

**Town of Union Planning Board Minutes**  
Tuesday, September 12, 2023

The Town of Union Planning Board held a regular meeting on Tuesday, September 12, 2023, at the Town of Union Office Building, 3111 East Main Street, Endwell, New York.

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

Others present: Marina Lane, John Perricone, Charlie Arbuiso, Chris Lynch,  
Wendy Turner, Tim Turner, Michael Heide, Rob Potochniak,  
Chris Kies, David Bohrer, Lily Ann Mortenson, Sharon  
Mortenson, Aishia Mortenson, Maria Galindo, Michael Casale,  
Frank Goroleski, Brad Galusha

**A. CALL TO ORDER**

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

**B. MEETING MINUTES:** Postponed

**C. 511 Hooper Road, the Fairways Indoor Golf Co.,** Chad Kies and Chris Brown

1. Public Hearing for a Renewed Special Use Permit for a Tavern with Outdoor Seating, vote at the Planning Board's Discretion

Chairman Miller opened the Public Hearing at 7:02 p.m. The meeting was held to receive public input about renewing the five-month special use permit that was issued in May 2023 to allow indoor music with the garage door open. One of the neighborhood residents commented that the changes that the owners had initiated had greatly reduced the volume of the music; they felt that the Planning Board and the business owners had reached a good compromise about keeping the music inside of the Fairways in the rear simulation bay. He said that the music was not near the level that it had been when Cans and Clams had played the prior summer. Since there had been no complaints about the music, the Planning Board members voted to renew the temporary special use permit for a tavern with amplified music through October, 2024.

Chairman Miller closed the Public Hearing at 7:12 p.m.

Ms. Lane then presented her recommendations to extend the approval of the revised Special Use Permit to allow interior music with the garage door open for a tavern in a Neighborhood Commercial zoning district with the following stipulations:

- 1) Amplified music shall not be projected to the exterior of the building. Bands shall be located in the most northern simulator bay, and any sound emanating from the building shall meet the Town Code Noise Ordinance.

Chris Kies asked if the garage doors are closed, would bands still have to be placed in the northern simulation bay, such as during the winter. That would prohibit golfers from being able to use that bay. Ms. Lane then changed the first stipulation to read as follows: “Amplified music shall not be projected to the exterior of the building. When the garage door is open, bands shall be located in the most northern simulator bay, any sound emanating from the building shall meet the Town Code Noise Ordinance, and amplified music shall end at 10 p.m.”

2) Outdoor seating within the 1,000 square-foot outdoor seating area under the 1,200 square-foot canopy shall be permitted. No seating shall be placed in the access drive between the canopy and adjacent fast-food restaurant with a drive-through service.

3) Outdoor seating shall be enclosed with fencing for the safety of clientele and employees.

4) Outdoor cooking shall be permitted. Consult with Code Enforcement (607-786-2920) for any safety requirements prior to setting up the grill in 2024.

5) Amendments or revisions to an approved special use permit require review and approval in accordance with § 300-66.10.

6) The Special Use Permit allowing indoor music with the garage door open shall expire on October 31, 2024. If you wish to extend the approval for the Special Use Permit allowing indoor music with the garage door open, you shall submit a written request no later than September 30, 2024.

7) The Special Use Permit for a tavern use shall expire should the property or business be sold or transferred 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.

8) The applicant shall be required to acknowledge all of the above stipulations, in writing, no later than September 30, 2023. The applicant shall agree to follow the stipulations of approval in strict accordance with the special use permit approved by the Planning Board.

Ms. Lane clarified that the special use permit is principally for the tavern, not for the music. Therefore, if or when the music stops for over three months, the tavern is still operational.

Chairman Miller asked for a motion to approve the Renewed Special Use Permit for a Tavern with Outdoor Seating at 511 Hooper Road, with stipulations.

Motion Made: G. Ksenak  
Motion Seconded: M. Jaros  
MOTION: Approval of the Renewed Special Use Permit for a Tavern with Outdoor Seating at 511 Hooper 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

Mr. Kies asked if they would be allowed to have outside music for a special one-day event. Ms. Lane answered that the Code Enforcement office has the authority to issue a special event permit. Ms. Lane had discussed the idea that Mr. Kies could have a one-day outside event with earlier hours to get business going in the spring. It was also suggested that the event be advertised or posted so that the neighbors would be aware that it was a one-time special outdoor event. The Greater Binghamton Sports Center has a special overnight event once a year that originally had caused a lot of issues. Now the event is advertised and the neighbors are notified ahead of the event so there are no longer any issues with the special one-day event.

