

Town of Union Planning Board Minutes

Tuesday, August 8, 2023

The Town of Union Planning Board held a regular meeting on Tuesday, August 8, 2023, at the Town of Union Office Building, 3111 East Main Street, Endwell, New York.

Members present: L. Miller, M. Jaros, T. Crowley, S. McLain, C. Bullock,
N. Sarpolis, G. Ksenak (Alternate)

Others present: Marina Lane, Frank Goroleski, Brad Galusha, Chris Lynch,
Steve Calocerinos, Chip Shafer

A. CALL TO ORDER

Chairman Miller called the meeting to order at 7:00 p.m., and designated Gary Ksenak, the alternate, to be a voting member.

B. MEETING MINUTES:

1. Acceptance of June 13, 2023 Meeting Minutes.

- Page 23, add an "s" to "Curtis" in the topic heading (Curtiss).

Chairman Miller asked for a motion to accept the June 13, 2023, Meeting Minutes, as amended.

Motion Made: N. Sarpolis

Motion Seconded: T. Crowley

MOTION: Acceptance of the June 13, 2023, Meeting Minutes, as amended.

VOTE: **In Favor:** L. Miller, M. Jaros, S. McLain,
T. Crowley, C. Bullock, N. Sarpolis, G. Ksenak

Opposed: None

Abstained: None

Motion Carried

2. Acceptance of June 13, 2023, Public Hearing Transcript for a Special Use Permit for Auto Sales at 2320 Lewis Street.

Chairman Miller asked for a motion to accept the June 13, 2023, Public Hearing Transcript for a Special Use Permit for Auto Sales at 2320 Lewis Street, as written.

Motion Made: C. Bullock

Motion Seconded: N. Sarpolis

MOTION: Acceptance of the Public Hearing Transcript for a Special Use Permit for Auto Sales at 2320 Lewis Street, as written.

VOTE: **In Favor:** L. Miller, M. Jaros, T. Crowley,

S. McLain, C. Bullock, N. Sarpolis, G. Ksenak
Opposed: None
Abstained: None
Motion Carried

3. Acceptance of June 13, 2023 Public Hearing Transcript for a Special Use Permit for Restaurant and Expansion at 534 Hooper Road.
 - Page 1, remove the last sentence from the public hearing notice which was a duplicate sentence.

Chairman Miller asked for a motion to accept the June 13, 2023, Public Hearing Transcript for Special Use Permit for Restaurant and Expansion, as amended.

Motion Made: C. Bullock
Motion Seconded: N. Sarpolis
MOTION: Acceptance of the Public Hearing Transcript for Special Use Permit for Restaurant and Expansion at 534 Hooper Road, as amended.
VOTE: **In Favor:** L. Miller, M. Jaros, S. McLain, T. Crowley, C. Bullock, N. Sarpolis, G. Ksenak
Opposed: None
Abstained: None
Motion Carried

4. Acceptance of the 7/11/2023 Minutes.
 - Page 4, change the word “vacant” to “vacate” in the third line under Site Plan.

Chairman Miller asked for a motion to accept the July 11, 2023, Meeting Minutes, as amended.

Motion Made: N. Sarpolis
Motion Seconded: C. Bullock
MOTION: Acceptance of the July 11, 2023, Meeting Minutes, as amended.
VOTE: **In Favor:** L. Miller, M. Jaros, S. McLain, C. Bullock, M. Hills, G. Ksenak
Opposed: None
Abstained: None
Motion Carried

C. 1195 Reynolds Road, NYSEG Training Facility, SPR and SUP for the Expansion of a Utility, Steve Calocerinos

1. Public Hearing for a Special Use Permit for Expansion of a Public Utility

Chairman Miller opened the Public Hearing at 7:02 p.m., and Mr. Calocerinos gave a short summary of the project. After explaining the proposed building replacements and stormwater management modifications, he stated that NYSEG is seeking LEED certification. They will be installing a vertical geothermal system for heating and cooling the buildings and a rainwater storage system to get this certification. The SWPPP for the project has been updated per the comments from the reviewing engineers. They will also plant additional trees around the perimeter of the project to provide more screening for adjacent residences. No one from the public attended the public hearing. Chairman Miller closed the Public Hearing at 7:21 p.m.

