

Conklin Planning Board Meeting – August 31, 2026

MEMBERS

PRESENT: Chairperson Chris Ostrowsky, Dan Smith, Sandra Beam, Art Boyle

ABSENT: Nick Pappas,

ALSO

PRESENT: Mark Spinner, Attorney
Bill Farley, Town Board Liaison
Mary Plonski, Secretary

VISITORS: Abelelaziz Abdelwhab, 25 Moeller St. Binghamton
Mubarak Gasi, 25 Moeller St. Binghamton

7:00 PM Chairperson Ostrowsky called the meeting to order.

Chairperson Ostrowsky asked for a motion to approve the meeting minutes of July 20, 2026.

Dan Smith made a motion to approve the minutes of July 20, 2026.

Art Boyle second the motion. Motion passed.

Agenda Item #1 Car Dealership Office Shed 850 Conklin Rd. Binghamton Tax Map# 162.03-1-5

Attorney Mark Spinner stated that this is an application for 850 Conklin Rd. from Abelelaziz Abdelwhab and Mubarak Gasi. The property is zoned General Commercial. The site plan is for auto dealership with a shed 16' x 10' as an office. Inventory, display areas, customer parking and signage.

Mr. Abdelwhab explained that he needed to apply for the permit and get approval before he can get a license from the DMV.

Attorney Spinner stated that any approval tonight would be contingent upon you obtaining the license.

Per Town Code Article IX, Section 140-47-140-53 says that automobile and truck sales are permitted use per Section 147 C. We are reviewing the current site plan including

the office, auto inventory, customer parking area and signage. No formal public hearing was required for this review.

There was a prior site plan approval for this property. The application called for 21 vehicles, no repair work, no washing of vehicles on the site, mobile office. Also that there would be no paving of the property. The site is stone and gravel. The site is located in a floodplain.

Mr. Abdelwhab stated that his application is also for 21 vehicles, 2 employee spaces and 5 customers spaces and an office. The existing driveway will be used. He explained that all repairs would be done in their Endicott Shop. Only sales will be done on this property.

Attorney Spinner asked if there were appropriate spill response measures in place in case of an oil or gas spill. Mr. Abdelwhab confirmed there was.

Attorney Spinners reiterated that there will be no repairs or oil changing on the property site.

Ms. Beam asked where the sign would go. The sign will be on the building.

Mr. Spinner showed a map which showed the back portion of the property being partially in the wetlands. There was a discussion and it is noted that nothing will be in the back area near the wetlands.

Chairperson Ostrowsky asked if there would be electricity. The owner said there would be and that NYSEG was coming on September 15th.

Dan Smith asked if there would be a dumpster on the site. There will not be a dumpster. Just a garbage can.

Chairperson Ostrowsky asked if they would have a bathroom. After a long discussion, it was decided it would be best to have a porta John on the property. It will be located in the rear of the property behind the office.

Attorney Spinner requested that the parking spaces on the site plan for employee and customers be changed from 18' x 9' to 20' x 9' required by town code. Mr. Abelwhab said he would change that.

The gate on the south end of the property will remain closed.

The Broome County 239 comments were reviewed.

BC Case: 239-2026-121

**850 Conklin Rd.
Tax Map 162.03-1-5**

The Planning Department has reviewed the above-cited case and has not identified any significant countywide or inter-community impacts associated with the proposed project. However, we have the following comments for the site plan and SEQR EAF:

The project site is located partially within the Existing and entirely within the Preliminary FEMA Special Flood Hazard Areas. The Town should exercise caution in approving, and the applicant should know the risks in placing the project within the Special Flood Hazard Areas and within the flood-prone area. The Town should consider the vehicles left in the open may become waterborne and a hazard during a flood, endangering adjacent properties and creating potential debris blockages.

The Town should ensure the project complies with the DPW<BCHD< and Town flood, water, and pollutant related requirements and with the New York State Uniform Fire Prevention and Building Code which restricts the placement of hazardous materials in the floodplain.

The Town should ensure the project does not encroach on the onsite NWI wetlands and, complies with USACOE and Town wetland regulations.