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

1. Public Hearing for a Special Use Permit for Development in a Floodplain (Clothing Collection Shed), Vote at the Planning Board's Discretion.

Chairman Miller opened the Public Hearing at 7:25 p.m.

Ms. Turner, a Lodge member, gave a short presentation about how the collection shed would help the community, keep clothes out of our landfills and also provide clothing to people in other countries. The shed will be managed by St. Pauly Textile and they have other sheds in the Broome County area.

Chairman Miller closed the Public Hearing at 7:28 pm.

Ms. Lane then presented her report to the Planning Board. Alex Hillis submitted an application on behalf of the Johnson City Lodge #2821 at 4212 Watson Boulevard to install an eight-foot by sixteen-foot (8' x 16') clothing donation shed on their property. The property is zoned General Commercial, and the accessory shed is permitted. The entire property is in the 100-year floodplain, and therefore a Special Permit for the installation of the shed is required. The proposed structure is a prefabricated, wood-frame shed, and will require anchoring, per Town Code § 121-13.

The business managing the collection sheds, St. Pauly Textile Inc., takes pride in maintaining their collection sheds at least weekly, removing and processing proper handling of donations, keeping strict guidelines for cleanliness, and takes responsibility for their sheds and contents at all times. They are an A+ member of the Better Business Bureau, and will follow NYS General Business Law §399-bbb (4) (6) for public notification and bin maintenance requirements.

The project area is less than 4,000 square-feet, therefore is a Type II Action under SEQRA, and no further environmental review is required. The project required a 239-Review, being on County-owned Watson Boulevard. The Broome County (B.C.) Department of Planning, B.C. Department of Public Works (DPW), and B.C. Health Department had no comments.

The project meets the requirements for a Special Permit to develop in the floodplain as the installation of the shed will not raise base flood elevation nor result in any negative effects on adjacent properties. The staff recommendation is to approve the Special Permit with the following stipulations:

2) The collection shed and surrounding area shall be maintained at all times per NYS General Business Law §399-bbb (4) (6).

3) Amendments or revisions to an approved 1) The structures shall meet the requirements of Town Code 121, Flood Damage Prevention:

§ 121-13. General standards. In all areas of special flood hazard, the following standards are required:

A. Anchoring.

(1) All new construction and substantial improvements shall be anchored to prevent flotation, collapse or lateral movement of the structure.

B. Construction materials and methods.

(1) All new construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage.

(2) All new construction and substantial improvements shall be constructed using methods and practices that minimize flood damage.

special use permit require review and approval in accordance with § 300-66.10.

4) The Special Permit shall expire should the property or business be sold or transferred 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.

Ms. Lane removed “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.” She explained that she did this because the special permit is for floodplain development, rather than a special use.

5) The applicant shall be required to acknowledge all of the above stipulations, in writing, prior to the issuance of a building permit, or no later than September 30, 2023, whichever shall come first. The applicant shall agree to follow stipulations of approval in strict accordance with the special permit approved by the Planning Board.

Chairman Miller asked for a motion to approve the Special Use Permit for Development in a Floodplain (Clothing Collection Shed), with stipulations.

Motion Made: T. Crowley

Motion Seconded: S. McLain

MOTION: Approval of the Special Use Permit for Development in a Floodplain (Clothing Collection Shed), 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 Street, Crysta-Lyn Chemical Company, Anigaf Technologies LLC and Chris Lynch (Delta)**

Ms. Lane distributed a new site plan and the EAF to the Planning Board members. Ms. Lane was asked by members in the audience for extra copies of the site plan and the EAF and she noted that it is not Planning Board procedure to print out materials for the general public, but that she would be happy to email those documents to them if they left their email addresses on the sign-in sheet.

**1. SEQRA Determination**

Ms. Lane explained to the audience that projects that are approved by any government board must be reviewed for any potential impacts on the environment. Technically this project did not require a full review because it is just a change of use in an existing building, and the DEC says that if you have only a reuse of the interior of a building and you are not making any changes to the exterior, you are not required to do a review. However, because the Planning Board is reviewing an application for chemical use,

Planning staff asked the applicant to submit the short environment assessment form (EAF). Mr. Chris Lynch, Delta Engineering, completed the first part of the form, and there were a few updates as late as this afternoon, so this final version presented should be accurate.

