

Town of Union Planning Board Minutes  
Tuesday, April 12, 2022

The Town of Union Planning Board held a regular meeting on Tuesday, April 12, 2022, at the Town of Union Office Building, 3111 East Main Street, Endwell, New York.

Members present: L. Miller, S. McLain, T. Crowley, K. Rose, C. Curtin (Alternate)

Members absent: S. Forster, M. Jaros, D. Kudgus

Others present: Marina Lane, Rick Materese, Anthony Lorefice, Jon Stone, Scott Winner, Peter and Barbara Stanko, Matt Leach, Nick Schupp, Erin Brown, Christian Brunelle, Kasey Krause, Alan Moyle, Mark Gaskill, Dan Loiselle, Mike Dwyer, Sue Dwyer, Ti-Shawn Williams, Arianna King, Francesco Carpentieri

**A. CALL TO ORDER**

Chairman Miller called the meeting to order at 7:07 p.m.

When the meeting opened, there was not a quorum. Rick Materese, Town Supervisor, authorized Chairperson Miller to appoint Colleen Curtin, Alternate, to step in as a regular voting member for this meeting. Ms. Miller then appointed Colleen Curtin as a regular voting member for this meeting.

**B. MEETING MINUTES**

1. Acceptance of March 8, 2022, Meeting Minutes

Chairman Miller asked for a motion to accept the March 8, 2022, Meeting Minutes.

Motion Made: S. McLain

Motion Seconded: T. Crowley

MOTION: Acceptance of the March 8, 2022, Meeting Minutes.

VOTE: In Favor: L. Miller, S. McLain,  
T. Crowley, K. Rose, C. Curtin  
Opposed: None  
Abstained: None  
Motion Carried

**C. 3100 Watson Boulevard – Byrne Dairy & Deli, Erin Brown**

Christian Brunelle, Senior Executive Vice President for Byrne Dairy, gave a short presentation about the changes that have been made since the last Planning Board meeting. On April 4, the ZBA approved the area setback variance for the rear yard and the area variance for an accessory structure. There have been a few minor changes to the plan; the most significant change is to the dumpster enclosure, which was changed from chain link slatted to a fractured block enclosure. The depth of both tanks is now noted on the site plan. The 20,000-gallon tank will be buried fourteen-feet below grade and the 10,000-gallon tank will be buried 12-feet below grade. The SWPPP has been

completed and the site plan has been updated to show the catch basins. In addition, the stormwater management basin has also been properly sized on the site plan. Functionally, nothing changed except the dumpster enclosure and some labeling, and now there is drainage shown on the site plan. There are two dates on the site plan, March 21, 2022, for the Site Design, and April 11, 2022, for the Updated Dumpster Enclosure.

1. Public Hearing for an Aquifer Permit for a Gasoline Station

Chairman Miller read the public notice and then opened the Public Hearing for an Aquifer Permit for a Gasoline Station at 3100 Watson Boulevard at 7:12 p.m.

Ms. Lane summarized the Aquifer Permit report during the Public Hearing. The Wellhead Advisory Committee and Planning staff drafted the requirements for the Aquifer Permit. The review by the Wellhead Committee is required because the project will store greater than 25 gallons of fuel per month. By a vote of 5-0, the Wellhead Advisory Committee recommended approval of the Aquifer Permit for the underground storage of 20,000 gallons of regular gasoline, 5,000 gallons of premium fuel and 5,000 gallons of diesel fuel. The approval would be contingent on the issuance of DEC approvals and compliance with EPA requirements.

After the discussion, Chairman Miller closed the Public Hearing at 7:24 p.m.

- 1) The storage of fuel shall be contingent on issuance of DEC approvals and compliance with EPA requirements.
- 2) The operator of the fuel refilling truck shall be DEC certified.
- 3) Prior to the issuance of any building permit, the building plans shall be submitted to the Endwell Fire Chief for review of the fire alarm systems and fire truck access to the building. Contact the Endwell Fire Chief at (607) 321-8232.
- 4) An emergency response plan shall be filed with the Endwell Fire Chief and Code Enforcement Official.
- 5) No chemicals or materials subject to the Aquifer Permit shall be stored on site until proper storage has been approved by the Building Official.
- 6) Chemical containers which have been opened and only partially used shall be stored in approved secondary containment.
- 7) Liquid chemical vessels that are truck mounted and enter the property shall have secondary containment of at least 100% of the volume of the vessel.
- 8) When transferring liquid chemicals into and out of all trucks, a trained employee of the company shall monitor the transfer of the liquid chemicals.
- 9) As the methods vary, first aid, storage, clean-up and disposal measures for each chemical shall be clearly posted adjacent to each chemical. The Spill Prevention and Emergency Response Plan shall be reviewed with employees routinely and posted in a highly visible location.

10) The discharge or disposal of any toxic or hazardous materials, and/or petroleum products on or below the surface of the ground is prohibited.

11) Change in use or ownership. The applicant is responsible for amending an existing permit if petroleum products, hazardous or toxic materials not listed in the original permit are subsequently used or stored at the site or if there is a change in ownership. Any proposed changes to the chemicals used or stored on site must be reported to the Code Enforcement Office and Planning Department at least 30 days before in order to evaluate for safety precautions.

12) The applicant shall be required to acknowledge all of the above stipulations, in writing, prior to the issuance of a building permit. The applicant agrees to maintain the site in strict accordance with the Aquifer Permit approved by the Planning Board.

Chairman Miller called for a motion to approve the Aquifer Permit for a Gasoline Station with stipulations.

Motion Made: T. Crowley  
Motion Seconded: K. Rose  
MOTION: Approval of the Aquifer Permit for a Gasoline Station, with stipulations.  
VOTE: In Favor: L. Miller, S. McLain, T. Crowley  
K. Rose, C. Curtin  
Opposed: None  
Abstained: None  
Motion Carried

## 2. Public Hearing for a Special Use Permit for a Gasoline Station

Chairman Miller opened the Public Hearing for a Special Use Permit for a Gasoline Station at 3100 Watson Boulevard at 7:25 p.m. Mr. Materese asked how the fuel pumps were monitored. Mr. Brunelle explained that there are weekly checks performed by the station manager and more extensive monthly checks performed by the corporate office field personnel. He also noted that the DEC performs an onsite inspection every three years. Byrne Dairy is required to maintain weekly and monthly digital printouts that record the readings from the twenty-four individual sensors that monitor the fuel pumps.

