

Planning Board Meeting- Town of York

November 29, 2016

Present: Joe McIlroy (Chair), Mark Vitale, Chris McLouth (alt), Heather Grant, Dave Russo

Others: Kirk Richenberg, Henry Fuller, Carl Peter (Code Enforcement Officer), Jim Campbell, Esq., Donna Falkner, William McPhall, DFA; Bob Ross, Food Tech; Luke Heffernan, Food Tech; Ray Begin, Shambaugh & Son; John Breeme, DFA; Dustin Geiger, Jim Sickles

Meeting opened at 7:00 pm with pledge of allegiance by Chairman McIlroy.

Dave Russo moved to approve the November 8 minutes, Mark Vitale seconded, carried.

Yes – 4 No – 0

Mr. McIlroy asked for an explanation of the site plan modification for WNY Cheese Enterprises. Mr. Heffernan said that the waste water and water recovery facility buildings had changed slightly in size and that there are a number of tanks housed in a rectangular enclosure in front of the water recovery building instead of a fire tank. The fire pump house has also been moved from near the water recovery facility building to the east side of the main cheese plant building. It was still the same building footprint and the same number of tanks, the same number of silos.

Mr. McIlroy asked what the difference was between a water recovery facility and a waste water treatment facility. Mr. McPhall stated that a water recovery facility takes most of the water out of the waste and making clean water. Mr. McIlroy also asked how high the fire water tank was. Mr. Campbell said that it appears from the plans that the new tank was 16 ft. total (12 ft. above the ground) for waste.

Mr. McPhall said the silos were all the same diameter 12'9" except for two silos in back which are smaller in diameter. The plan shows the whole easement for sewer. It allows town access to lift station and utility line. There is the same volume of sanitary waste. One drain field was eliminated because they will hook into the city sewer system.

Mr. McIlroy asked how come there are no connections for waste water to cheese plant? Mr. McPhail said they were all underground connections which can be seen on another detail sheet of the plans. The only overhead connection is the pipe bridge between the buildings with no traffic underneath.

Mr. Campbell asked if there was a detail sheet on silos. Mr. McPhal talked about the heights of each silo and showed a breakdown of the heights.

Mr. McPhail stated that what looked like a property line split was not actually a division of the property, but a demarcation between the two businesses to keep the cheese plant as clean as

possible. Will be going to ZBA hearing with the dimensions. He said that the two silos in the back are smaller 10'5". The existing creamery silos are 72', the new ones are about the same height. Total height 80 ft on the pad. Need the height for capacity.

Mr. McPhail said there are concrete tanks with a metal skin in front of the waste treatment plant. Same employee count and traffic count, no other changes.

Mr. McIlroy asked for questions from the board and then allowed Mr. Richenberg to speak.

Mr. Richenberg asked if there were any set rules in the zoning that would dictate that there would have to be a new public hearing or inquiry if there were any significant changes.

Mr. Campbell stated that

- It would be at the discretion of the board after looking at changes to determine if a public hearing should be held
- Code doesn't require a public hearing for site plan approval, nor would it be required for an amendment to an already approved site plan
- The Board can also determine at its discretion whether an additional SEQR process may be triggered if the proposed changes are significant
- It is important to follow timelines in the Code so that a delay does not result in a defacto approval

Mr. Richenberg asked about the height of the air handlers.

Mr. Campbell asked Mr. McPhail to address some of the height changes. A couple of them are 10 ft. high.

Mr. McPhail stated that the two handlers and some duct work is what will be seen from the ground.

Mr. Peter stated that the penthouse area is still the tallest part of the building.

Mr. Russo stated that he could see no environmental impact of the building. Mrs. Grant and Mr. McIlroy agreed.

Mr. Campbell said that there was a previous SEQR type 1 action and negative declaration and asked the Board to consider if additional SEQR review would be necessary because of the proposed changes.

Mr. Russo moved that the proposed changes do not rise to the level of significance to warrant a change to the original SEQR or additional SEQR process, Mr. McIlroy seconded,

Yes – 4 No – 0 Carried

Mr. Russo moved to approve the application for amendment to the Site Plan with the proposed changes dated 10-28-16 and as supplemented by the plot plan of the same date and 3-D rendering of the proposed building and that there are no significant changes warranting a public hearing, Mrs. Grant seconded,

Yes – 3 No – 1 Carried.

Mr. Vitale asked if approval from the County Health Department was needed for the waste water facility. Mr. McPhail answered no. Mr. Campbell indicated that the sewer waste from bathrooms will go directly into the public sewer system which is why the leach field on the east side of the plant was eliminated.

Discussion regarding 2017 dates and whether to change the Tuesday to allow more time to get materials to county (2nd Thursday of the month) but couldn't find a good day so leave the way it is.

Mr. Russo moved to adjourn at 7:50 pm, Mr. Vitale seconded,

Yes – 4 Carried

Respectfully submitted,
Donna Falkner