The name of the project is the Crysta-Lyn Chemical Company. It is located at 2601 Wayne Street, 8 and 10 Harding Avenue, and 2622 and 2626 Watson Boulevard. Ms. Lane then read a brief description of the project from the EAF Part 1. “Site plan approval for a chemical manufacturing company to move into an existing 29,718 square-foot building. Crysta-Lyn will occupy 17,894 square-feet and will have nine (9) employees. The company operates as a single shift during daytime hours.”

Ms. Lane reviewed the questions for Part 1 of the EAF. The project does require a NYS DEC Air Facility Registration and an EPA Acknowledgement of Notification of Hazardous Waste Activity. The project acreage including the building and the parking lot is 1.82 acres, the total acreage to be disturbed is 0.0 acres, and the total acreage of the project properties is 4.17 acres. The land uses that are near the proposed action are industrial and suburban multi-family. The proposed action is a permitted use under the zoning regulations and the project is consistent with the adopted comprehensive plan. The proposed action is also consistent with the predominant character of the existing natural landscape.

The action will not result in a substantial increase in traffic and there are public transportation accommodations near the proposed action. Per Chris Lynch, architect from Delta Engineering, since the applicant is renovating a significantly smaller area of the building, they do not need to meet the state energy requirement. The proposed action will connect to the existing water supply and wastewater facilities. The property adjoins Brixius Creek but the project will not physically alter or encroach into that waterbody. The site is not located in the 100-Year floodplain. There will be stormwater runoff from the roof of the building and the parking lot which will be directed via water drains to a stormwater basin and into Brixius Creek.

The site was part of the DEC remediation site 704038, the Endicott area-wide investigation into the 1979 IBM in Endicott spill of 4100 gallons of TCA. In a 1980 IBM hydrogeologic report had found the solvent plume was much larger and contained TCE, PCE, DCA, Methylene chloride vinyl chloride and Freon. Indoor air quality has been tested since the start of the project until 2009 and periodically today. The site is also within 2,000 feet of the 704014 Former IBM Facility at 1701 North Street.

Ms. Lane then discussed Part 2 of the EAF, the Impact Assessment. She explained that she reviews the questions in Part 1 and then evaluates the potential degree of environmental impact for each question in Part 2. She determined that there were small or no impacts for each of the questions. Mr. Ksenak, Planning Board member, stated that previously the Endicott

Research Group operated a wet chemical processes operation in the building, and the volume of chemicals used by the Crysta-Lyn Chemicals Company are significantly less than the constituents that were used by the former Endicott Research Group.

Ms. Lane then presented the Determination of Significance, Part 3 of the EAF, to the Planning Board. Crysta-Lyn is a chemical manufacturing company, particularly specializing in the formulation of industrial dyes. It is an existing company in the local area that is expanding into the existing, vacant manufacturing building at 2601 Wayne Street, located in an Industrial zoning district. The use is permitted and requires an aquifer permit due to the storage of greater than 25 gallons and/or 220 pounds of potentially hazardous and/or toxic materials per month. The Town of Union Wellhead Committee reviewed Crysta-Lyn's safety and material handling protocol and determined that Crysta-Lyn is in compliance with all NYS DEC and EPA standards and requirements.

The project was further evaluated by the Planning Board, which determined that the use conforms to land use plans and zoning regulations, and with only nine employees, it is not significantly more intensive than the prior electronics firm in the same building. Similarly, existing traffic patterns will not be impacted.

The use of energy will not change significantly, and the project site has existing public utilities, including connecting into the municipal storm sewer system for on-site drainage from the building and parking lot. The site is existing, no exterior changes are proposed, so no soil will be disturbed. There is little potential for erosion, flooding, or drainage problems.

The facility is required to obtain an Air Facility Registration with the NYS DEC due to the exhaust of chemicals during the manufacturing process, deemed by the DEC to be too small to warrant an Air Facility Permit. By following all safety measures, the chance of any hazard to human health would be very small. The project will have a small to no negative impact on the environment.

Ms. Lane recommended a Negative Declaration under SEQRA.

Mr. Ksenak explained that under the Clean Air Act, which is the overall umbrella that each state must follow and apply to their enforcement policies, there are different ratings for different chemicals, but the volume ratings stay the same; they are in pounds per hour. In this case at the level of the chemicals that they are using in this facility, they are considered negligible for trace amounts. That is in the regulation that is part of the law and they have met the requirements of the law. Mr. Ksenak noted that our homes have emissions, a variety of emissions, that are hazardous pollutants, and people don't realize that. In this case, the applicant is not heating the chemicals to their boiling point, and since the chemicals used in the processes are contained, the DEC only requires general ventilation.