The Public Hearing was closed at 7:31 p.m.

A. Per § 300-40.3G: Gasoline stations shall comply with the following regulations:

**(1)** In addition to the information required for site plan review, the plan shall also indicate the location, number, capacity, and type of fuel storage tank, the number of pumps to be installed, and the depth to the tanks.

Therefore, we will just mention that there are three fueling stations with two pumps each? Is that the right way to say it?

Mr. Brunelle clarified three fuel dispensers with six fueling stations.

**(2)** Gas stations may include retail sales of food, convenience items, and minor automotive supplies or liquids, provided that the sales of such items are within an enclosed structure and are an accessory use. Sales areas outside of the primary structure may be displayed on the pump islands or the building island only.

**(3)** Gasoline stations shall be under the control of an attendant at all times during the hours of operation.

**(4)** Fuel pumps shall be located no closer than 20 feet from the public right-of-way or 50 feet from any other property lines.

**(5)** All storage facilities for fuel, oil, gasoline or similar substances shall be underground and shall be at least 25 feet from any property line. Tanks shall be installed and maintained in accordance with all state and federal standards as well as the following specified standards:

**(a)** Prior to installation, the Administrative Officer shall be provided with a copy of the specifications and the date of the proposed installation. No tank shall be covered until inspected and approved.

**(b)** If at any time a leak is detected, the owner shall immediately make the necessary repairs. If, at the discretion of the Administrative Officer, the condition results in a threat to public safety, the gasoline service station may be shut down until repairs are made.

**(c)** For the purpose of required yards and setbacks, pumps and canopies shall be considered structures and shall not be located in any required yard.

**(6)** In the event that a service station is abandoned, as determined by the Administrative Officer, the owner shall comply with the Fire Prevention Code, Abandonment or Removal of Underground Tanks. The owner shall also remove all signs and lighting poles and provide adequate protection against unlawful entry into buildings and onto the property and shall close all vehicular entrances to the property. A service station shall be deemed abandoned if it is not in active operation for a period of 12 consecutive months.

- B. The operator of the fuel refilling truck shall be DEC certified.
- C. § 300-66.11. Transferability.
  - a) A special use permit is not transferable except upon approval by resolution of the issuing board.
  - b) A special use permit shall authorize only one special use and shall expire if the special use ceases for more than three months for any reason.
- D. The applicant shall be required to acknowledge all of the above stipulations, in writing, prior to the issuance of a building permit. The applicant agrees to comply with the stipulations of approval for the Special Use Permits. Changes to the use following approval will require resubmittal to the Planning Board.

Chairman Miller called for a motion to approve the Special Use Permit for a Gasoline Station with stipulations.

Motion Made: S. McLain  
Motion Seconded: K. Rose  
MOTION: Approval of the Special Use Permit for a Gasoline Station, with stipulations.  
VOTE: In Favor: L. Miller, S. McLain, T. Crowley, K. Rose, C. Curtin  
Opposed: None  
Abstained: None  
Motion Carried

### 3. Site Plan Review

Ms. Lane summarized her report and recommendations for the Planning Board. Sonbyrne Sales, Inc. plans to construct and operate a new 4,232 square-foot Byrne Dairy convenience store and 3 fueling facilities over a concrete pad at the southeast corner of Watson Boulevard and North Kelly Avenue, 3100 Watson Boulevard.

Watson Boulevard, as a collector route, has a mixture of residential and commercial uses and traffic. North Kelly Avenue is indicative of the residential neighborhood surrounding Watson Boulevard, and is traveled primarily by local vehicles and pedestrians. The Byrne Dairy project requires 21 parking spaces (4,232 s.f./1000 s.f. x 5 = 21). The site plan provides 31 parking spaces, including two accessible spaces. The 10-foot by 20-foot parking spaces are larger than required, and the distance between parking rows is greater than the 24-feet required. In addition to these proposals intended to improve drivers' comfort maneuvering on site, Byrne Dairy has included sidewalks leading to the building from the two adjoining roads for the comfort of neighborhood pedestrians. A four-foot high wooden split rail fence in a five-

foot wide grass strip buffers the parking spaces along Watson Boulevard from the sidewalk.

Sonbyrne Sales has also provided a 6-foot high privacy fence between its building and the residents to the south. A landscaping plan and lighting plan have been submitted. The proposed internally illuminated monument sign will have landscaping around the sign as required by town code, and the monument sign and proposed wall signs meet code. The lighting plan indicates there will be no light spillage onto adjacent properties. Public water, sanitary sewer and municipal storm sewer serve the site.

Construction of the project is expected to begin in the spring of 2022. It is anticipated final landscaping and site work shall be in place by the fall of 2022. As 1.2-acres will be disturbed, a Stormwater Pollution Prevent Plan (SWPPP) is under review for erosion control measures during construction and post-construction stormwater remediation. The majority of stormwater on site will sheet flow into onsite catch basins that will lead to an underground storage system. Eventually the stored stormwater will be piped into an onsite stormwater management basin along the east side of the property, which will also collect stormwater from the remainder of the site.

The property is not subject to a 239-Review but Sonbyrne Sales proposes that driveway entrances shall conform with the NYS Policy and Standards for the Design of Entrances to State Highways.

The Planning Department recommends approval of the site plan for the Sonbyrne Sales convenience store and fueling facilities with the following stipulations, per the Town Code and staff recommendations:

1. The final SWPPP shall be approved prior to the issuance of a building permit.
2. A pre-construction meeting shall be held with the Building Official and contractors no less than one week prior to construction commencing.
3. The contractor shall utilize erosion control and stormwater runoff preventative measures during construction, per the approved SWPPP.
4. The property owner shall maintain the stormwater management facility indefinitely, per the SWPPP. Prior to the issuance of a building permit, the Town's Department of Public Works and attorney will review and approve the maintenance agreement and access easement with description. Sonbyrne Sales shall file the approved agreement and easement with associated description with the Broome County Office of Real Property, and submit a copy of the filing receipt to the Town Clerk's Office prior to the issuance of a building permit.
5. All new sidewalk and curb within the Town's right-of-way 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 all other infrastructure must be installed and noted deficiencies corrected in accordance with Town Standards by October 15, 2022.