Ms. Lane then presented her staff report. In 2021, the Planning Board had approved the addition of two to three temporary, connected modular training buildings due to COVID space distancing requirements, associated parking lots, the widening of the access road, and new stormwater facilities due to the increase in impermeable surface area.

In May 2023, LaBella Associates submitted an application on behalf of NYSEG to replace the temporary modular training buildings with one 34,048 square-foot, three-story structure, and to replace the existing high bay pole barn with a new 14,667 square-foot pre-engineered metal building for electrical pole training and vehicle storage. The proposed expansion of the structures, which requires site plan review, also required a revision of the special use permit.

Under the requirements of Section 617.7(c), the proposed action was examined by the Full Environmental Assessment Form, is considered an Unlisted Action, and the Planning Board made a Negative Declaration under SEQRA on June 13, 2023. A Stormwater Pollution Prevention Plan is under review.

The Planning Department recommends approval of the revised Special Use Permit for the expansion of the NYSEG training facility, NYSEG being a public utility, at 1195 Reynolds Road, with the following stipulations:

1. Amendments or revisions to an approved special use permit require review and approval in accordance with the special use permit procedures in the code, Section § 300-66.10.
2. The Special Use Permit shall expire should the property or business be sold to another entity, per § 300-66.11. Transferability:
 - a. A special permit is not transferable except upon approval by resolution of the issuing board.
 - b. A special permit shall authorize only one special use and shall expire if the special use ceases for more than three months for any reason.
3. The applicant shall be required to acknowledge all of the above conditions, in writing, no later than August 31, 2023, or prior to the issuance of a building permit, whichever shall come first. The applicant shall agree to

follow stipulations of approval in strict accordance with the special use permit approved by the Planning Board.

Chairman Miller asked for a motion to approve the Special Use Permit for the Expansion of a Utility, with stipulations.

Motion Made: T. Crowley
Motion Seconded: C. Bullock
MOTION: Approval of the Special Use Permit for Expansion of Utility, with stipulations.
VOTE: **In Favor:** L. Miller, M. Jaros, S. McLain, T. Crowley, C. Bullock, N. Sarpolis, G. Ksenak
Opposed: None
Abstained: None
Motion Carried

2. Pending approval of the Special Use Permit, Site Plan Review

Ms. Lane then reviewed her report for the Planning Board. NYSEG is proposing to expand their electric and gas skills training facility, located at 1195 Reynolds Road. In May 2023, LaBella Associates submitted an application on behalf of NYSEG to replace temporary modular training buildings with one 34,048 square-foot, three-story structure, and to replace the existing high bay, pole barn with a new 14,667 square-foot pre-engineered metal building for electrical pole training and storage. The site of the project is located on the northwest corner of the intersection of Reynolds Road and Deyo Hill Road, and is surrounded by low density residential to the east and south, and vacant or forested land to the north and west. The 37.4-acre property is zoned Suburban Multi-Family (SMF), and the public utility is permitted by special use permit. A revised special use permit to expand the public utility was approved on July 11, 2023.

Maximum height for a non-residential primary use is 35-feet; the proposed height of the new classroom is 40-feet high, and the proposed height of the new pre-engineered storage and training building height is 42-feet 1/8-inch. The Zoning Board of Appeals granted the height variances on July 17, 2023.

The area of site disturbance consisting of the proposed buildings, parking lots, drive aisle, concrete sidewalks, and stormwater control measures entails ~2.3-acres of the parcel's 37.4 acres. Per the Town of Union parking requirements for educational uses of one space per instructor and one space for every three students, the required number of parking spaces is eighty-one (81). Eighty-two (82) parking spaces are proposed, including four (4) accessible spaces, and six (6) EVSCs (electric vehicle fast charging stations). The property is served by public water and sewer. Stormwater rate of runoff is remediated with a stormwater management system in which stormwater eventually drains into the municipal stormwater system.