Mr. Arbuiso, audience member, was particularly concerned about the use of acetone and DMF (Dimethylformamide) at the site. Mr. Sarpolis, Planning Board member, noted that the same warnings about dangerous chemicals could also be seen on a household container of bleach. Mr. Ksenak added that it is the quantity of the chemical that determines its health hazardous significance, and that Crysta-Lyn had met all the requirements put forward by the Clean Air Act and NYS DEC. Mr. Arbuiso felt that the potential for harm from the chemicals used in the chemical processes were not worth the nine jobs that the company would bring to the town.

Ms. Miller, Planning Board Chair, stated that the Planning Board does not decide what projects are allowed on a particular site, the zoning makes this determination. Therefore, if a property is zoned a particular way and the use is permitted, the Planning Board cannot deny an application as long as it meets all the requirements.

Ms. Mortenson, an audience member, noted that the 6 Emma Street site in Binghamton has a history of pollution. Ms. Lane answered that this was irrelevant because the Planning Board is not evaluating the site in Binghamton. Mr. Jaros, Vice-Chairman of the Planning Board, said that this discussion was solely about the environmental assessment, and when we start the Public Hearing for the Aquifer Permit, the community can speak about their feelings towards the project.

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

Motion Made: S. McLain  
Motion Seconded: G. Ksenak  
MOTION: Approval of the Negative Declaration under SEQRA  
VOTE: **In Favor:** L. Miller, M. Jaros, S. McLain, T. Crowley, C. Bullock, N. Sarpolis, G. Ksenak  
**Opposed:** None  
**Abstained:** None  
Motion Carried

2. Public Hearing for an Aquifer Permit, vote at the Planning Board’s Discretion

Chairman Miller opened the Public Hearing at 8:15 p.m.

There were several members of the public who attended the meeting that were concerned about what effect the chemicals would have on the environment. Concerns were voiced about the potential for the accidental spillage of chemicals during the transportation process. The applicant reassured the audience that hazardous chemicals are listed on any delivery truck’s manifest, and in the event of a spill, the DOT and DEC would be called immediately to deal with it. The applicant also described the secondary containment process that they have in place to prevent any spills from entering the sewer system.



Both Ms. Lane and Mr. Ksenak noted that the applicants had met all of the legal requirements for the storage and containment of the chemicals used in the manufacturing process.

Chairman Miller closed the Public Hearing at 8:47 p.m.

Ms. Lane then presented her staff report to the Planning Department. Delta Engineering, Architects and Surveying applied on behalf of Crysta-Lyn, a chemical manufacturing company, for site plan approval to move into an existing 29,718 square-foot building, of which Crysta-Lyn will occupy 17,894 square-feet.

Mike Wheeler from the NYSDEC was consulted concerning whether Crysta-Lyn would need an Air Facility Registration or an actual Air Facility Permit. He confirmed that the facility will only need the Air Facility Registration because they are well below the volumes that would trigger the need for an Air Facility Permit. Crysta-Lyn doesn't foresee large growth in the next few years, so working under the Air Registration is sufficient at this time.

Crysta-Lyn is currently registered with the NYSDEC for hazardous waste activity at their Binghamton site, which also requires secondary containment. Prior to starting operations on Wayne Street, Crysta-Lyn will register with the DEC for the site at Wayne Street. At the existing facility there is a contingency plan in place for any spills that details what needs to happen and all the appropriate contacts for reporting the incident. The plan will be updated to be in place at the new facility. There are currently three large spill kits which will be transferred to the new facility prior to operations beginning. A professional business that specializes in the removal of hazardous wastes picks up the used or waste chemicals, as needed.

The Town of Union Wellhead Committee reviewed Crysta-Lyn's safety and material handling protocol and determined that Crysta-Lyn is in compliance with all NYS DEC and EPA standards and requirements.

The Wellhead Advisory Committee and the Planning Department recommend approval of the Aquifer Permit for the storage of greater than 25 gallons of potentially hazardous or toxic chemicals, with the following stipulations to prevent contamination of the Primary Aquifer and ground:

- 1) If, in the distant future, production increases to the point that it will require an Air Facility Permit, you shall obtain such permit and inform the Town of Union Planning Department and Code Enforcement Office.
- 2) Storage of all toxic or hazardous chemicals is required to have secondary containment.
- 3) Proper clean-up and disposal measures for the spilled chemicals shall

be clearly posted adjacent to their storage tanks and/or drums. The Spill Prevention and Emergency Response Plan shall be reviewed with employees routinely and posted in a highly visible location.