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 within the town right-of-way along North Kelly Avenue and Watson Boulevard 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. Within 30-days of issuance of the Certificate of Occupancy, one AutoCAD version 2021 and one PDF version of the as-built drawings must be submitted to the Engineering and Planning Departments. The as-built shall include all infrastructure improvements, including the stormwater control system.
8. 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 and access space 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.
9. The landscaping plan shall be installed by October 30, 2022. An extension of this deadline may be approved by the Planning Board upon request.
10. 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.
11. For all new signage, the applicant shall first be issued 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.
12. Signs that blink, rotate, or move are not permitted. The use of electronic message boards is expressly prohibited, other than for gas prices.
13. 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. 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.

14. Any new exterior lighting not shown on the lighting plan shall first be approved by the Code Enforcement Officer.
15. A Certificate of Occupancy shall be required before occupancy of the new building.
16. Per NYS law, all commercial buildings must be inspected by the municipality 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. If required, Knox boxes shall be provided for the Endwell Fire Department.
17. 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.
18. 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.

Chairman Miller asked whether anyone had any questions. No one had any, and Chairman Miller asked for a motion to approve the Site Plan for Byrne Dairy & Deli at 3100 Watson Boulevard, with stipulations.

Motion Made: T. Crowley  
Motion Seconded: K. Rose  
MOTION: Approval of the Site Plan Review for Byrne Dairy & Deli at 3100 Watson Boulevard, with stipulations.  
VOTE: In Favor: L. Miller, S. McLain, T. Crowley, K. Rose, C. Curtin  
Opposed: None  
Abstained: None  
Motion Carried

#### **D. American Rescue Plan Act Infrastructure Improvement Project, 340 Scarborough Drive**

Ms. Lane noted that the Town of Union received funding from the American Rescue Plan Act for infrastructure improvements, and the Planning Board is responsible for reviewing three particular improvement projects because they are located in the floodplain. Otherwise, the Planning Board is not involved with infrastructure projects. The Planning Board issues a Special Permit for any development projects in the floodplain.

1. SEQRA Review

The first improvement project is at 340 Scarborough Drive. The existing flood control pump station is at the end of its useful life. An engineering analysis of the station is necessary to determine if replacement or upgrade is appropriate at this time. The station requires an appropriately sized elevated emergency backup generator, with elevated controls. This will be affecting approximately 0.03-acres, just the replacement or upgrades of the pump setup.

Ms. Lane noted that all three projects would have little or no environmental impacts. In reviewing Part 2 of the environmental assessment form (EAF), the following potential environmental impacts, which apply to all three projects, were assessed: 1) conflict with an adopted land use plan or zoning regulation; 2) a change in the use or intensity of use of land; 3) potential to impair the character of quality of the existing community; 4) impacts on a Critical Environmental Area; 5) change in existing levels of traffic; 6) increase the use of energy; 7) any impact on public or private water supplies or wastewater treatment utilities; 8) impacts on important archaeological, architectural or aesthetic resources; 9) changes to natural resources (e.g. wetlands, waterbodies, groundwater, air quality, flora or fauna); 10) any increase in the potential for erosion, flooding or drainage problems (in fact, these help that); and 11) whether the project will be a hazard to environmental resources or human health.

Ms. Lane then reviewed Part 3, the Determination of Significance. The Town of Union plans to update the Town storm sewer pump station on 340 Scarborough Drive to include a new generator and station controls mounted above base flood elevation outside the building that houses the pump station. The project is in the 100-year floodplain, and the elevated platform requires a special permit.

The pump station upgrades and elevated platform will not create adverse changes to traffic, parking or utilities. There will be no significant permanent impacts to flora, fauna, endangered or threatened species, water or the air. The project will not alter the character of the community, as the pump station is existing. There will be a temporary increase of noise during construction. The backup generator will run for one-hour per week during daytime hours, unless in use due to an electric outage. The pump station is not associated with hazardous or toxic substances, heavy machinery or equipment. No odors will be generated. The elevated control platform will not increase the potential for flooding and will not impact wetlands. The proposal will not create a hazard to human health. The project will not impact archaeological resources as the site was previously disturbed.

Upon review of all the information submitted, the proposed upgrades to the stormwater pump station 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: K. Rose

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

2. Public Hearing for Special Permit for Development in the Floodplain, Decision.

Chairman Miller read the public notice and then opened the Public Hearing for a Special Permit for Development in the Floodplain at 340 Scarborough Drive at 7:47 p.m.

There were several questions about the project. Mr. Mike Dwyer, who lives adjacent to the project, asked if the pump would be inside or outside the current building. Ms. Lane responded that the pump is in the building, but the generator will be external. The project is still under review by the engineers so the full design has not been determined yet. Mr. Materese added that the pump would be powered by natural gas rather than gasoline. This way the generator will continue to run even during floods.

The Public Hearing closed at 7:54 p.m.

Chairman Miller called for a motion to approve the Special Permit for Development in the Floodplain at 340 Scarborough Drive, with the following stipulations:

1. The backup generator shall be cycled no more than once per week and for no longer than one hour, unless circumstances require differently.
2. Special permit modification approval may be required if there are any changes to the site plan or change of use on the property, per § 300-66.10.

