

MINUTES
SENECA COUNTY PLANNING BOARD
April 8, 2021
Remote Meeting via
GoToMeeting Software

MEMBERS PRESENT: John Swanson, Mark Lott, Kyle Black, William Dalrymple, Jon Salmon, Mary Kelleher, Bill Squires, Charles Brady, Kathy Lutz, John Pigman, Michael Scaglione, David Wood (Alternate)

MEMBERS ABSENT: Tom Scoles (Alternate)

STAFF: Jill Henry, Director; Harriet Haynes, Sr. Planner; Joe McGrath, Planner; Amanda Forney, Staff Resources Assistant of the Seneca County Department of Planning and Community Development

GUESTS: Frank Ruzicka, Chair of the Town of Seneca Falls Planning Board; Dan Emmo, Chair of the Town of Seneca Falls Zoning Board of Appeals; Bryce Carey-Boehlert, representing the Boehlert applicants; Shawn Teed, representing the Teed application; Steve Wilkinson, representing the REV LNG, LLC application; David Swenson, representing the Swenson application; David DeFelice, representing the DeFelice application

The meeting was called to order at 7:01 p.m. by William Dalrymple, Chairperson.

David Wood (Alternate) was appointed to sit in for the town of Lodi vacancy.

The minutes of March 11th, 2021 meeting were approved by a motion of John Swanson and seconded by Charles Brady. Carried 12-0

PUBLIC COMMENTS:

Public comments are requested before GML reviews. There were no public comments and all discussions during this meeting pertained to GML reviews.

GML Reviews: 19-26

1.) Town of Seneca Falls, Subdivision, Special Use Permit, Site Plan Review, REV LNG, LLC

Charles Brady moved and John Swanson seconded adoption of amended Resolution 19-21, recommending that the request be approved conditional upon receiving all necessary NYSDOT and NYS DEC permits.

This site is located east of Route 414 in Seneca Falls and just south of the Tyre town line. This project was reviewed because it is within 500 feet of State Route 414, Agricultural District #6, and the Town of Tyre.

Mr. Steve Wilkinson introduced himself and described the plan for this site. REV LNG, LLC is in the process of developing renewable natural gas (RNG) projects across NYS and is in need of an injection site. 13-15 acres of land will be purchased in Seneca Falls and this is where the injection facility will be located as it sits near a pipeline. Loaded trailers will arrive to the site from various farms and the hauled gas will then be injected into the pipeline. The empty trailers will then return back to the farm. Mr. Wilkinson stated that initially the application was for a special use permit and a subdivision but given that this is an essential service, a special use permit is not required.

Mr. Squires asked what happens to the waste product after the gas is removed. Mr. Wilkinson explained that the manure stays at each farm and is processed by the farmer. The gas that comes off of the digester is half carbon dioxide and half methane. The CO₂ is separated out along with any trace chemicals by use of a cleaner unit and then captured in filters. The product is then taken to register facilities to clean and reuse. Mr. Wilkinson confirmed that the manure will stay on the farm as the digesters are built on the farm site. The manure will be pumped into the digester and then placed into the lagoon.

There was an inquiry about traffic as well. Mr. Wilkinson explained that there are 9 farms with 1 being the most productive and requiring a truck to transport each day. The rest of the farms are smaller and require fewer trucks and transport possibly every other day or every 3 days. Ms. Haynes stated that the road frontage is adequate and there will be no heavy traffic with approximately 2 trucks in and 2 trucks out per hour. Hours of operation are from 7 am -5 pm for truckers and site operators. Mr. Wilkinson did state that there may be occasions where gas needs to be transported outside of those hours. He stated that he the same 4-6 trucks will visit the injection site 2 times per day.

There was another question about where these farms are located. Mr. Wilkinson stated that they are scattered across NYS. Mr. McGrath asked if this injection site can collect food waste methane and Mr. Wilkinson stated that it is manure methane only. There are separate programs for those facilities and the value of the gas from each is significantly different.