4) The purposeful discharge or disposal of any toxic or hazardous materials, and/or petroleum products on or below the surface of the ground is prohibited. In the event of a spill to the environment, call the DEC Spills Hotline at (800) 457-7362.

5) The floor plan shall be provided to the Endwell Fire Chief for review of fire truck access to the building. Contact the Endwell Fire Chief at (607) 321-8232.

Ms. Lane stated that she would take care of supplying the floor plan to the Endwell Fire Chief.

6) Change in use or ownership. The Aquifer Permit shall expire should the property or business be sold or transferred to another entity, per § 300-66.11. Transferability:

a. A special permit is not transferable except upon approval by resolution of the issuing board.

7) All requirements by the Planning Board shall be in compliance prior to the issuance of a Certificate of Compliance. Contact the Town Code Enforcement Officer to arrange a final inspection for the Certificate of Compliance.

8) The applicant shall be required to acknowledge all of the above stipulations, in writing, prior to September 30, 2023. The applicant agrees to adhere to the aquifer permit requirements in strict accordance with the Aquifer Permit approved by the Planning Board.

Ms. Bullock suggested that the phrase “to the point” be deleted from the first stipulation and Ms. Lane made this change. Mr. Ksenak noted that the subject of the regulation of chemicals is an emotional issue, but if you look at the impacts, they are not significant. He noted that safety rules and regulations are progressing, but there is going to be a learning curve before all of them can be implemented.

Mr. Crowley commented that as long as he and Ms. McLain have been on the Planning Board they have always had to contend with people who do not want a particular project in their neighborhood. If the Planning Board turns something down that meets the requirement of the law we could be sued, so the Planning Board has no choice but to abide by the law. Ms. Lane noted that the Planning Board is doing their best to make sure that applicants take all the adequate precautions to comply with the law.

Chairman Miller asked for a motion to approve the Aquifer Permit at 2601 Wayne Street, with stipulations.

Motion Made: G. Ksenak

Motion Seconded: N. Sarpolis  
MOTION: Approval of the Aquifer Permit at 2601 Wayne Street, 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

3. Pending approval of the Aquifer Permit, Site Plan Review

The Planning Department recommends approval of the site plan for Crysta-Lyn Chemical Company with the following stipulations, per the Town Code and staff recommendations:

1. The five properties shall be combined into 2601 Wayne Street prior to the issuance of any building permit.
2. Contact the Commissioner of Public Works at (607) 786-2950 prior to occupancy regarding sewer pipers from the building discharging into the Town sewer.
3. Per NYS Department of Health Section 5-1.31 Cross-Connection Control regulations, the property owner must install a backflow prevention device. The Village of Endicott Water Department, (607-757-5301), shall determine the type of backflow prevention device that shall be installed. A plumber shall submit plans and specs for the new backflow device to the Endicott Water Department. Once Endicott has approved and signed off on the device, your plumber shall install the backflow prevention device prior to the issuance of a Certificate of Compliance.
4. Contact Philip Grayson, Sewer Pretreatment Administrator for the Village of Endicott, at (607) 757-2457 to determine any pretreatment he may require.
5. Should the parking lot be resurfaced or paved in the future, 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.

Ms. Lane deleted the last sentence: "All paving and striping shall be complete prior to the issuance of a Certificate of Occupancy." This statement only applies to an applicant occupying a new building so she deleted it.

6. For all new signage, the applicant shall first be issued a sign permit from the Building Official prior to display. All temporary signs shall be reviewed and approved by the Code Enforcement Office prior to being placed on the property.

6. 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, exterior 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.

7. Any new exterior lighting not shown on the lighting plan shall first be approved by the Code Enforcement Officer.

8. A Certificate of Compliance shall be required before occupancy of the new building.

9. 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.

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

Ms. Lane added the sentence: "The Planning Board may extend this deadline upon request." to this stipulation.

11. The applicant shall be required to acknowledge all of the above conditions, in writing, no later than September 30, 2023. 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 for a motion to approve the Site Plan for Crysta-Lyn Chemical Company at 2601 Wayne Street, with changes.