Motion Made: T. Crowley  
Motion Seconded: S. McLain  
MOTION: Approval of the Special Permit for Development in the Floodplain at 340 Scarborough Drive, with stipulations.  
VOTE: In Favor: L. Miller, S. McLain, T. Crowley, K. Rose, C. Curtin  
Opposed: None  
Abstained: None  
Motion Carried

**E. American Rescue Plan Act Infrastructure Improvements Project, 4101 Watson Boulevard**

This project is about a stormwater pump station located on the east side of the flood levee along the Fairmont Park subdivision, located on 4101 Watson

Boulevard, which helps to protect the subdivision from flood events. The electrical components of this pump station require evaluation and upgrades as necessary. The elevated control panel and generator as well as the station sump pump are to be replaced. Gate tops shall be upgraded. Site repairs, including a paved access road and security fencing, shall be added. This will affect approximately 0.05-acres. The control panel platform will be constructed to keep the control panel and a natural gas backup generator raised above historical flood levels.

1. SEQRA Review

Following review of Parts 2 and 3, Ms. Lane stated that the project will not increase base flood elevation, and will not impact any wetlands. Chairman Miller asked for a motion to approve the Negative Declaration under SEQRA.

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

2. Public Hearing for Special Permit for Development in the Floodplain, Decision.

Chairman Miller read the public notice and then opened the Public Hearing for a Special Permit for Development in the Floodplain at 4101 Watson Boulevard at 7:56 p.m. There were no questions, so Chairman Miller closed the Public Hearing at 7:58 p.m.

Chairman Miller called for a motion to approve the Special Permit for Development in the Floodplain at 4101 Watson Boulevard, with the following stipulations:

1. The backup generator shall be cycled no more than once per week and for no longer than one hour, unless circumstances require differently.
2. Special permit modification approval may be required if there are any changes to the site plan or change of use on the property, per § 300-66.10.

Motion Made: K. Rose  
Motion Seconded: T. Crowley  
MOTION: Approval of the Special Permit for Development in the Floodplain at 4101 Watson Boulevard, with stipulations.  
VOTE: In Favor: L. Miller, S. McLain, T. Crowley, K. Rose, C. Curtin  
Opposed: None  
Abstained: None  
Motion Carried

**F. American Rescue Plan Act Infrastructure Improvements Project, 4320 Watson Boulevard**

1. SEQRA Review

Ms. Lane summarized her report for the Planning Board. This pump chamber is currently beyond its useful life and needs to be replaced. It is desired that a new station in this location will utilize submersible pumps in a wet well which does not require a confined space entry for maintenance or monitoring. The project will provide a new submersible pump station and new generator with station controls mounted above the base flood elevation outside the chamber. The pumping rate and storage provided by the existing lift station have not changed. Following construction, the existing pump station will be decommissioned and demolished.

Following review of Parts 2 and 3, Chairman Miller asked for a motion to approve the Negative Declaration under SEQRA.

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

2. Public Hearing for Special Use Permit for Development in the Floodplain, Decision.

Chairman Miller read the public notice and then opened the Public Hearing for a Special Permit for Development in the Floodplain at 4320 Watson Boulevard at 8:00 p.m. There were no questions or comments, so Chairman Miller closed the Public Hearing at 8:02 p.m.

Chairman Miller called for a motion to approve the Special Permit for Development in the Floodplain at 4320 Watson Boulevard, with the following stipulations:

1. The backup generator shall be cycled no more than once per week and for no longer than one hour, unless circumstances require differently.
2. Special permit modification approval may be required if there are any changes to the site plan or change of use on the property, per § 300-66.10.

Motion Made: T. Crowley  
Motion Seconded: C. Curtin  
MOTION: Approval of the Special Permit for Development in the Floodplain at 4320 Watson Boulevard, with stipulations.  
VOTE: In Favor: L. Miller, S. McLain, T. Crowley,

K. Rose, C. Curtin  
Opposed: None  
Abstained: None  
Motion Carried

**G. 15 Delaware Avenue – Auto Rentals for U-Haul, Venture at Endicott, Steve Nickels**

Mr. Anthony Lorefice, a U-Haul Representative, gave a short presentation about the project. U-Haul looks for small businesses that have a need to serve customers who would utilize U-Haul truck rentals. They go to local business owners with an offer for them to rent the equipment for U-Haul. In return for renting the trucks, the business receives a 10-percent commission from the customer's payment. At 15 Delaware Avenue, there are people in and out of the apartments all the time. Therefore, U-Haul considered the location a good opportunity for the two businesses to benefit from the rental of U-Haul trucks.

1. SEQRA Review

Ms. Lane stated that the U-Haul trucks are located on an existing parking lot, and are not affecting any land. The property owner informed her today that they had relocated the monitoring camera and were able to park the U-Haul trucks in the preferred location.

Per Part 3 of the EAF, auto rental is permitted by special use permit from the Planning Board. The existing parking lot is more than sufficient for the number of vehicles parked at the residential/commercial building.

Existing traffic on Delaware Avenue is mixed industrial, commercial and residential, and the number of rental vehicles parked on the property will be regulated by the special use permit in order to not impact on-site parking, internal traffic flow, and the neighborhood.

The proposed action will not have any significant negative impacts on existing air quality, noise levels, solid waste production or disposal.

The proposed action will not result in adverse impacts to aesthetic, agricultural, historic or other natural or cultural resources; or in 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.

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

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

2. Public Hearing for Special Use Permit for Auto Rentals, Decision.

Chairman Miller read the public notice and then opened the Public Hearing for a Special Use Permit for Auto Rentals at 15 Delaware Avenue at 8:06 p.m.

Mr. Lorefice clarified that the 15 Delaware Avenue site is an additional location for U-Haul rentals. There was some discussion about the signage for the property. Ms. Lane noted that the sign on the fence is not permitted and would need to be removed. The sign on the monument frame could remain but the owner would need to apply for a sign permit from the Code Enforcement office.

The Public Hearing concluded at 8:11 p.m.

Ms. Lane summarized her report for the Planning Board. The Special Use Permit application proposes to display a maximum of eight (8) U-Haul moving trucks in specially designated parking spaces in the southwestern edge of the existing parking lot. There are 138 existing parking spaces on site, of which the majority are not used. Fueling and vehicle maintenance happen off-site at a regional U-Haul facility.

The project is subject to a 239-Review as it is within 500-feet of the Village of Endicott. The Village of Endicott, NYS DOT, Broome County (B.C.) Health Department, and BMTS have no comments or concerns about the proposal. The B.C. Planning Department recommended that the Planning Board may want to consider safety enhancements such as signage and speed limits within the parking lot, and stipulate no onsite truck repairs. Ms. Lane added that the Town does not regulate speed in private parking lots.