The Stormwater Pollution Prevention Plan (SWPPP) was submitted, and minor final updates are under review.

The property is subject to a 239-Review because it is adjacent to the Village of Johnson City, it is on Reynolds Road (County Route 85), and there is an adjacent NYS Ag District farm. The Village of Johnson City also provides public water to the facility, and will work with the applicant on an approved backflow prevention device and water utility design. The owner of the Ag District farm was notified about the project, and expressed no concerns or questions.

The Broome County Planning Department suggested enhanced landscape screening for adjacent residences, minor updates to the environmental assessment form, before and after photos of the site, plans for onsite controlled burn / electrical equipment fires. The Broome County Health Department raised the issue of prior disposal of coal gasification wastes on the site in 1969. The property is remediation site #C704056 of the NYS DEC Remediation database. The DEC will monitor and approve any soil disturbance associated with the project as needed.

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

1. No building permit shall be issued until the SWPPP has been approved, and the Notice of Intent filed with the NYS DEC.
2. A pre-construction meeting shall be held with all contractors, applicable Village of Johnson City Water Department personnel, and Town Code Enforcement and Building Officers prior to any site work.
3. The new water service design shall be reviewed and approved by the Village of Johnson City Department of Public Services prior to installation.
4. There shall be a testable backflow device on both the domestic and the fire line. Every backflow device requires a DOH-347 and an engineer's report in quadruplicate, regardless of size. Although there may be testable devices currently installed, if any sizes change, those devices will be obsolete and all new devices shall go through the application process.
5. The NY State Health Department requires backflow prevention devices be tested annually by a certified backflow device tester, and a report submitted to the Village of Johnson City Water Department (607-797-2523). The Department of Health form, DOH-1013, is the "Report on Test and Maintenance of Backflow Prevention Device" and must be completed by an individual that has a DOH certification to test backflow devices. The device at this property shall be tested prior to the issuance of a Certificate of Occupancy.
6. An oil/water separator shall be installed within the sanitary sewer system exiting the new 14,667 square-foot pre-engineered metal building

prior to the issuance of a Certificate of Occupancy.

7. The maintenance of the detention ponds, swales and all related structures associated with the stormwater remediation facility shall be followed as described in the Stormwater Pollution Prevention Plan (SWPPP). NYSEG, as the owner of the property on which the stormwater remediation facility is located, shall have the obligation to maintain the stormwater remediation facility, indefinitely, in a functional condition, as described in the Stormwater Management and Pollution Prevention Plan (SWPPP). This maintenance may include testing for contamination of any sediment removed, in order to determine appropriate disposal methods, as described in the SWPPP.

8. In the event that the Property Owner fails to perform the required maintenance after written notice to cure issued by the Town of Union, the necessary maintenance shall be provided by the Town of Union. Any costs, expenses or charge for this maintenance by the Town of Union, including testing and disposal costs, shall be paid by the owner of the property, and if not so paid by the Property Owner within sixty (60) days of invoicing by the Town of Union, the Town of Union shall add such cost to the Property Owner's taxes.

9. A maintenance agreement was accepted by the Town in 2022. A revised access easement shall be reviewed and approved by the Town Department of Public Works and the Town Attorney. Prior to the issuance of the Certificate of Occupancy, the revised access easement shall be filed with Broome County Real Property and a copy of the filing receipt shall be submitted to the Town Planning and Clerk's offices.

10. One AutoCAD version 2021 and one PDF version of the as-built drawings shall be submitted to the Engineering and Planning Departments. The as-built drawing shall include all improvements, including the stormwater control system.

11. Prior to the issuance of the Certificates of Occupancy (one for each structure), the parking lots 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. Per NYS law, all commercial buildings shall be inspected by the Municipal Fire Code Inspector every three years. It is the applicant's responsibility to coordinate the initial inspection by calling the Town of Union Code Enforcement office at (607) 786-2920, prior to the issuance of the Certificates of Occupancy, and then every three years after.