Mr. Charles Brady asked if this site will be limited to just 9 farms or if it is possible to handle more. Mr. Wilkinson stated that extra space was assumed and there is potential for growth, but currently there will only be 9 farms where gas is trucked from. Mr. John Swanson asked how long it takes to unload a truck to inject into the pipeline. Mr. Wilkinson stated that it varies but on average it takes about 6 hours to unload. Each truckload is monitored and regulated so the unloading time can vary depending on the load. There was an inquiry about gas storage and mention of a flare in the application. Mr. Wilkinson stated that if a batch of bad gas is received, the plan is to try and take it back to the farm where there is a flare and burn it off at the farm site. Mobile flares will be brought in to the injection site during maintenance periods but will only be used if there is an emergency or for maintenance. Gas will only have traveled 3 feet after unloading before being able to determine if the batch of gas is bad. In the case of receiving bad gas, the whole truck is assumed to be carrying bad gas. Mr. Wilkinson stated that gas will not be stored at the injection site. There are no storage tanks on site and once it comes off of the truck, it goes right into the pipeline. An air permit will be acquired assuming that a flare may be needed for emergency or any other incidental releases or potential emissions.

A question was raised about the level of noise and the town of Seneca Falls' noise requirement. Mr. Wilkinson stated that the only noise would be from trucks driving in and out and potentially

the compressor that needs to run occasionally. He noted that this compressor could always be placed into a container, if need be.

Mary Kelleher stated that she was concerned about many of the potential permits not being acquired yet. Mr. Wilkinson stated that all necessary permits are being applied for and that their plan is thoroughly thought through in order to meet all of the requirements. Mr. Wilkinson explained that REV LNG, LLC has other facilities that have this same business model and have been functioning for several years without incident. He also stated that gas is filtered, cleaned, and tested at the farm site to ensure that it is good and the testing and monitoring that happens at the injection site is an additional quality control check.

Ms. Haynes then presented the analysis and recommendation to the board. Ms. Haynes stated that the proposed site layout keeps the facilities at a distance from any surrounding development and that there should be minimal impact on the agriculture district and the state highway. The Department of Planning and Community Development initially recommended that the request be approved. After the discussion, members voted to amend the resolution. The amendment recommends approval conditional upon receiving all necessary NYSDOT and NYS DEC permits. Mary Kelleher and Kathy Lutz abstained from voting. Carried 10-0

2.) Town of Fayette, Minor Subdivision & Site Plan Review, David DeFelice

John Swanson moved and Michael Scaglione seconded adoption of Resolution 20-21, recommending that the request be approved.

This request by the town of Fayette was reviewed because it is within 500 feet of Agricultural District #8. Ms. Haynes explained that the applicant proposes to demolish an existing 1-story residence and construct a 2-story residence on the same footprint. In addition to the lakeshore lot, there are 2 parcels across the private road and they will likely be used for the new and necessary septic system. The existing garage is anticipated to continue as a pre-existing and nonconforming structure. Some walks will be replaced and location is not designated by zoning. Ms. Haynes stated that though it is not a requirement, it would be wise to join the parcels across the right-of-way, especially if the new septic system will sit astride the property line.

Ms. Haynes also stated that this proposed activity should have no impact on the agriculture district or any significant impact on any County plans or purposes; therefore recommending that the request be approved. Mark Lott and Charles Brady abstained from voting. Carried 10-0

3.) Town of Fayette, Site Plan Review, Dorothy & Lorie Boehlert

Michael Scaglione moved and John Swanson seconded adoption of Resolution 21-21, recommending that the request for a site plan review be approved conditional upon the town granting any area variances that may be necessary.

This property required a review under Section 239 of General Municipal Law because it is within 500 feet of Agricultural District #8 and Cayuga Lake.

Mr. McGrath explained that the applicant wants to add a roof to a new porch/deck. The front setback requirements for a single family home are 25 feet. Mr. McGrath stated that he does not believe that a reasonably sized addition of a deck would impact community character in this neighborhood and that the Fayette Town Planning Board may find that this application is actually in need of a variance.

