

Town of Romulus Planning Board

Town Hall, Willard, N.Y.

Meeting Minutes

August 5, 2019

Call to Order: 7:00pm

**Roll Call**

Sue Ellen Balluff, Chairman

Tom Bouchard

Bill Karlsen

Cindy Meckley

Al Nivison

Kate Sinicropi

Mary Joslyn - excused

**Guests:** Bob Aronson, SCIDA; Lindsey Haubenreich, Phillips Lytle (SDS); Bob Romick; Jan Quarles; Roxanne Gupta; Brian McCoy; Pete Martins

**Pledge of Allegiance/Moment of Silence**

**Approval of Minutes July 1, 2019**

Sue Ellen provided the following corrections: Under New Business, add, "The Planning Board recommended" to increasing town fees from \$25 to \$50 for Special Use Application and Subdivision application; add Part II Austic Application prior to SEQR 11 questions; Page 2, 3<sup>rd</sup> sentence, change zoning to issues; Page 2, 4<sup>th</sup> sentence change to, "Dave Cook, Phillips Lytle and Lindsey Haubenreich, Phillips Lytle provided an update on Earl Martin Project"; Page 2, 6<sup>th</sup> sentence, change "We" to "They" and "we've" to "they have" addressed PB questions; Page 2, sentence 9, add Informational meeting, "July 11, 2019, for" general public Q&A as part of the SEQR process, 6pm at the fire hall in Romulus. Motion by Tom to approve the July 1, 2019 minutes with corrections. Seconded by Cindy. Motion unanimously approved.

**New Business**

**Application for Subdivision – Don Warne** Mr. Warne is selling Parcel B and keeping 20 acres, Parcel A for himself. He is selling to Lester Horst, who has rented the land to farm. This is a Rural Subdivision so that we can decide if there is a hearing or not. There is a change in ownership, with no change in use. The only change is the line on the tax map per Town Attorney, Pat Morrell. The Planning Board can waive a public hearing as not required. **Motion** by Tom to waive a public hearing and motion seconded by Bill. Motion unanimously approved. **Motion** to designate that the Planning Board be the lead agency made by Cindy. Al seconded. Motion approved unanimously.

## **SEQR Warne Subdivision**

Part II of SEQR. 1. No; 2. No; 3. No; 4. No; 5 No; 6 No; 7 No A, 7B No; 8 No; 9 No;10 No; 11 No. The determination is a Negative Declaration. Motion of a Negative Declaration SEQR by Al. Tom seconded. Motion unanimously approved.

The County Planning Board will get this for their meeting this Thursday. It will be on our agenda for next month, 9<sup>th</sup> of Sept. meeting.

**Application for Subdivision – Brian McCoy** Mr. McCoy reported that new maps will be available tomorrow morning. Harriet Haynes from Seneca County Planning kicked back this application due to discrepancies. Mr. McCoy redid the application on Friday. The first application creating a landlocked parcel, which is not a good idea. The new application separates the property into two parcels, one 12-acre parcel to sell to Mr. Burkholder and Mr. McCoy is keeping the remaining parcel where his business is located. The 12 acres are presently rented to Mr. Burkholder. A new map will come to us along with the recommendations of the County Planning Board. State Rte 96A is across the road from property. Tom asked Mr. McCoy if he has considered screening for any part of the parcel, due to the tractors and trailers that are visible. Mr. McCoy responded that the storage trailer contains parts for his business. He will be moving in the future, so all the equipment will be leaving. **Motion** by Tom for a public hearing Sept. 9, 2019, on the McCoy subdivision, seconded by Bill. Motion unanimously approved. Mr. McCoy will deliver a new map to the Harriet Haynes at the County and to the Romulus Planning Board.

**Application for Special Use Permit – Seneca Dairy Systems LLC (Earl Martin Project)** Sue Ellen had a question about the Town meeting and a motion to hire a consultant. Mr. Morrell, Esq., states there was a motion approved but he does not know if any responses will be received by the next Town meeting, the 26<sup>th</sup> of August. Sue Ellen asked if the scope of the work would include the petition to rezone and this application. Mr. Morrell, Esq. replied in the affirmative.

**Application for Special Use Permit – SEQR** The SEQR needs to be completed and the County Planning Bd. needs to review both. Lindsey Haubenreich, Phillips Lytle, respectfully requests that we forward the Special Use Permit Application to the County and that we would issue an advisory on the rezoning to the Town Board. Please refer for the Sept. meeting of the Town Board. The two applications are interlinked.

Tom asked about the egress of transportation. The egress of 96A where the current turnoff for the guard house is located, is down from White Deer. This is not clear, as it only states 96A. Sue Ellen requested full size maps as members cannot read what we have in the documents. Lindsey Haubenreich, Phillips Lytle, clarified that employees can access from Rte 96 and Rte 96A. She will get larger maps for us.

Bill commented that the 96A entrance is dangerous due to the underpass. Lindsey Haubenreich replied that they are aware of that and will recognize it. She clarified that the Special Use Permit is for the whole project. The Site Plan Review is only for Phase 1.

Jan Quarles, who has lived in Ovid for 36 years, raised concerns about traffic affecting wineries, as well as the health and safety of children and adults. She expressed concern for storm water runoff and the impact on Seneca Lake. She worked in marketing for Sheldrake Point Winery. Have the wineries been given a total number of trucks to be using 96 & 96A? Lindsey

Haubenreich responded that SEQR and Supplemental Quality Review has a traffic letter in it, which states, 3 - 5 semi- trailers, 4 – 5 small flatbed trucks per day at full build out. (pg. 32, Supplemental Analysis to SEQR) She explained that the IDA, Planning Board and Town Board all forward any questions or comments to Phillips Lytle for responses. Please submit comments, and we will respond to it. Sue Ellen noted that all the documents are on the Town of Romulus website.