13. At that initial inspection, or shortly thereafter, a tour of the entire facility shall be coordinated with the Choconut Center Volunteer Fire Department. Contact Fire Chief Graham McDonald at 607-343-5523.

14. An infill landscaping plan for the south border shall be submitted to the Planning Department for review by August 31, 2023. The trees at planting should be six-foot high evergreen to screen year-round. Landscaping shall be completed by June 30, 2024. The Planning Board may extend the deadline date upon written request.

15. 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.

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.

16. Any proposed new exterior lighting not shown on the site plan shall first be approved by the Code Enforcement Official.

17. The Applicant shall be required to acknowledge and agree to all of the above stipulations, in writing, no later than August 31, 2023, or prior to the issuance of a building permit, whichever shall come first. 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 for a motion to approve the Site Plan for the Expansion of the NYSEG Training Center at 1195 Reynolds Road, with stipulations.

Motion Made: N. Sarpolis

Motion Seconded: S. McLain

MOTION: Approval of the Site Plan for the Expansion of the NYSEG Training Center at 1195 Reynolds Road, with stipulations.

VOTE: **In Favor:** L. Miller, M. Jaros, S. McLain, T. Crowley, C. Bullock, N. Sarpolis, G. Ksenak

Opposed: None

Abstained: None

Motion Carried

D. 1543 Union Center-Maine Highway: Growers' Showcase at Nanticoke Gardens, Pete Shafer

1. Chairman Miller asked for a motion to Declare Lead Agency.

Motion Made: C. Bullock
Motion Seconded: M. Jaros
MOTION: Declare the Planning Board as Lead Agency.
VOTE: **In Favor:** L. Miller, M. Jaros, S. McLain,
T. Crowley, C. Bullock, N. Sarpolis, G. Ksenak
Opposed: None
Abstained: None
Motion Carried

2. Classify the Project as a Type II Action under SEQRA

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

Motion Made: S. McLain
Motion Seconded: N. Sarpolis
MOTION: Classify the Project as a Type II Action.
VOTE: **In Favor:** L. Miller, M. Jaros, S. McLain,
T. Crowley, C. Bullock, N. Sarpolis, G. Ksenak
Opposed: None
Abstained: None
Motion Carried

3. Retroactively call for a Public Hearing for a Special Use Permit for a Cannabis Business, to be held at the 7:00 p.m. Planning Board Meeting on August 8, 2023

Chairman Miller asked for a motion to retroactively call for Public Hearing for a Special Use Permit for a Cannabis Business, to be held at the 7:00 p.m. Planning Board meeting August 8, 2023.

Motion Made: N. Sarpolis
Motion Seconded: S. McLain
MOTION: Retroactively call for Public Hearing for a Special Use Permit for a Cannabis Business to be held at the 7:00 p.m. Planning Board meeting August 8, 2023.
VOTE: **In Favor:** L. Miller, M. Jaros, S. McLain,
T. Crowley, C. Bullock, N. Sarpolis, G. Ksenak
Opposed: None
Abstained: None
Motion Carried

4. Public Hearing for a Special Use Permit for a Cannabis Business

Chairman Miller opened the Public Hearing at 7:37 p.m. and read the public notice concerning the Special Use Permit for the Retail Sale of Cannabis

Mr. Chip Shafer gave a short presentation about the Growers Showcase. New York State had had a slow rollout of retail dispensaries and the Growers Showcase is an opportunity to move some product. There will be one dispensary present at the showcase for sales, and at least three growers and processors will display and answer questions about their products. There are several types of licenses: growers, processors, and dispensary licenses. There will be security cameras onsite and they will enforce a single point of entry to verify that customers are at least 21 years old or over. The showcase will be a cash and carry operation. There is a seasonal nature to cannabis; usually it is harvested in the fall and sold through the following fall. Chairman Miller closed the Public Hearing at 7:53 p.m.