The staff recommendation is to approve the Special Permit with the following stipulations:

1) A. The rental of vehicles may be allowed by special use permit, provided the following:

(1) The rental area shall be paved, suitably graded and drained, and maintained in a neat and orderly manner.

(2) No greater than eight (8) rental trucks shall be stored on site at any one time. An increase in the number of vehicles to be rented shall require a new permit.

B. All maintenance and fueling of rental vehicles shall be performed off-site.

C. The storage of vehicles shall be contained to the spaces shown on the site plan, unless a new site plan is submitted and approved.

D. The retail sale of petroleum based products intended to re-fuel motor vehicles shall not be permitted.

2) The U-Haul trucks shall be regularly parked in the parking spaces at the southwest corner of the parking lot as shown on the approved site plan no later than May 31, 2022.

3) The rental of any vehicle not a U-Haul truck shall require application for a revised special use permit.

4) § 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.

5) The applicant shall be required to acknowledge all of the above conditions in writing, prior to April 22, 2022. The applicant agrees to comply with the stipulations of approval for the Special Use Permit. Changes to the use following approval will require resubmittal to the Planning Board.

Chairman Miller called for a motion to approve the Special Use Permit for Auto Rentals at 15 Delaware Avenue, with stipulations.

Motion Made: S. McLain

Motion Seconded: K. Rose

MOTION: Approval of the Special Use Permit for Auto Rentals at 15 Delaware Avenue, with stipulations.

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

K. Rose, C. Curtin

Opposed: None

Abstained: None

Motion Carried

### 3. Site Plan Review

Ms. Lane summarized her site plan report for the Planning Board. The stipulations for the approval of the site plan are listed below:

1. The applicant shall apply for sign permits from the Building Official. All temporary 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. Signage is not permitted on any fence.

2. There shall be no outdoor storage on the property.

3. The U-Haul trucks shall be regularly parked in the parking spaces at the southwest corner of the parking lot as shown on the approved site plan no later than May 31, 2022.

4. The applicant shall be required to acknowledge all of the above conditions, in writing, prior to April 22, 2022. 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 for clarification whether prohibiting outdoor storage would conflict with the U-Haul trucks being parked on the property, and Ms. Lane explained that there is a difference between parking versus storing vehicles.

Chairman Miller asked for a motion to approve the Site Plan for Auto Rentals for U-Haul at 15 Delaware Avenue, with stipulations.

Motion Made: T. Crowley

Motion Seconded: K. Rose

MOTION: Approval of the Site Plan Review for Auto Rentals for U-Haul at 15 Delaware Avenue, with stipulations.

VOTE: In Favor: L. Miller, S. McLain, T. Crowley, K. Rose, C. Curtin

Opposed: None

Abstained: None

Motion Carried

**H. 525 Boswell Hill Road, Renua Energy Solar Farm Project, Nick Schupp, Matthew Leach**

Mr. Matt Leach gave a short presentation about the changes made to the project per the County Planning recommendations. They have updated the landscaping plan and have provided visualizations of the project.

The parcel is 30.073-acres. The plan is to have a gravel driveway enter where the existing easement is located that will give access to the equipment pad. The solar array is approximately 14.5-acres surrounded by a 7-foot farm-style fence. They have added landscaping along the front, as well as stormwater basins.

Mr. Leach explained that farm-style fencing is made of pine posts with wire between. Ms. Lane noted that the homeowners adjacent to the project would receive a letter from the Zoning Board about a public hearing pertaining to the distances between the properties and the solar panels. ZBA meetings are generally held on Monday nights at 7 p.m.

Mr. Leach distributed visualization boards to the Planning Board members, which included different visualizations of existing and developed conditions. The first visualization was of the existing farm looking into the site with a vegetative height marker (yellow line), which indicated the approximate height of the solar panels. Trees were added to show the visualization impact on the land. These trees at installation will be seven feet tall and they grow about one to two feet per year. Mr. Leach explained that they would use black gum and white spruce trees for the landscape screening. The solar panels are 9 to 9.5-feet and are set in a 20 degree fixed tilt system. He ended the presentation by stating that only about a third of the panels will be visible because of the way the site undulates. He confirmed that the panels would face south.

#### 1. SEQRA Review

Pertaining to the environmental review, Ms. Lane stated that solar projects are considered Type I Actions because they are large projects that may have significant environmental impacts. Therefore, these require a more extensive environmental review.

Ms. Lane then reviewed the most significant environmental impacts noted in Part 1 of the EAF. The description of the project stated that the applicant is proposing a five MW AC solar system. The proposed solar project will also include the construction of a new gravel access road within the proposed solar array area, post driven racking, and inverter/transformer equipment pads, new below-ground and overhead utility lines, and perimeter fencing. No significant grade changes are proposed, except for the construction of three shallow stormwater basin areas. Post construction vegetation management within the solar array footprint would be accomplished by mowing 2-3 times per year.

As explained at a previous meeting, the applicants will plant pollinator-friendly seed. At the end of its performance life cycle, the solar array system will be decommissioned and the site is to be restored to current field conditions. The project as proposed would require a setback variance of 183'5" for front yard from the required 235', 173'6" from north side yard from the required 220', and 158'0" from south property line. The proposed rear setback is 275'6", is 15'6" greater than the required 260' rear setback, and does not require a variance.

Ms. Lane continued to review the questions in Part I, completed by the applicant, for the benefit of the audience, explaining that this review is required by the State Environmental Quality Review Act (SEQRA). The property is zoned Rural Residential, and solar projects are permitted in all zoning districts in the Town. The entire acreage of the property is 30.073-acres and 1.73 acres of the acreage will be physically disturbed. There will be approximately 118 structures, and three shallow stormwater management basins to collect surface water. There will be an increase in traffic during construction. The construction hours will be between 7 a.m. and 5 p.m. and there will be approximately five semi-trailer deliveries daily during the construction. There will be approximately 14.56-acres covered by the PV Solar Arrays. There are wetlands on the project site. Ms. Lane said that she noticed fill that was added

to the northeast corner of the property, and questioned whether that had affected existing wetlands. Mr. Leach confirmed that this developer had not added any fill to the site, and that the fill had not affected any wetland. Renua had submitted the project to the Army Corps of Engineers for their jurisdictional determination, and because they are not actually encroaching into the wetlands, they are all set.

