

Planning Board Minutes
August 13, 2013

Present: Dave Russo, Joe McIlroy, Mark Vitale, Heather Grant, Davies Nagel, Frank Rose, Mike VanGelder

Others: Carl Peter, John & Chris Noble (Noblehurst Farms), Jim Campbell, Esq., Steve Ferry Jr. (SJF Construction), Norman Gardner C.P.G. (Clark Patterson), Norm Gates and attached sheet of attendees.

7 pm – Chairman Russo called the meeting to order.

Action: Approve the July 9 minutes.

Motion Heather Grant 2nd Mark Vitale Vote 5 Yes

Action: Approve the July 30 minutes with corrections

Motion Joe McIlroy 2nd Mark Vitale Vote 5 Yes

Jim Campbell handed out an outline to follow for the process. He stated that the Public Hearing was closed at the last meeting, leaving open the option for written comments. Only one came in from Kurt Richenberg who is concerned about the truck traffic.

Action: Close the Public Hearing

Motion Joe McIlroy 2nd Dave Russo Vote 5 Yes

Jim Campbell following his outline said Norm Gardner will go through SEQRR review process, then we will look at the special use permit and site plan.

Norm Gardner(Clark Patterson) regarding SEQR

- review of project as a whole whether adverse environmental impact
- will walk through Part 2 on which he has marked answers in his opinion but the board is responsible for the answers - identify all environmental elements

Impact on Land - yes there will be a physical change to the site, but not a significant environmental impact.

Impact on Water

- no impact on Bidwell Creek and no wetlands
- Stormwater management facility and an existing drainage swale will be re-routed
- no impact because private source of water

Impact on Air – none – the methane burned off is converted to electricity

Impact on Plants & Animals – no impact

Impact on Agricultural Land Resources -would change agricultural lands but not significantly

Impact on Aesthetic Resources - no scenic view involved

Impact on Historic and Archeological Resources – none

Impact on Open Space and Recreation – none

Impact on Critical Environmental Areas – none

Impact on Transportation

- short term construction impacts to road
- minimal increases in truck traffic on Craig Road

Impact on Energy – positive impact in possible surplus electricity

Noise & Odor Impact

- small to moderate noise exceeding local ambient noise (chiller units running all the time but buffered by the building) – additional vegetation near the units
- construction noise short term
- Heather Grant questioned odor – Steve Ferry said it would be mostly water vapor and that sewage disposal would be contained underground and sealed
- John Noble said that the odor from Oatka plant is because they use heat, whereas this would be a cold process and wouldn't have the odor

Impact on Public Health – none

Impact on Growth & Character of Community or Neighborhood

- small to moderate impact – change in land use
- positive – will create 9 jobs

Action: Adopt the findings of the SEQR with corrections

Motion Heather Grant 2nd Joe McIlroy Vote 5 Yes

Action: Negative declaration of SEQR – no significant environmental impact

Motion Joe McIlroy 2nd Dave Russo Vote 5

Norm Gardner will provide the town with the final documents.

Special Use Application

- Comprehensive Plan 2a3, 2b1, 2b3, 2b5
- Anticipated and deemed to be a desirable use – traffic nominal and won't overburden the infrastructure – water from a private source
- Proposed buildings will fit into the area and will have performance standards enforced by code officer and with vegetation to buffer noise at scales

Conditions of special use permit

- Minimize use of jake brakes – applicant will notify all drivers and post on property that jake brakes be minimized within the town of York
- Facility shall meet all performance standards as identified in section 516 of zoning ordinance
- All signage and lighting shall meet requirements of zoning ordinance

Action: Adopt findings applicable to special use permit

Motion Mark Vitale 2nd Dave Russo Vote 5 Yes

Action: Conditionally approve special use permit with findings discussed and three conditions listed

Motion Heather Grant 2nd Joe McIlroy Vote 5 Yes

Site Plan Review – Norm Gardner

- Screening not significant enough
- All NYS DEC standards need to be addressed in stormwater plan
- Town engineer approval a condition of the plan going forward

Jim Campbell – no reason not to move forward as long as applicant works with engineer towards meeting the minor issues – approval subject to Norm's verification of site plan review

Dave Nagel – uncomfortable with not being able to absorb all the paper given us tonight

Jim Campbell

- We're doing the preliminary now and hoping to finalize it tonight
- All future signs need to comply with zoning ordinance

- Preliminary site plan will be granted conditioned on the engineers final approval

Mark Vitale – concerned with the breaking up of roads during the constru of the plant. He asked Steve Ferry if he would guarantee fixing the roads.

Jim Campbell

- Approval subject to town board's determination of the rehabilitation of roads with the applicant – not a site plan consideration
- Appropriate for Planning Board to address the concern of wear of road during the construction phase

Questions submitted by Kurt Richenberg discussed

1. Digester will be built whether or not the plant is
2. No industrial waste – amount of truck traffic has already been stated
3. Highest structure is 60 ft. on plan
4. Trucks will come in full and leave full
5. Yes to parking
6. Enclosed within a building

Action: Accept the preliminary site plan with conditions

Motion Dave Russo 2nd Joe McIlroy Vote 5 Yes

Action: Final Site Plan Approval with conditions

Motion Joe McIlroy 2nd Dave Russo Vote 5 Yes

Action: Adjourn meeting at 10:05 pm

Motion Mark Vitale 2nd Joe McIlroy Vote 5 Yes

Next Planning Board Meeting – Wednesday, September 11, 2013 at 7 p.m.

Respectfully submitted

Donna K. Falkner, Clerk