Ms. Lane then presented her staff report. Peter and Chip Shafer of Nanticoke Gardens have a permit from the NYS Office of Cannabis Management (OCM) to grow cannabis plants. They are applying to participate in a NYS Office of Cannabis Management program, the Growers Showcase, meant to stimulate sales of grown cannabis where there are insufficient retail outlets as compared to that grown. It is a temporary opportunity through the end of this year, 2023. Growers can display just as in a farmers market, but because growers cannot sell to the public, it would involve a licensed cannabis retailer who would conduct the sales of cannabis product. The existing plant nursery and sales business at 1543 Union Center–Maine Highway, S.R. 26, is already set up to facilitate the display and sale of plants and plant products. The events will be held on specific dates; they cannot set up like a typical daily retail business. Town Code requires a Special Use Permit for any cannabis retail use.

The property is in the Cannabis Business Overlay (CBO) zone over General Commercial (G.C.) zoning for the first 270 feet, and the remainder is zoned Rural Residential (R.R.). The site lies in the 100-year floodplain, and a Special Permit for development in the floodplain was approved by the Planning Board in April 2013. The business is a NYS Ag & Markets Agricultural District farm.

Required security for the event consists of identification verification. There will be a check-in table upon arrival to ensure all customers are 21 or over before they park and exit their vehicle. This tent will be staffed with Nanticoke Gardens' staff or Dispensary owner staff members to ensure compliance. The Shafer brothers do not anticipate having 3rd party security personnel staffing these events. As customers are not allowed to consume at these events, it is anticipated that customers will not linger. They will come meet the farmer, get a sales pitch on their respective products, make the purchase and then leave.

Products to fulfill orders are to remain secured and not be visible to customers. There will be a secure storage area on site, the entrance and exit to the secured product area will be under surveillance, and the cash registers/point-of-service terminals will be under camera surveillance.

Under the guidance from the state, there are no food or beverages allowed to be sold at these events. The only products sold will be those produced by the licensed entities.

There are no changes to the general uses at the property, as plant products are currently offered for sale under the existing business. There are also no changes to the structures on the property other than the possibility of up to three ten-foot by ten-foot temporary tents, and therefore no stormwater management facilities are required. At less than 4,000 square-feet, the project is a Type II Action under SEQRA, and no further environmental review is required.

The property is subject to a 239-Review as it is on State Route 26, Union Center-Maine Highway. Broome County (B.C.) Planning has not identified any significant countywide impacts, and recommends that the site plan show the location of any facilities, signage, or other such pertinent details as may be needed. To address this, once this project has Town approval, the application to the Office of Cannabis Management will require this same information. The NYS DOT requires that no items may be placed in the State right-of-way, including signage, displays, or parking. BMTS, B.C. Health Department, and the B.C. Office of Public Safety Systems Division had no concerns. The B.C. Sheriff's Office and West Corners Fire Department asked to be notified of specific dates of the Growers' Showcase events when known.

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

- 1) A revised site plan showing all Showcase-related modifications as required by the NYS Office of Cannabis Management shall be submitted to the Planning Department prior to the first event.
- 2) Per § 300-35.2 Specially permitted uses.
 - A. The following use is allowed as a specially permitted use in the CBO District as a principal use, or as an accessory use with other permitted businesses:
 - (1) Retail dispensary by special use permit to be approved, approved with conditions, or disapproved, at the discretion of the Planning Board.

B. Retail dispensaries for all types of adult-use (recreational, medical, etc.) cannabis shall comply with the following. (All properties within the Cannabis Overlay District conform):

(1) Location.

(a) No such use shall be located within 500 feet of a school or park.

(b) No such use shall be located within 500 feet from any lot or parcel occupied by a hospital, library, or church.

(c) All measurements shall be made between nearest respective lot lines.

(2) Hours of operation.

(a) No cannabis shall be dispensed between the daily consecutive hours of 9:00 p.m. and 9:00 a.m., unless otherwise more strictly regulated by New York State.

(3) Signage.

(a) All signage shall comply with the underlying zoning district's regulations.

(b) No symbol of cannabis shall be displayed within view of any public street.

C. In addition to local regulations, retail dispensary signage is prohibited except as authorized by the Cannabis Control Board.

3). A sign permit from the Town of Union Building Permits Department may be required for temporary signage. Contact the Department at (607) 786-2921 to confirm.

