

**VILLAGE OF MANCHESTER
PUBLIC HEARING AND
REGULAR PLANNING BOARD MEETING
8 CLIFTON STREET
MARCH 12, 2019**

Present: Judy Robinson, Chairperson
 Jake Kennelly
 Jennifer Davis
 Sean Schumacher, Alternate

Absent: Vincent DelGatto, Jr; Laurent Gurewitch,

Others Attending: Simon Li, Lavo Lab LLC; Brian Hemminger, Marks Engineering; Michael Buttaccio, Ben Kirnie, Barbara Bush, Barb & Chris Hansen, Jeff and Nancy Pratt, Mark Golden, Dick Coffey; Gordon Eddington, M-S Joint Sewer; Patrick Nicoletta, MRB Group.

Recording: Rita J. Gurewitch, Village Clerk/Treasurer

Chairman Robinson opened the Public Hearing at 7:00 pm.

PUBLIC HEARING

The clerk read the Public Hearing notice that was posted in the Daily Messenger and distributed to all parcels within 500 feet of the project.

LAVO LAB, LLC – 7 WEST AVENUE – SITE PLAN APPLICATION

Simon Li, representing Lavo Lab, presented information with regard to the proposal to establish this business in the building formerly occupied by Pacemaker Steel. Mr. Li indicated that Lavo Lab is a liquid detergent manufacturing company. They will be mixing and packing the containers of detergent to sell commercially to restaurants and institutional style businesses. All storage is inside. There will be no outside storage of product or chemicals. If a spill occurs, professionals from Henrietta will be called. They are in the process of working with National Grid to access the road connecting Westplex Dr. to Merrick Circle to direct truck traffic away from the Park areas.

Nancy Pratt asked if there would be any fumes. Mr. Li answered no. The blending of the flakes is done in a container making a sticky solution. He stated no fumes, no dust. Ms. Robinson stated it would be checked with the Department of Environmental Conservation (DEC) to make sure they are in our range of acceptance. Hours of Operations will be 7:00 am to 6:00 pm.

Ms. Robinson inquired as to how many trucks would be traveling in and out each day. Mr. Li said there would be a maximum of three (3) trucks. A truck load would be 6000 containers a day for detergents and then a load for the diesel cleaner. Ms. Robinson remarked that it doesn't appear traffic will increase.

Nancy Pratt asked how many employees will be hired. Mr. Li said six (6) to start then build up to sixteen (16). It will be a small quiet operation.

Ms. Robinson asked about parking and the parking lot. Mr. Li said he would like to share the parking lot with the parks, but felt insurance won't allow it. He said they won't be using the whole parking lot, but won't store anything there either.

Chris Hansen questioned who is going to take care of the old pallets that are outside now? Mr. Li said he would ask Pacemaker Steele (present owner) to get rid of the outside steel and pallets.

Chris Hansen also inquired if any flammables are involved on the site. Mr. Li answered yes. Isopropyl alcohol is one of them, but it is stored diluted. A plan is in place for safety.

Nancy Pratt asked if there will be contained areas or caged areas? Mr. Li stated they will be contained. There will be a fence around the shipping dock.

Ms. Robinson introduced Mr. Gordon Eddington, Chief Operator at the Manchester-Shortsville Joint Sewerage System. Mr. Eddington read the resolution from the Joint Sewer Commission that no discharge will be accepted to the wastewater treatment plant other than actual sewage. Mr. Eddington has met with Mr. Li to plan to seal off all floor drains and fill the trench. Mr. Eddington has asked Mr. Li to submit a drawing showing where all the floor drains are. Mr. Eddington stated that the DPW (Dept of Public Works) has found plastics in the storm water drains in the past from previous business that got there somehow through drainage. Due to the toxicity of some of the chemicals that will be on site, it is imperative to seal them all (drains/trench). Currently there are seven (7) holes and one trench drain. Any connections will be blocked.

Nancy Pratt asked how it will all be removed then. Mr. Li said a regulated hauler will remove from premises whatever is not recycled.

Ms. Robinson stated that since all the information that was needed to offer the public at the Public Hearing was not available, the Public Hearing will remain open until the next meeting, April 2, 2019 at 7:00 pm.

REGULAR MEETING

Chairman Robinson opened the regular meeting at 7:30 pm.

