

**MINUTES  
SENECA COUNTY PLANNING BOARD  
SEPTEMBER 12, 2019**

**FORMER OFFICE FOR THE AGING ROOM, 1<sup>ST</sup> FLOOR  
COUNTY OFFICE BUILDING  
WATERLOO, NEW YORK**

- MEMBERS PRESENT:** Betty Berger, Charles Brady, Gordon Burgess, Michael Enslow, Sally Kenyon, John Pigman, Jr., Michael Scaglione, Tom Scoles, John Swanson and Melvin Wagner
- MEMBERS CALLED:** Henry Bickel, William Dalrymple, Mary Kelleher (Alternate), Mark Lott and David Wood (Alternate)
- MEMBERS ABSENT:** See Above
- STAFF:** Jill Henry, Director; Harriet Haynes, Sr. Planner; Joe McGrath, Grants Management Specialist; and Mary DeStefano, Staff Resource Asst., Department of Planning and Community Development
- GUESTS:** Frank Armento, Fisher Associates; Robert Aronson, Executive Director, Seneca County Industrial Development Agency; Lindsey Haubenreich, Esq., Phillips Lytle LLP Law Firm (Seneca Dairy Systems LLC Project); and Earl Martin, Seneca Dairy Systems LLC

The meeting was called to order at 7:00 p.m. by Vice-Chairperson Tom Scoles.

The Minutes of the August 8, 2019 meeting were corrected to read that the Village of Waterloo project on Woodworth Road is located on a .33 acre parcel and not 3.3 acres as written. John Swanson made a motion to approve the amended August 8<sup>th</sup> meeting minutes and seconded by John Pigman, Jr. Carried 10 – 0.

**PUBLIC COMMENTS:**

Mr. Earl Martin, proprietor of Seneca Dairy Systems LLC, introduced himself along with Ms. Lindsey Haubenreich, Esq., of Phillips Lytle LLP Law Firm. Mr. Martin displayed a rendering of the proposed project which will be developed in three phases on a portion of an approximately 75 acre parcel of land located at the former Seneca Army Depot in the Town of Romulus. The project includes the construction and operation of the Seneca Dairy Systems Agricultural Manufacturing Facility, a state-of-the-art galvanizing mill and related operations. The new facility will allow expansion of a smaller existing operation located in the Town of Fayette.

The following items were addressed:

- Ms. Haubenreich, Esq., referred to the County Planning Board's Agenda for tonight's meeting. The agenda refers to development of approximately 18 acres. Ms. Haubenreich stated that the footprint will not change but the disturbance of the site will include 24 acres due to changes in storm water management.
- Mr. Martin stated that currently Seneca Dairy Systems is a small facility located in Fayette that manufactures dairy equipment for the dairy market throughout the United States and the international market. The business meets the growing demands of mostly customers on the east coast but is expanding somewhat to the west coast. Mr. Martin stated that the current site in Fayette is experiencing problems in many areas, e.g., size, utilities, infrastructure, etc. Mr. Martin purchased the land at the former Depot so the business can expand and better serve the customers' needs. Mr. Martin stated that the new site will allow him to include the galvanizing component and to introduce some lead principles to assist the business in becoming more competitive. The former Depot is local and available so the location is well suited for Seneca Dairy Systems.
- Mr. Martin stated that the redevelopment will be a three phase build out of the entire site. Phase I will commence in 2020 and Phase III will wrap up in 2030. It will include a 54,000 sq. ft. galvanizing facility and office space. Consideration may be made for short-term office space leasing options.
- Phase II will consist of additional building space for mill and welding facilities as well as a warehouse area. Specific needs for Phase II build out will be determined later based on the customer demand at the time.

- Phase III will include build out for an additional manufacturing area, warehouse space and mill and welding facilities.
- Sufficient parking space will be available for employees and customers, and a turnaround area for larger trucks will be provided.
- Mr. Martin gave a step-by-step process from before the galvanizing occurs through to the actual galvanizing method and lastly to the packaging and distribution to customers.
- Mr. Martin explained that the rendering on display shows the build out of all three phases; however, the current request is for the first phase only.
- Mr. Martin stated that at the end of Phase I, a total of <50 employees will be at the facility but with each phase, the number of employees will increase.
- Mr. Martin stated that the Fayette facility will continue its operation during this time. The fabricating will occur at the Fayette location and the galvanizing will happen at the Depot site. Mr. Martin explained that as production ramps up, moving fabrication to the larger site along with warehousing will occur.