Chairman Miller asked for a motion to approve the Special Use Permit for a Cannabis Business, with stipulations.

Motion Made: T. Crowley

Motion Seconded: M. Jaros

MOTION: Approval of the Special Use Permit for a Cannabis Business, with stipulations.

VOTE: **In Favor:** L. Miller, M. Jaros, S. McLain, T. Crowley, C. Bullock, N. Sarpolis, G. Ksenak

Opposed: None

Abstained: None

Motion Carried

E. 2601 Wayne St., Crysta-Lyn Chemical Company, Anigaf Technologies LLC and Chris Lynch (Delta)

1. Chairman Miller asked for a motion to Declare Lead Agency.

Motion Made: N. Sarpolis
Motion Seconded: S. McLain
MOTION: Declare the Planning Board as Lead Agency.
VOTE: **In Favor:** L. Miller, M. Jaros, S. McLain,
T. Crowley, C. Bullock, N. Sarpolis, G. Ksenak
Opposed: None
Abstained: None
Motion Carried

2. Classify the Project as an Unlisted Action under SEQRA

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

Motion Made: S. McLain
Motion Seconded: N. Sarpolis
MOTION: Classify the Project as an Unlisted Action.
VOTE: **In Favor:** L. Miller, M. Jaros, S. McLain,
T. Crowley, C. Bullock, N. Sarpolis, G. Ksenak
Opposed: None
Abstained: None
Motion Carried

3. Call for a Public Hearing for an Aquifer Permit, to be held at the 7:00 p.m. Planning Board Meeting on September 12, 2023

Chairman Miller asked for a motion to call for a Public Hearing for an Aquifer Permit, to be held at the 7:00 p.m. Planning Board meeting on September 12, 2023.

Motion Made: C. Bullock
Motion Seconded: M. Jaros
MOTION: Call for Public Hearing for an Aquifer Permit, to be held at the 7:00 p.m. Planning Board meeting on September 12, 2023.
VOTE: **In Favor:** L. Miller, M. Jaros, S. McLain,
T. Crowley, C. Bullock, N. Sarpolis, G. Ksenak
Opposed: None
Abstained: None
Motion Carried

Ms. Lane consulted with Town Attorney Pope on this project. It was agreed that the Planning Board would classify it as an unlisted action requiring the short EAF form. Even though the exterior is not changing, due to the chemicals stored on

site, the use is becoming more intense in itself, and this is the reason it is being declared an unlisted action.

Chris Lynch from Delta Engineering gave a short presentation. Crysta-Lyn has operated in the City of Binghamton for 20 years on the first floor of a historic building, and recently apartments were installed on the upper floors. Crystal-Lyn has outgrown that facility with no room for expansion, and they would like to own their own building. Last year they bought the former LED-light manufacturing facility at 2601 Wayne Street and adjacent parcels. They are renovating the interior of the building to move their chemical manufacturing business into the building by the end of the year. They are not making any exterior improvements to the site, just modifying a few walls and mechanical systems inside the building.

Brad Galusha explained that they make light absorbing-dyes that can be used in computer plating, and dyes that absorb infrared light that are used in making clear credit cards function with lasers.

Chris Lynch noted that the company has nine employees right now. There are 18 parking spaces on site so they don't need to add parking or ADA ramps. The building was built in three sections and they will only be using only one section at the far end on day one when they move in. It is almost doubling their current facility so they will have plenty of room to grow before they need to use the other two portions of the building that they purchased. Delta is doing everything to make sure that the building operations meet the building codes, the fire codes, and containing the chemicals properly within the building.

Upon a number of questions from Mr. Ksenak, Mr. Galusha explained that the DEC confirmed they have an air registration and do not require an air permit because they are well below any limits that they test for, defined by Mr. Ksenak as being "negligible." Mr. Lynch explained that, per Code, they do not have to do a blast radius because the chemicals are contained in 350-gallon containers in fire-protected, controlled areas, and a water-based sprinkler-system will be used. The principle solvents used are acetone, methanol, methyl acetate, and isopropyl, which are used separately.

