first be approved by the Code Enforcement Officer.

19. A Certificate of Occupancy shall be required before occupancy of the new building.
20. Per NYS law, all commercial buildings must be inspected by the Municipal Fire Code Inspector every three years. It is the applicant's responsibility to coordinate that inspection by calling the Code Enforcement office at (607) 786-2920 once again three years after the issuance of the Certificate of Occupancy. Knox boxes shall be provided according to the West Endicott Fire Department requirements.
21. There shall be no outdoor storage on the property.
22. 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.
23. 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. Changes to the site plan following approval may require a minor site plan review or resubmittal to the Planning Board, depending on the degree of change per Section 300-63.2. Applicability.

Ms. Lane made several changes to the stipulations per the discussion at the meeting. Ms. Lane deleted the word "plan" from the thirteenth stipulation, since the landscaping plan has already been submitted. Ms. Lane changed the twelfth stipulation by adding the word "employee" in front of the word "parking" in the first sentence to clarify the type of parking spaces. At the suggestion of Mr. Pope, the Town Attorney, Ms. Lane also changed the period of constructing additional parking from one month to six months. Ms. Lane also added a new stipulation after the twelfth stipulation that reads: "A cross access easement between 11 Frey Avenue and 1 North Page Avenue shall be reviewed and approved by the Town Attorney, and then shall be filed with the deeds, prior to the issuance of a Certificate of Occupancy." Mr. Culbertson noted that there will be a light on the national flag at night so Ms. Lane inserted the phrase "and to light the USA flag" under General Requirements. 300-55.4 (C).

There were several questions about the stipulations. Ms. Campbell asked Ms. Lane whether a ten percent maintenance bond was necessary for the cost of the improvements on North Page Avenue and Maple Street. Ms. Lane answered that typically when a contractor submits streets for approval, samples are taken to make sure that the materials meet the Town's standards. If the improvements meet the Town's standards, the contractor will get the bond back. Mr. Cicciarelli added that it is like a one-year warranty. Ms. Campbell asked if National Pipe and Plastic could give cash or a one year guarantee instead of a bond. Mr. Pope, the town attorney, answered that the Town will accept cash-in-lieu-of-bond or a one-year guarantee as long as National Pipe and Plastic and the Town can agree on

what the dollar amount should be. Ms. Lane noted that the Town will require estimates on the work. Mr. Cicciarelli asked if the guarantee is just for the street work and Ms. Lane answered yes.

Mr. Crowley asked whether the factory and office properties are separate. Ms. Campbell answered that the properties are separate. Then Mr. Crowley asked for clarification about storage on the business office property. Ms. Lane answered that the business office property is zoned Commercial Office and that no outdoor storage of any kind is permitted.

Mr. Jaros asked for an explanation of how the bioretention area is going to work. Mr. Maby explained that all the storm water from the back of the building will run into it. The bioretention system is about five feet wide at the bottom and a few feet deep, with a couple of inlets in it for major storms. The idea is that the first inch of rain would percolate down through the ground. There is a special medium in the system which traps all the sediment that will wash off the parking lot. If the water makes it to the bottom there is an underdrain that then connects to storm water system and this discharges the water off the property. By removing most of the pavement that is on the site and putting in the bioretention system, the runoff on this property will be reduced by almost 70 percent. Mr. Jaros asked how long the retention area is. Mr. Maby said the system will extend for the entire length of the building on the back side of the property. The deepest the level of water can get is six inches because once it gets up to that height, the water will fall into the inlets in the system. Mr. Crowley asked whether a fence should be erected to prevent kids from entering the system. Mr. Maby said that generally fences are used with detention systems because they store a few feet of water. With a fifty-year storm event, there will be no more than six inches of water in the bioretention system.

Mr. Jaros asked if the ponds on the National Pipe and Plastic factory property are detention ponds. Mr. Maby answered that they are detention ponds. Mr. Maby ended by saying that they will install a bio retention system on the office property, not a detention system.

Ms. Lane asked the Planning Board if they want to limit the office hours. Mr. Crowley answered he did not think this is necessary because people do not make noise when they come to the business office; they are just going into the office after they park. The other Planning Board members agreed that limited hours were not necessary.

Mr. Jaros asked what a 239-Review is. Ms. Lane answered that a 239-Review is submitted to the Broome County Planning Department if a project is located within 500 feet of another municipality, or a state or county facility. Mr. Jaros also questioned the \$800,000 in funding from New York State that is noted under governmental agencies on the environmental review. Mr.

Culbertson explained that was Empire State Development money and was part of the revitalization program that Governor Cuomo is doing. Ms. Lane explained when governmental agencies are listed on the EAF, she is required to notify all the listed agencies when the Planning Board has declared lead agency for the SEQRA determination.

Mr. Jaros asked if the town or the county were involved in dealing with the contamination on the site. Mr. Culbertson answered that everything that was part of the contamination was part of the demolition project for the project. National Pipe and Plastics are in contact with the EPA and the DEC. They are now involved with the elimination of the contamination that is left on site from the transformer. Ms. Miller asked if all of the contamination will be eliminated from the site before construction begins. Ms. Lane noted that after she spoke to John Okesson from the DEC, and Bill Johnson from Delta, and it agreed that construction on the property can begin as long as the remaining contaminated piece of the property is fenced off 10-feet from the curb around the contaminated concrete pad.

Mr. Crowley asked who will remove the snow from the new sidewalk on the property. Mr. Crowley also wanted to know if there is enough room to push the snow onto the property and not into the road by the parked cars. Ms. Lane said that town policy is that property owners are required to maintain the sidewalks in front of their property. Mr. Culbertson said that he will have snow removed off the sidewalk, the parking lot and the driveway on the office property. Mr. Crowley explained that he just wanted to be sure that the sidewalks will be clear and to establish who is responsible for keeping the walkways clean along the office building.

Mr. Jaros asked if there will be a sidewalk in front of the building. Mr. Maby answered that there will be a curb there but not a sidewalk on the south side of Maple Street, but that there will be a sidewalk on the north side of Maple. Mr. Maby added that there will be parking in front of the building in the visitor parking and there will be a sidewalk between the circle and the building. Mr. Jaros noticed that the sidewalk at the corner of Maple and Page did not go straight and asked why the sidewalk is designed this way. Mr. Maby explained that they had to move the curb around to a tangent point so that all the sidewalks are perpendicular. Mr. Jaros asked if all of the green space on the site plan will be maintained by National Pipe and Plastics. Ms. Campbell answered that maintaining the grass is part of the landscaping plan.

Chairman Miller asked for a motion to approve the site plan for the NP&P Office Building located at 1 North Page Avenue, with revised stipulations.

Motion Made: S. McLain  
Motion Seconded: M. Jaros  
MOTION: Motion to approve the Site Plan for the NP&P Office Building located at 1 North Page Avenue, with revised stipulations.



Ms. Lane noted the extension of the flood levee along Barton Avenue is a project that will be presented to the Planning Board at the next meeting. Griffiths Engineering is working on this project.

**D. Adjournment**

Chairman Miller asked for a motion to adjourn the meeting at 9:05 p.m.

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

**Next Meeting Date**

The next meeting of the Planning Board is tentatively scheduled for Tuesday, June 11, 2019, at 7:00 p.m.

Respectfully Submitted,  
Carol Krawczyk