**GML Reviews:**

**1) Town of Romulus – Seneca Army Depot, Special Use Permit, Seneca Dairy Systems LLC**

Gordon Burgess moved and John Swanson seconded adoption of Resolution 45-19, recommending conditional approval for a Special Use Permit. Mr. McGrath stated that the project was reviewed by the County Planning Board at the August 8<sup>th</sup>, 2019 meeting, which was submitted as a proposed Zoning Map Amendment for the redevelopment of the former Army Depot in the Town of Romulus. The triggering factor for review under General Municipal Law (GML) is that the proposed project is within 500 feet of the Town of Varick boundary. Mr. McGrath stated that one of the points for review that is looked at is if the project will have any municipal impacts on surrounding or local communities. Mr. McGrath stated that at last month's meeting, there was much discussion and concern regarding the possibility of hazardous spills or leaks at the galvanizing facility. Mr. McGrath stated that as part of the Seneca Dairy Systems' application, the New York State Environmental Quality Review Act (SEQR) coordinated review had been completed and was submitted as part of this application. Mr. McGrath stated that the industrial process proposed is quite advanced in placing safeguards to prevent any leakage or spills and to avoid any human error. Mr. McGrath stated that the Health and Safety Plan devised for the facility has been provided in the SEQRA materials, and addresses the requirements mandated by oversight agencies such as New York State Department of Environmental Conservation (NYSDEC) and the Occupational Safety and Health Administration (OSHA). Mr. McGrath stated that a Site Health and Safety Supervisor/Coordinator will be identified who will work closely with all emergency service personnel on both a county and local level, and facility employees to ensure that the proper training and knowledge is garnered.

Mr. McGrath stated that as part of the Special Use Permit application, the Site Plan is incorporated. Each member of the Planning Board received with the report a map of the Phase I build out along with a full build out rendering. A Storm Water Management Plan was included in the application. Mr. McGrath stated that the roads surrounding the site include the igloo roads that consist of old pavement. Landscaping and screening is included with tree lines in place. A Flora and Fauna Survey Report is included in the environmental report along with a listing of any endangered species of animals. Mr. McGrath stated that the application does not indicate any demarcation identifying "parking here" or "loading zone" or a specific circulation plan for emergency vehicles.

Board member, Tom Scoles, questioned the thickness of the floor surface in the galvanizing facility. Mr. Martin responded that the tanks would be in a recessed area lined with polyurethane rubber barriers, and that no equipment or personnel would be able to access that area. This provision will be a dual layer of containment beyond the requirements. Mr. Martin further stated that polyurethane is resistant to acid so that if there were any spills or leakage, it would be contained. The system will be designed with an autonomous hood that will be positioned over the vat. Mr. Martin also stated that as part of the routine maintenance, inspections will be held periodically by facility personnel. Mr. Martin also explained that under the registration permit with NYSDEC, random inspections will occur by regulatory agencies, e.g., NYSDEC, Environmental Protection Agency and OSHA. Mr. Martin stated that there is no known set schedule for the various inspections.

Conditional approval is recommended upon the submission to the Romulus Town Planning Board of a parking/circulation plan and the Town's approval. Carried 9 – 0, with an abstention from Michael Enslow.

**2) Town of Varick, Subdivision Review, Brandow, Seth & Donna**

John Swanson moved and Sally Kenyon seconded adoption of Resolution 46-19, which recommends conditional approval of a Subdivision Review. The applicants wish to subdivide a parcel into three lots located on Yale Farm Road. Parcel A (approximately one acre) will be a standalone parcel with frontage on Yale Farm Road. Parcel B (four acres) and Parcel C (five acres) will be sold to the owners of the property to the front of those areas. Parcels

B and C are of an area of the larger tax parcel that is landlocked. Ms. Haynes stated that in essence, this is a way to improve a poor situation. Reportedly, the land became "landlocked" prior to the Town of Varick having adopted Subdivision Regulations. Conditional approval is recommended upon Parcels B and C being transferred to owners of adjacent property and the parcels being made a part of the deeds of the adjacent property. Carried 10 – 0.

**3) Town of Fayette, Special Use Permit & Site Plan Review, Awad, Khaled & Walker, Samantha**

John Pigman moved and Michael Scaglione seconded adoption of Resolution 47-19, recommending that the request for Special Use Permit and Site Plan Review be left solely to local determination. The applicants are proposing to use a wooden barn of pole construction for the purpose to operate a retail bakery while no retail sales will occur on site. The property is situated on Route 89 in a rural residential area with some agricultural uses. Ms. Haynes stated that no retail sales will occur on site as the owners will be selling to commercial establishments and orders may be picked up at the site. Ms. Haynes stated that there are no anticipated exterior changes other than to install a sign. The signage should follow Fayette Town Regulations established for sign requirements considered a "Home Occupation". The applicants have been in contact with the Seneca County Public Health Department and Code Enforcement Department regarding proper requirements that need to be met. Carried 9 – 0. Board member, Charles Brady, abstained.

**OLD BUSINESS:** None.

**NEW BUSINESS:**

**Training:**

Brochures were distributed to Board members interested in attending the Fall 2019 Regional Local Government Workshop sponsored by the Genesee/Finger Lakes Regional Planning Council to be held on Friday, November 15<sup>th</sup> at the Quality Inn & Suites in Batavia. A variety of topics are being offered such as *Aging in Place, Renewable Energy Zoning, Clean Energy Upgrades, Audits, Open Government in New York* and more.

Members were reminded of the Local Government Training being offered on Tuesday, October 1<sup>st</sup> at 4:30 – 9:00 p.m. at the Wayne County Public Safety Building in Lyons. The training is being co-sponsored by Wayne and Seneca County Planning Departments and will be presented by New York State Department of State facilitators. Topics will include *Floodplain Regulations for Local Review Boards, Tips for Regulating Telecommunications Facilities* and *Spot Zone or Grant the Illegal Use Variance*.

The meeting adjourned at 7:55 p.m. by motion of John Swanson.

Respectfully submitted,

Mary DeStefano, Staff Resource Asst.  
Secretary