LAVO LAB, LLC – 7 WEST AVENUE – SITE PLAN APPLICATION

The clerk read the notifications from the NYS Department of Health, NYS Department of Transportation, Manchester-Shortsville Joint Sewerage System and the Village of Manchester having no objection to the Manchester Planning Board being Lead Agency for the project. These notifications are on file in the clerk's office. Also on file is the Resolution from the Manchester-Shortsville Joint Sewer Commission resolving to *only allow domestic waste to the sewer plant located at 3980 NYS Route 96, Manchester NY 14504. No discharge from manufacturing products allowed.*

The Village of Manchester Board of Trustees reviewed the State Environmental Quality Review (SEQR) Full Assessment Form Part 1 as an interested agency and sent their comments to the Planning Board. There were numerous corrections that needed to be made. The Board of Trustees would like the process to take full consideration of the close proximity of the Manchester Family Park and the Mike Griffin Memorial Park. A sufficient air purifier/filter must be in place for any emissions. Truck traffic should be scrutinized. We request that an amount of escrow or bond be in place to protect for restoration or clean-up if the property is abandoned.

Mr. Li explained that what they will be doing is considered a Category 'P' under the Environmental Protection Agency (EPA). Safe and no emissions. Chairman Robinson would like a copy of the EPA category to be a part of the file for Lavo Lab.

As to the escrow or bond for a decommissioning plan, Ms. Robinson asked who determines the cost. Pat N. answered that the applicant gathers that information and then it is reviewed by the village attorney and village board.

The Planning board then reviewed Ontario County Planning Department comments. They also stated the requirements for the sewer treatment plant that no industrial waste be delivered to the sewer plant, the drains and trench will be closed off and all industrial wastewater will be transported off-site by a regulated hauler. Such wastes will be limited to 50-60 gallons of water softener waste for production of household products and 200 gallons every 1-2 years from cleaning the water purifier used to ionize water for use in the Diesel Emissions Fluid. Regulated transporters will also be used to deliver materials requiring special handling such as bleach and caustic soda. Material safety data sheets have been shared with local and county fire and emergency management.

The County also noted to ensure clear use standard are in place to avoid unsafe conditions around the parks, utilize the connection between the site and Merrick Circle crossing under Niagara Mohawk, if possible and look into any buffering or screening for trucks, dumpsters, etc.

The outstanding items that are needed to be able to proceed:

- Updates to SEQR Part 1
- Update to Building Plan (demonstrating drains and storage)
- Site Plan
- Statement of Operation Manual
- Estimate for Decommissioning
- Prepare of Decommissioning Plan (for MRB and Attorney review)
- Easement from Utility company

Mr. Li requested if they could some sort of agreement for the business to go forward. There are concerns. He feels they can meet the requirements and wants the Planning Board to take into consideration their need to start.

Ms. Robinson stated that she understands his need to progress, but the Board cannot make a decision due to the Open Public Hearing and the SEQR has not been completed. She said the Board is only doing the process that is required. If the outstanding items are addressed and obtained and given to MRB by March 22nd it should give enough time to review and be able to take action at the April 2nd meeting. If contingencies are needed, they could be completed before a Certificate of Occupancy is issued. Repeated, the deadline is March 22, 2019 for the needed information to review in time for April 2nd. All present understand what is needed.

OLDCASTLE LAWN & GARDEN – 155 STATE STREET

The Town of Farmington has given Final Site Plan approval to the portion of Oldcastle's storage project that is located in the Town of Farmington. Letter is on file in the Oldcastle file in the clerk's office.

MALCHO'S MANCHESTER MART – SIGN APPLICATION – 70 N MAIN STREET

The sign application for LANDTECH Surveying & Planning PLLC, agent for Malcho's Manchester Mart, received the area variance needed from the Zoning Board of Appeals. The Planning Board unanimously approved the sign application.

FIRST BAPTIST CHURCH – SIGN APPLICATION – 54 S MAIN STREET

The First Baptist Church of Manchester submitted a sign application to replace the current sign that they have. The application was denied by Code Enforcement per Village Code 100-76 B. They will need a variance for size, setback and height. Allowed is 16 square feet proposed is 25 square feet+, minimum front setback is 15 feet, proposed is 12 feet and height cannot be over 4 feet, proposed is 6'6".

After reviewing the application the Board will be submitting a negative recommendation to the Zoning Board of Appeals as they feel the sign is too big. Replace with same size they have now.

The approval of the minutes was delayed to the end of the meeting.

A motion was made by Sean Schumacher to approve the February minutes, seconded by Jake Kennelly, unanimously approved.

The meeting adjourned upon motion at 9:12 p.m.
Next meeting date: 4/02/19 at 7:00 pm

Respectfully submitted,
Rita J. Gurewitch
Village Clerk/Treasurer