Mr. McGrath recommended approval conditional upon the town granting any area variances that may be necessary. Mark Lott and Charles Brady abstained from voting. Carried 10-0

4.) Town of Seneca Falls, Area Variance, David Swenson

Charles Brady moved and Mark Lott seconded an adoption of Resolution 22-21, recommending approval of the area variance.

This request was reviewed because the site is within 500 feet of County Road 101. Mr. David Swenson explained that he wants to add a 13' by 16' shed to the property. He also said it would be behind his fence except for the opening through the shed with only the face of the shed being visible as it is tied in.

Mr. McGrath explained that in the Town of Seneca Falls, only 2 accessory structures are allowed. An area variance is needed for any additional structure. He stated that the existence of a third accessory structure would not impact any County interests or plans. Mr. McGrath recommended this request be approved. Mary Kelleher and Kathy Lutz abstained from voting. Carried 10-0

5.) Town of Waterloo, Site Plan Review, Shawn Teed

Michael Scaglione moved and Kyle Black seconded an adoption of Resolution 23-21, recommending that the request for a site plan review be approved.

This request was reviewed because the site is within 500 feet of Agricultural District #6. The applicant would like to construct a 40' by 60' pole barn for his sawmill business.

Ms. Haynes explained that this site is located on the corner of Maney Road and Steele Road but the immediate location will be accessed off of Maney Road. The property totals over 60 acres but only 1.5 will be used for this project. Since sawmills are considered an appropriate axillary use as part of farming operations, it cannot be considered as having a negative effect on the agricultural district. Ms. Haynes explained that the setback from the road will help mitigate noise but that the Town could consider requesting some vegetation be maintained between the sawmill building and the roadway.

Ms. Haynes also noted that traffic would include only a couple of trucks per week to haul materials and product. The sawdust will be collected and used for animal bedding and the residual wood is used for firewood or kindling.

Ms. Haynes recommended that this request be approved. John Pigman abstained from voting. Carried 11-0

6.) Town of Tyre, Area Variance, J. Olschewske

Mark Lott moved and Mary Kelleher seconded an adoption of Resolution 24-21, recommending that this request for an area variance be left solely to local determination.

This request was reviewed because the site is within 500 feet of State Route 414 and Agricultural District #6. The applicant would like to install two business signs.

Ms. Haynes explained that this business is located in a pole barn in an area with an assortment of homes and businesses. One sign that is being requested will be placed on the surface of the front of the building and the second will be a free standing sign in front of the building. The free standing sign will be placed less than the required 80 feet setback, but Ms. Haynes explained that the property slopes down from the road and up to the building in a way that would leave the legs at road elevation. Ms. Haynes does not believe there will be any impact on State Route 414 or on County plans our purposes; therefore recommending that this request be left solely to local determination. Carried 12-0

7.) Town of Fayette, Site Plan Review, 3725 South Parker LLC

Michael Scaglione moved and John Pigman seconded an adoption of Resolution 25-21, recommending that the request for a site plan review be approved.

This request was reviewed because it is within 500 feet of Agricultural District #8 and Cayuga Lake. The applicant would like to increase the size of the deck on the rear of their house. Mr. McGrath stated that there was no need for a variance and no impact on community character, lake, or district; therefore recommending approval for this request. Mark Lott and Charles Brady abstained from voting. Carried 10-0

8.) Town of Fayette, Site Plan Review, T. Kime

John Swanson moved and Michael Scaglione seconded an adoption of Resolution 26-21, recommending that the request for a site plan review be approved conditional upon it not requiring an area variance.

This request was reviewed because it is within 500 feet of Agricultural District #8. The applicant would like to add a 25' by 16' addition to the residence and install overhangs on both ends of their house.

Ms. Haynes stated that she could not confirm whether an area variance was needed because a drawing including measurements was not provided; therefore recommending approval conditional upon there being no area variance needed.

Mark Lott and Charles Brady abstained from voting. Carried 10-0

OLD BUSINESS: None

NEW BUSINESS: None

Adjournment: John Swanson made a motion to adjourn. The meeting adjourned at 8:29 PM.

Respectfully submitted,

Amanda Forney
Secretary