Tom asked about the rezoning application. The project takes up 18 acres out of 75 acres. There is a perception of spot zoning. The area to be rezoned is greater than 18 acres, which is where the facility is. See Attachment B. Lindsey Haubenreich responded that there is no spot zoning due to the area surrounding it. The 36 acres for rezoning are zoned WITE now and the Amish members of Depot Land Holdings, LLC, requests that it be rezoned agricultural and rural residential. Lindsey Haubenreich responded that these are two separate issues. Pat Morrell, Esq., stated, it would be helpful if we had a map. Whatever is going to be remaining, what is going to be the buffer there, between Ag and the greater parcel. In relation to Seneca Dairy Systems, where are the farmers that want us to rezone to Ag for them. Lindsey will get something together for us.

Cindy asked about the sewer moratorium in Seneca County, Page 2, Section G, at the bottom. Lindsey knows there is a moratorium, but they believe that this will be resolved. If not, they have a plan B, where they will have a container and waste will be removed as needed.

**Motion** by Cindy to forward the Special Use Permit for SDS application to the County Planning Board. Seconded by Al. Motion approved unanimously. On rezoning, Bill said it mentions Oct. 1995 a Seneca Army Depot, a local redevelopment authority. Who is that? Bob Aronson responded that the LRA is the IDA. He noted that the Army is still in the process of transferring the Depot to the IDA.

Sue Ellen stated that on the petition to rezone, we are missing information. We need appropriate maps in order to act on a recommendation. Tom noted that at the last meeting we were waiting for the maps from the Amish. WITE to Ag, is what we know is desired, but we do not have any detail. The County Planning Board will be reviewing in a week or two. We will hold off until we get the County comments. **Motion to table until Sept. meeting** the petition to rezone for SDS project made by Tom. Al seconded. Motion unanimously approved.

Roxanne Gupta, guest, commented that taxpayers are paying the millions in tax breaks. At what point does the public get a say about this. Bob Aronson, Seneca IDA, responded that several public meetings have been held, including the July 11<sup>th</sup> public meeting at the Romulus Fire Department, and in total about 7 or 8 meetings for public input have been held. Ms. Gupta replied that the public does not understand the technical reports and will not read a lengthy detailed report online. Lindsey Haubenreich replied that they respond to questions and comments and they will respond. Pat Morrell, Esq. pointed out that there will be more opportunities for the public. The SEQR is being conducted by the IDA, comments need to go to IDA, the applicant addresses and responds. That is the process that is ongoing right now. Read the SEQR supplement. All information is on the Town Board website and the IDA website. More public hearings? The IDA is not required to hold public meetings/hearings but will continue to provide information.

Ms. Gupta and Ms. Quarles represent Seneca Lake Guardian and Seneca Lake Clear Waters. We care about the health and safety of our children, grandchildren and the changes this facility

will bring. There are environmental impacts; air pollution, wastewater run off etc. Sue Ellen explained that the Town is going to hire a consultant for the Planning Board, so that we can get as much information as possible. The IDA also did peer reviews, and contracted with outside expert, Fisher Associates to review all the reports and make recommendations.

Lindsey Haubenreich commented that the Planning Board could hold the Public Hearing without the SEQR being complete. A Request for a Public Hearing, regarding the application, before a SEQR determination is an opportunity to get public comments and input per Pat Morrell, Esq. Any environmental concerns, if brought forward at the public hearing, could be made part of the final SEQR. How long before SEQR complete? Bob Aronson, SCIDA, responded that at their last meeting, Fisher Associates reported that another engineering firm has been hired for the air report, and for the wastewater runoff. Air emissions study have been asked to be added to it regarding Phase 2 & 3, regarding welding & milling issues.

If we were to schedule a public hearing would we be able to schedule more than one? Pat Morrell, Esq. responded, no one would be enough. Planning Board can not make any determination until SEQR is complete. Tom noted that Earl has been very open and upfront with information to the County, Town Board and the Planning Board. **Motion to have a public hearing Sept. 16<sup>th</sup>, 7:00pm on the Special Use Permit application for SDS** made by Tom. Seconded by AI. Location to be determined. Motion unanimously approved.

Sue Ellen will update forms, as \$75 fee for Subdivision and Special Use applications was approved by the Town.

**Comp Plan Committee met 16<sup>th</sup> of July** Housing and Community Development was the topic. This meeting was not as well attended as others. They wanted to address the rundown properties, the vacant ones and where housing could be built, parcels available etc. Tom doing minutes. To see if we can get a spot on the website.

**Zoning revisions update.** Mr. Stoltsfus, Depot Land Holdings, LLC member, called Sue Ellen. She explained again that we can not do anything without maps. Ownership has not transferred. He will call Earl Martin.

**WestWind Poultry Farms** Pat Morrell, Esq. stated that they must comply with our code, that they need a zoning code permit, not a special use permit. It is an Ag activity in an Ag zone. Sue Ellen asked if it is an Ag support business? Per Pat Morrell, Esq., no it is an agricultural activity.

Move to adjourn by AI, seconded by Cindy. Motion unanimously approved. Meeting adjourned 8:54pm.

Respectfully submitted,

Kate Sinicropi, Acting Secretary