Their normal working hours are 8 a.m. to 5 p.m. Monday through Friday.

Ms. Lane stated that there will be a Wellhead Committee meeting to review the chemicals that will be on the site because it is in the aquifer district. Both Frank Goroleski and Brad Galusha will attend this meeting. Ms. Lane said the committee will discuss containment and the transfer of the product. Mr. Galusha noted that they buy the solvents that are delivered in drums and as long as the drums are in decent condition they reuse those solvent drums for the waste and processed, or manifested, by Unibar in Binghamton.

F. 511 Hooper Road, The Fairways Indoor Golf Co. – Outdoor Seating, Chad Kies and Chris Brown

The 5-month special use permit to have amplified music in the building with the garage door open is up for renewal. The Town has not received any complaints about the music since they have had the garage door open with bands located in the rear simulator station.

1. Call for a Public Hearing for a Renewed Special Use Permit for a Tavern with Outdoor Seating at the 7:00 p.m. Planning Board meeting on September 12, 2023.

Chairman Miller asked for a motion to call for Public Hearing for a Renewed Special Use Permit for a Tavern with Outdoor Seating, to be held at the 7:00 p.m. Planning Board meeting September 12, 2023.

Motion Made: S. McLain
Motion Seconded: N. Sarpolis
MOTION: Call for Public Hearing for a renewed Special Use Permit for a Tavern with Outdoor Seating, to be held at the 7:00 p.m. Planning Board meeting on September 12, 2023.
VOTE: **In Favor:** L. Miller, M. Jaros, S. McLain, T. Crowley, C. Bullock, N. Sarpolis, G. Ksenak
Opposed: None
Abstained: None
Motion Carried

G. 4212 Watson Boulevard, Development in a Floodplain – Donation Shed, J.C. Elks Lodge

1. Chairman Miller asked for a motion to Declare Lead Agency.

Motion Made: C. Bullock
Motion Seconded: N. Sarpolis
MOTION: Declare the Planning Board as Lead Agency.
VOTE: **In Favor:** L. Miller, M. Jaros, S. McLain, T. Crowley, C. Bullock, N. Sarpolis, G. Ksenak
Opposed: None
Abstained: None
Motion Carried

2. Classify the Project as a Type II Action under SEQRA

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

Motion Made: M. Jaros
Motion Seconded: N. Sarpolis
MOTION: Classify the Project as a Type II Action.
VOTE: **In Favor:** L. Miller, M. Jaros, S. McLain, T. Crowley, C. Bullock, N. Sarpolis, G. Ksenak
Opposed: None

Abstained: None
Motion Carried

3. Call for a Public Hearing for a Special Permit for Floodplain Development, to be held at the 7:00 p.m. Planning Board Meeting on September 12, 2023

Chairman Miller asked for a motion to call for Public Hearing for a Special Permit for Floodplain Development, to be held at the 7:00 p.m. Planning Board meeting September 12, 2023.

Motion Made: C. Bullock
Motion Seconded: N. Sarpolis
MOTION: Call for Public Hearing for a Special Permit for Floodplain Development to be held at the 7:00 p.m. Planning Board meeting September 12, 2023.
VOTE: **In Favor:** L. Miller, M. Jaros, S. McLain, T. Crowley, C. Bullock, N. Sarpolis, G. Ksenak
Opposed: None
Abstained: None
Motion Carried

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

There were no other matters discussed.

- I. Adjournment

Chairman Miller asked for a motion to adjourn the meeting at 8:33 p.m.

Motion Made: C. Bullock
Motion Seconded: N. Sarpolis
MOTION: Adjourning the meeting.
VOTE: **In Favor:** L. Miller, M. Jaros, S. McLain, T. Crowley, C. Bullock, N. Sarpolis, G. Ksenak
Opposed: None
Abstained: None
Motion Carried

Next Meeting Date

The next meeting of the Planning Board is tentatively scheduled for Tuesday, September 12, 2023, at 7:00 p.m.

Respectfully Submitted,
Carol Krawczyk