The site plan and SEQR EAF should address and show the following:

- Compliance with DPW, NYSDOT, and BCHD comments and with all other applicable requirements
- Area of disturbance and ground cover (see BCHD comments)
- Floodplain, NWI wetlands, flood and shed elevations, grading, and drainage
- Required setbacks, zoning notes, and signage
- Adjacent residential
- Address the incomplete SEQR EAF responses.

The case files was routed to the Binghamton Metropolitan Transportation Study (BMTS), New York State Department of Transportation (NYSDOT), Broome County Department of Public Works (DPW), and Broome County Health Department (BCHD) for review. Enclosed are comments from DPW, NYSDOT and BCHD. BMTS had no comments.

August 18, 2026 NYSDOT Letter

NYSDOT has reviewed the materials for the above-referenced proposal. Please note the following comments:

- If any work is to be conducted within the State right-of-way, including for any work to upgrade the site's access to NYS Route 7, the applicant will require a Highway Work Permit from NYSDOT. Please advise the applicant to visit the NYSDOT Permittrack Highway Work Permit System website at permittrack.dot.ny.gov to apply for this permit, if necessary.
- Nothing may encroach on the State right-of-way, including signage, rocks, display vehicles, or other items.

Attorney Mark Spinner reviewed Short Environmental Assessment Form Parts 1, 2 and 3 with the board.

Chairperson Chris Ostrowsky made a motion SEQR/Negative Declaration:

I move that the Planning Board, having received parts 1,2 and 3 of the short Environmental Assessment form and the entire record, determine that the proposed action is an Unlisted action under SEQR, will not result in any significant adverse environmental impacts, and issue a Negative Declaration.

Dan Smith second motion.

Dan Smith	Yes	
Art Boyle	Yes	
Sandi Beam	Yes	
Chris Ostrowsky	Yes	Motion passed.

**RESOLUTION GRANTING SITE PLAN APPROVAL WITH CONDITIONS
850 CONKLIN ROAD**

TAX MAP NO. 162.03-1-5

At a meeting of the Planning Board of the Town of Conklin, held at Conklin Town Hall, 1271 Conklin Road, Conklin, New York on the 31st day of August, 2026, the following resolution was offered and seconded:

WHEREAS, Abdelaziz Abdelwhab and Mubarak Gasi have applied for site plan approval at 850 Conklin Road, Tax Map No. 162.03-1-5, for an automobile-sales operation including a 16' x 10' office, automobile inventory/display areas, customer and employee parking, existing highway access and signage; and

WHEREAS, the property is located in the C-G General Commercial District, where automobile, truck and trailer sales are permitted pursuant to Town Code § 140-48(C); and

WHEREAS, the Planning Board previously approved a used-car dealership on this parcel in 2017 involving 21 vehicles offered for sale and continued use of the then-existing unpaved site; and

WHEREAS, the present application proposes a maximum of 21 operable vehicles actively offered for sale, five customer/accessible parking spaces and two employee parking spaces, with no vehicle repair, servicing, fluid changes, washing/detailing, outdoor parts storage or storage of disabled or inoperable vehicles; and

WHEREAS, the Planning Board has reviewed the application, Short Environmental Assessment Form, supplemental submissions, prior approval history, General Municipal Law § 239 review and agency comments; and

WHEREAS, prior to acting on the site plan, the Planning Board, acting as lead agency under SEQRA, reviewed Parts 1, 2 and 3 of the Short Environmental Assessment Form and issued a Negative Declaration; and

WHEREAS, the Planning Board has reviewed the application pursuant to Chapter 140, including the site plan standards of § 140-154;

NOW, THEREFORE, BE IT RESOLVED, that the Planning Board hereby makes the following findings:

1. Automobile sales are a permitted use in the C-G District, and the proposed office complies with the applicable dimensional requirements.
2. Five customer/accessible parking spaces and two employee parking spaces are adequate for the proposed use and shall comply with § 140-85.
3. The maximum 21 automobiles actively offered for sale constitute inventory/display, rather than customer or employee parking.
4. The Board has considered the County Health Department's comments regarding automotive-fluid leakage and finds that the inventory/display areas may remain unpaved subject to the operational restrictions imposed below.
5. The existing highway access is adequate, no substantial grading, fill or expansion of the inventory/display area is proposed, and no wetland disturbance or State right-of-way encroachment is approved.
6. Subject to the conditions below, the site plan satisfies the applicable standards of § 140-154.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the Planning Board hereby approves the site plan for 850 Conklin Road, Tax Map No. 162.03-1-5, subject to the following conditions:

1. Before the Planning Board Chair signs the final site plan, the applicant complete and confirm all appropriate licensing has been obtained for the business, True Key Auto, LLC and shall ensure submission of a final plan satisfactory to the Code Enforcement Officer showing the office and applicable setbacks, existing highway access and State right-of-way, Automobile Inventory/Display Area, Maximum 21 Vehicles, five customer/accessible spaces, two employee spaces, applicable parking dimensions, signage and mapped wetland area.
2. Applicant will confirm manner and location of restroom facilities and will ensure compliance with the Town code prior to commencing work at the site.
3. Customer and employee parking shall comply with § 140-85, including applicable dimensional, accessibility, drainage and all-weather-surface requirements.
4. The unpaved inventory/display area may contain a maximum of 21 operable automobiles actively offered for sale and shall not be used for customer or employee parking or materially expanded, graded or filled without any further review required by Town Code.
5. No vehicle repair, servicing, fluid changes, washing/detailing, dismantling, outdoor parts storage or storage of disabled, junk or inoperable vehicles shall occur on the property.
6. No leaking vehicle shall remain within an unpaved inventory/display area, and appropriate spill-response materials shall be maintained on site.
7. No vehicle, sign or other dealership object shall encroach within the State right-of-way. Any work within the State right-of-way or material alteration of highway access shall require applicable NYSDOT approval.
8. No wetland disturbance is approved, and construction of the office and any associated grading or fill shall comply with applicable Town floodplain-development requirements.
9. The proposed business sign remains subject to Article XVII and any required sign permit.

BE IT FURTHER RESOLVED, that the Planning Board Chair is authorized to sign the final approved site plan after the Code Enforcement Officer determines that the conditions precedent to signature have been satisfied; and

BE IT FURTHER RESOLVED, that any material change to the approved use, site layout, access, inventory/display area or improvements shall require further review to the extent required by Town Code; and

BE IT FURTHER RESOLVED, that the Planning Board Secretary or other appropriate Town official shall transmit a copy of this decision to Broome County Planning as required.

AND BE IT FURTHER RESOLVED, that this Resolution shall take effect immediately.

CERTIFICATION

I, Chris Ostrowsky, do hereby certify that I am the acting Chairperson of the Town of Conklin Planning Board and that the foregoing constitutes a true, correct and complete copy of a resolution duly adopted by the Planning Board of the Town of Conklin at a meeting thereof held

at the Conklin Town Hall on August 31, 2026. Said resolution was adopted by the following roll call vote:

Chris Ostrowsky voted:	Yes
Sandy Beam voted:	Yes
Art Boyle voted:	Yes
Dan Smith voted:	Yes

Dated: August 31, 2026

Chairperson Ostrowsky site plan Approval Motion

I move that the Planning Board adopt the written resolution granting site plan approval with conditions for 850 Conklin Rd. Tax Map no. 162.03-1-5, Including the findings and conditions set forth herein, and authorize the chair to sign the final approved site plan upon satisfaction of the conditions stated in the resolution.

Dan Smith second the motion.

Chris Ostrowsky	Yes
Art Boyle	Yes
Sandi Beam	Yes
Dan Smith	Yes

Chairman Chris Ostrowsky asked for a motion to adjourn the meeting.

Art Boyle made a motion to adjourn meeting.

Chris Ostrowsky second. All present board members approved. Meeting Closed 7:47 p.m.

Next Planning Board Meeting is scheduled for Monday, September 21, 2026 at 7:00 PM.

Respectfully Submitted,

Mary Plonski, secretary