Ms. Lane reviewed those questions on Part 2 of the EAF that required further evaluation. Most of the impacts were small to none. The proposed action will involve construction but the depth of the construction is less than 3 feet; in addition, the construction on the gently sloping land will not cause erosion of the land. There will be a small impact on plants and animals, but no threatened or endangered species will be affected. There will be a positive impact on the agricultural resources because the project will replenish and give the land a rest. There will not be an impact to designated aesthetic resources, but there will be an impact on personal aesthetic resources because the array is located within 200-feet of one rural residence and approximately 400-feet from a second rural residence. There may be a small impact to the roads in the area because of the heavy trucks used during construction. There will be a small impact on the noise in the area due to the drilling of the pylons for the solar arrays. Mr. Leach explained that the pylons will be drilled into the ground with a boring machine, not pounded in. The noise from installing the racking system, which is similar to that of a lawn mower, would be limited to normal business hours.

Ms. Lane then reviewed the Part 3 of the EAF. Renua Energy applied on behalf of RESunance, LLC, to construct a 5-MW a.c. community solar ground-mounted fixed-tilt array to provide discounted electricity to local homes and businesses. All electricity generated by this project would be available to local homes and businesses.

Impact on land: Greater than 80% of the facility is on land sloped less than 10-percent. Bedrock is 3.3-feet deep and the water table is on average 2.5-feet deep. These do not present terrain issues for this project. The solar-array panels would be facing south, away from traffic on the road.

Impact on surface water: the project site has wetlands, which will not be impacted. Any increase in the rate of stormwater runoff would be addressed by bioretention ponds.

Impact on plants and animals: US Fish and Wildlife Service found no rare, protected or endangered animals or plants. No NYS Critical Environmental Area would be affected. In addition, the land beneath the panels would be pollinator-friendly seed mix, which will help to restore and preserve farmland.

The proposed action would not result in any adverse effects to existing air quality, surface or groundwater quality or quantity, and noise related to the inverters would be mitigated by trees and distance. Screening trees also would mitigate potential visual impacts from the 9-foot high structures. Increased traffic during construction would be temporary, and once

constructed, the project would result in one vehicle every few months. There would be minimal waste produced during construction. There would be no impacts to public water and sanitary sewer systems. The proposed action would not result in any adverse effects to agricultural, historic or other natural or cultural resources, nor community or neighborhood character. Visual impacts would be addressed with new screening trees, in addition to the existing trees.

The proposed action would not result in any adverse effects on the community's existing plans or goals as officially adopted. The proposed action would not result in any adverse effects on growth, subsequent development, or related activities likely to be induced by the proposed action. The proposal would not result in any adverse effects in either quantity or type of energy, and in fact would be an asset by contributing to the electric grid. The proposed action would support renewable energy use, and reduce the grid's dependence on non-renewable energy sources that negatively affect the environment.

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

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

## 2. Advisory Opinion to the ZBA: Area Setback Variances

Ms. Lane summarized her report for the Planning Board. Per Section 161.6-A.4.a(2), ground-mounted large-scale solar energy systems located in a residential district shall be set back an additional 200-feet from the minimum yard setback along all property lines that abut a lot located in a residential district.

The following setback variances are proposed:

1. Front setback to rear of 533 Boswell Hill Road: 235' required, and 51' 7" proposed.
2. North side setback to 535 Boswell Hill Road: 220' required, and 46' 6" proposed.
3. South side setback to 501 Boswell Hill Road: 220' required, and 62' 0" proposed.

Therefore, the following setback variances are requested:

1. Front setback to rear of 533 Boswell Hill Road of 183' 5"
2. North side setback to 535 Boswell Hill Road of 173' 6"
3. South side setback to 501 Boswell Hill Road of 158' 0"

The setback requirement of an additional 200-feet in residential zoning districts was approved by the Town Board with the intention of protecting residents from the impacts of having a large scale solar farm too close to their homes.

Planning Department staff recommends that the Planning Board recommend to the ZBA that they approve the following area variances:

1. Front setback variance to rear of 533 Boswell Hill Road of 35' 0", leaving a minimum of 200' to the rear property line of 533 and 529 Boswell Hill Road;
2. North side setback to 535 Boswell Hill Road of 173' 6", leaving a minimum of 46' 6" to 535 Boswell Hill Road; and
3. South side setback to 501 Boswell Hill Road of 158' 0", leaving 62' 0" to 501 Boswell Hill Road.

The Planning Department recommends that the side setback from 525 Boswell Hill Road to 533 Boswell Hill Road be increased to 100'.

Ms. Lane noted that the Planning Department is trying to make sure that they protect the residents, but also allow for development. Ms. Lane asked for clarification concerning the justification of having a 5-megawatt (MW) solar farm, which is the maximum allowed for the NY State Sun Grant. There was some discussion about reducing the number of panels in the project to allow for a larger setback for the two neighbors close to the project. Mr. Schupp said that NYSEG had already agreed to the feasibility study submitted by the developer. He noted that if the size of the project changed, they would need to submit a new feasibility study to NYSEG. An additional feasibility study would take between 2 to 2½ months to process.

Ms. Lane said that the approval of the variances would be up to the Zoning Board. Mr. Schupp added that they were also looking into areas where more panels could be placed; however, they do not want to move the panels into wetland areas. Mr. Stanko, the current property owner, asked what the definition of a wetland is, because the areas that are classified as wetlands are generally bone dry except during a wet season. Mr. Leach explained that it depends on what type soils and plants are present, along with soil saturation. Mr. Schupp noted that unfortunately when they surveyed the property it was during one of the wet seasons.