Motion Made: G. Ksenak  
Motion Seconded: M. Jaros

MOTION: Approval of the Site Plan for Crysta-Lyn Chemical Company at 2601 Wayne Street, with changes.  
VOTE: **In Favor:** L. Miller, M. Jaros, S. McLain, T. Crowley, N. Sarpolis, C. Bullock, G. Ksenak  
**Opposed:** None  
**Abstained:** None  
Motion Carried

**F. 1500 County Airport Road, Greater Binghamton Sports Complex Special Overnight Event, Bob Kashou**

Chairman Miller asked for a motion to approve the extension of normal hours for the Overnight Indoor special event to be held on November 10 and 11, 2023.

Motion Made: M. Jaros  
Motion Seconded: T. Crowley  
MOTION: Approval of motion to extend the normal hours for the Overnight Indoor special event on November 10 and 11, 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

**G. 1838 Nanticoke Drive, Special Use Permit for an Agri-Business, Michael Maione**

1. Declare Lead Agency

Chairman Miller asked for a motion to Declare Lead Agency

Motion Made: S. McLain  
Motion Seconded: C. Bullock  
MOTION: Confirm 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 Project as a Type II Action, being an agricultural activity

Chairman Miller asked for a motion to classify the project as a Type II action, being an agricultural activity.

Motion Made: S. McLain  
Motion Seconded: N. Sarpolis

MOTION: Classify as a Type II Action under SEQRA  
VOTE: **In Favor:** L. Miller, M. Jaros, S. McLain,  
T. Crowley, C. Bullock, M. Hills, G. Ksenak  
**Opposed:** None  
**Abstained:** None  
Motion Carried

3. Call for a Public Hearing to be held at the 7:00 p.m. meeting on October 10, 2023.

Chairman Miller asked for a motion to call for Public Hearing for a Special Use Permit for an Agri-Business to be held at the 7:00 p.m. Planning Board meeting October 10, 2023.

Motion Made: C. Bullock  
Motion Seconded: N. Sarpolis  
MOTION: Call for Public Hearing for a Special Use Permit for an Agri-Business to be held at the 7:00 p.m. Planning Board meeting October 10, 2023.  
VOTE: **In Favor:** L. Miller, M. Jaros, S. McLain,  
T. Crowley, C. Bullock, M. Hills, G. Ksenak  
**Opposed:** None  
**Abstained:** None  
Motion Carried

#### H. 1320 Campville Road, KL Photography and Kasey's Cabinets, Chris Pelto

1. Declare Lead Agency

Chairman Miller asked for a motion to Declare Lead Agency

Motion Made: C. Bullock  
Motion Seconded: T. Crowley  
MOTION: Confirm 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 Project as a Type II Action, being the reuse of an existing building

Chairman Miller asked for a motion to classify the motion as a Type II action under SEQRA.

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

**Abstained:** None  
Motion Carried

3. Call for a Public Hearing to be held at the 7:00 p.m. meeting on October 10, 2023.

Chairman Miller asked for a motion to call for Public Hearing for a Special Use Permit for personal services business to be held at the 7:00 p.m. Planning Board meeting October 10, 2023.

Motion Made: G. Ksenak  
Motion Seconded: N. Sarpolis  
MOTION: Call for Public Hearing for a Special Use Permit for a personal services business to be held at the 7:00 p.m. Planning Board meeting October 10, 2023.  
VOTE: **In Favor:** L. Miller, M. Jaros, S. McLain, T. Crowley, C. Bullock, M. Hills, G. Ksenak  
**Opposed:** None  
**Abstained:** None  
Motion Carried

Ms. Lane noted the project requires a Special Use Permit because the photo studio is a personal services use in an Industrial zone.

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

Ms. Lane explained what the LEED designation means. The new NYSEG facilities on Reynolds Road will have a LEED designation. The acronym stands for Leadership in Energy and Environmental Design, and the designations range from copper through platinum levels.

At the next Planning Board meeting the following applications will be reviewed: the rear part of 11 Delaware Avenue will be rented to Greg Osborne to run a welding business; and 711 Main Street, the pharmacy on the corner of Oakdale and Main Street, will become a Masonic Lodge Meeting Hall. The Waterman Conservation Education Center wants to expand their parking lot (minor site plan review); and there are two solar farm applications, one at 10 Kot Road which will also have an apiary and grazing sheep, and the solar project at Glendale Drive will be coming back again.

- J. Adjournment

Chairman Miller asked for a motion to adjourn the meeting at 9:28 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, October 10, 2023, at 7:00 p.m.

Respectfully Submitted,  
Carol Krawczyk