Chairman Miller asked for a motion to recommend approval of the following area variances to the ZBA:

1. Front setback variance to rear of 533 Boswell Hill Road of 35' 0", leaving a minimum of 200' to the rear property line of 533 and 529 Boswell Hill Road;
2. North side setback to 535 Boswell Hill Road of 173' 6", leaving a minimum of 46' 6" to 535 Boswell Hill Road; and
3. South side setback to 501 Boswell Hill Road of 158' 0", leaving 62' 0" to 501 Boswell Hill Road.

Motion Made: T. Crowley  
Motion Seconded: S. McLain  
MOTION: Recommend approval of the area setback variances as recommended by the Planning Department for 525 Boswell Hill Road by the ZBA.  
VOTE: **In Favor:** L. Miller, S. McLain, T. Crowley, K. Rose, C. Curtin  
**Opposed:** None  
**Abstained:** None  
Motion Carried

3. Call for a Public Hearing for a Special Use Permit for a Large-Scale Solar Energy System on May 10, 2022, at the 7:00 p.m. Planning Board Meeting.

Chairman Miller asked for a motion to call for a Public Hearing for a Special Use Permit for a Large-Scale Solar Energy System, on May 10, 2022, at the 7:00 p.m. Planning Board Meeting.

Motion Made: K. Rose  
Motion Seconded: C. Curtin  
MOTION: Call for a Public Hearing for a Special Use Permit for a Large-Scale Energy System, on May 10, 2022, at 7:00 p.m. Planning Board Meeting  
VOTE: **In Favor:** L. Miller, S. McLain, T. Crowley, K. Rose, C. Curtin  
**Opposed:** None  
**Abstained:** None  
Motion Carried

#### I. 1571 & 1657 Union Center-Maine Highway, Norbut Solar Farm Project, Jon Stone, Scott Winner

1. Presentation

Mr. Scott Winner from Norbut Solar gave a short presentation. They are proposing three 5-megawatt sites on 1571 and 1657 Union Center-Maine Highway. The panels are oriented north-to-south and they track the sun (rotate). There are 119-acres in total and three-acres of easements will be required for the project. The lot coverage, which is the surface area of the panels themselves, will be about 20 percent, so it is not huge. The solar farm will be screened by the existing growth of pine trees so there will not be the visual exposure to residents that you see on other sites. The panel height will be 16.5-feet maximum and this meets the code requirement of 20 feet or less. There is an existing road to the site that will be improved for the project. It is a clean site and they are excited about the project because it does not create a lot of visual intrusion.

Mr. Jon Stone, project manager, outlined the steps ahead, including the Planning Board declaring lead agency and holding a public hearing, and welcomed any questions. Ms. Lane will send the letters of intent to involved agencies once the Planning Board declares their intent to be lead agency on the project. The Planning Board will have to wait for 30-days to make their SEQRA determination unless all the involved agencies respond earlier.

Mr. Stone explained that there would be 40,560 solar panels, strings of 52 panels per rack. Norbut Solar has many solar projects and this site has excellent natural screening and topography that works to their advantage.

Because each 5-megawatt facility needs to be on its own tax map parcel, the developers will partition out the parcels to meet the requirements for a community solar project. The request for the lot partitions requires significant setback variances for each lot, and one lot will require a variance from the requirement for road frontage. Once the project is decommissioned, the lots would revert to conforming lots with road frontage.

Mr. Stone explained that in order for the solar projects to be classified as Community Distributed Generation solar farms, they are limited to a maximum of 5-MW AC, and each on a unique parcel with its own tax ID number.

Ms. Lane noted there are wetlands on the site, and the developer will apply for a Special Permit for floodplain development. Mr. Stone clarified that the access road would pass through the 100-year floodplain.

Mr. Materese asked about the life expectancy and the recycling market for the panels. Mr. Stone said that they use 540-watt panels, which is at the higher range of what is commercially available; most solar panels are 400-watts. This means they are more powerful and require less space. The panels will degrade to about 80% output in 25 years, but they are still viable, and they are recyclable. The recycling market is still evolving, but Mr. Stone expects that it will be a robust recycling market in 25 years. He added that there is a market right now for less developed countries to buy the panels that no longer function at optimal efficiency. Another alternative to simply shutting the site down is to repower with a smaller footprint due to more efficient technology.

2. Declare Intent to be Lead Agency

Chairman Miller asked for a motion to Declare Lead Agency.

Motion Made: K. Rose

Motion Seconded: C. Curtin

MOTION: Declare Intent for the Planning Board to be Lead Agency.

VOTE: In Favor: L. Miller, S. McLain, T. Crowley, K. Rose, C. Curtin

Opposed: None

Abstained: None

Motion Carried

3. Classify the Project as a Type I Action

Chairman Miller asked for a motion to classify the Project as a Type I Action.

Motion Made: C. Curtin  
Motion Seconded: S. McLain  
MOTION: Classify the Project as a Type I Action  
VOTE: In Favor: L. Miller, S. McLain, T. Crowley,  
K. Rose, C. Curtin  
Opposed: None  
Abstained: None  
Motion Carried

4. Request for Review of Project by a Town-Designated Engineer

Chairman Miller asked for a motion to Request a Town-Designated Engineer Review the Norbut Solar Farm Project.

Motion Made: C. Curtin  
Motion Seconded: S. McLain  
MOTION: Request a Town-Designated Engineer review the Norbut Solar Farm project.  
VOTE: In Favor: L. Miller, S. McLain, T. Crowley,  
K. Rose, C. Curtin  
Opposed: None  
Abstained: None  
Motion Carried

**J. 3017 and 3015 Watson Boulevard, Barbecue Restaurant, Kasey Krause**

1. Presentation

Ms. Lane introduced Kasey Krause. He would like the Planning Board's input on a barbecue business that he would like to open at 3017 and 3015 Watson Boulevard. Ms. Lane distributed an approval letter and parking plan that was previously issued for this property that stipulated no outdoor cooking due to the proximity to residences. Before Mr. Krause invests more time and effort in the project, he wants to see how the Planning Board felt about the outdoor barbeque smoker.

The barbecue business at 3017 Watson Boulevard would operate all year round. Mr. Krause feels his barbecue business would be the same as having a charcoal grill in your backyard. Ms. Miller mentioned that Jonathan's Restaurant on Hooper Road in Endwell has an outside grill and Mr. Krause stated that he has seen many other outside grills around town.

Mr. Krause said there would not be any outdoor seating; he would have primarily take-out with a couple of tables and eight seats inside. He would place his wood smoker in the restaurant parking lot. The smoker would operate between four to ten hours per day. Mr. Krause would also serve side dishes to go with the barbecued meats. He will not serve alcohol.

When asked whether other outdoor barbeque businesses in town had gotten special permits, Ms. Lane answered that businesses who have outside cooking facilities could have been grandfathered in when the new code was adopted in 2011. In addition, if there were complaints about the smoke from neighbors, the Code office would pursue the complaints. At that time, the business owner would have to rectify the situation.

Ms. Lane asked whether it was worthwhile for Mr. Krause to make an application for a restaurant that would include an enclosed, protected outdoor cooking facility; most of the Planning Board members felt it was a worthwhile project. Ms. Lane also suggested that Mr. Krause talk to the Broome County Health Department about their requirements for a restaurant.

Mr. Crowley commented that a wood smoker could create a lot of smoke and could be difficult for neighboring people who have allergies to smoke. Ms. Miller replied that that is why the Planning Board would hold a public hearing for people to voice their opinions about the project.

2. Call for a Public Hearing for a Special Use Permit for a Sit-Down Restaurant on May 10, 2022, at the 7:00 p.m. Planning Board Meeting.

Chairman Miller asked for a motion to call for a Special Use Permit for a Sit-Down Restaurant, on May 10, 2022, at 7:00 p.m. Planning Board Meeting.

Motion Made: K. Rose  
Motion Seconded: C. Curtin  
MOTION: Call for a Public Hearing for a Special Use Permit for a Sit-Down Restaurant, on May 10, 2022, at 7:00 p.m. Planning Board Meeting  
VOTE: **In Favor:** L. Miller, S. McLain, T. Crowley, K. Rose, C. Curtin  
Opposed: None  
Abstained: None  
Motion Carried

**K. Homestead Village PUD / 4311 Watson Boulevard, DR Solar Farm Project, Kelly Sullivan**

1. Call for a Public Hearing for a Special Use Permit for a Large-Scale Solar Facility on May 10, 2022, at the 7:00 p.m. Planning Board Meeting.

Chairman Miller asked for a motion to call for a Public Hearing for a Special Use Permit for a Large-Scale Solar Facility, on May 10, 2022, at 7:00 p.m. Planning Board Meeting.

Motion Made: S. McLain  
Motion Seconded: C. Curtin  
MOTION: Call for a Public Hearing for a Special Use Permit for a Large-Scale Solar Facility, on May 10, 2022, at 7:00 p.m. Planning Board Meeting  
VOTE: **In Favor:** L. Miller, S. McLain, T. Crowley,

K. Rose, C. Curtin  
Opposed: None  
Abstained: None  
Motion Carried

**K. 2906 E. Main Street**, First General of Southern NY, Contractor’s Office and Equipment Yard

1. Declare Lead Agency

Chairman Miller asked for a motion to Declare Lead Agency.

Motion Made: T. Crowley  
Motion Seconded: C. Curtin  
MOTION: Declare the Planning Board as Lead Agency.  
VOTE: In Favor: L. Miller, S. McLain, T. Crowley,  
K. Rose, C. Curtin  
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. McLain  
Motion Seconded: C. Curtin  
MOTION: Classify the Project as an Unlisted Action.  
VOTE: In Favor: L. Miller, S. McLain, T. Crowley,  
K. Rose, C. Curtin  
Opposed: None  
Abstained: None  
Motion Carried

3. Call for a Public Hearing for Development in the Floodplain on May 10, 2022, at the 7:00 p.m. Planning Board Meeting.

Chairman Miller asked for a motion to call for a Public Hearing for Development in the Floodplain, on May 10, 2022, at 7:00 p.m. Planning Board Meeting.

Motion Made: K. Rose  
Motion Seconded: S. McLain  
MOTION: Call for a Public Hearing for Development in the Floodplain, on May 10, 2022, at 7:00 p.m. Planning Board Meeting  
VOTE: **In Favor:** L. Miller, McLain, T. Crowley,  
K. Rose, C. Curtin  
**Opposed:** S. Forster  
**Abstained:** None  
Motion Carried

4. Call for a Public Hearing for a Special Use Permit for a Contractor's Storage Yard on May 10, 2022, at the 7:00 p.m. Planning Board Meeting.

Chairman Miller asked for a motion to call for a Special Use Permit for a Contractor's Storage Yard, on May 10, 2022, at 7:00 p.m. Planning Board Meeting.

Motion Made: K. Rose  
Motion Seconded: S. McLain  
MOTION: Call for a Public Hearing for a Special Use Permit for a Contractor's Storage Yard, on May 10, 2022, at 7:00 p.m. Planning Board Meeting  
VOTE: In Favor: L. Miller, S. McLain, T. Crowley, K. Rose, S. McLain  
Opposed: None  
Abstained: None  
Motion Carried

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

Mr. Crowley requested that the town look into putting up a sign on Airport Road. Formerly there was a sign stipulating that the road was not a thoroughfare, and he is concerned that the designation of Airport Road as an area for cannabis sales will create more traffic. Mr. Materese responded that he would have to see where the first cannabis facility would be located before the town would investigate putting up a new sign on Airport Road.

N. Adjournment

Chairman Miller asked for a motion to adjourn the meeting at 9:48 p.m.

Motion Made: C. Curtin  
Motion Seconded: K. Rose  
MOTION: Adjourning the meeting.  
VOTE: In Favor: L. Miller, S. McLain, T. Crowley, K. Rose, C. Curtin  
Opposed: None  
Abstained: None  
Motion Carried

Next Meeting Date

The next meeting of the Planning Board is tentatively scheduled for Tuesday, May 10, 2022, at 7:00 p.m.

Respectfully Submitted,  
Carol Krawczyk