

**VILLAGE OF MANCHESTER
REGULAR PLANNING BOARD MEETING
8 CLIFTON STREET
AUGUST 15, 2017**

Present: Judy Robinson, Chairman
Vincent DelGatto, Jr.
Sean Schumacher
Laurent Gurewitch

Absent: Michael Chase (resigned) – Vacancy

Others Attending: Richard Cirulli, Anthony Cirulli, Marlene DeGloma, Chris DeCook, Sean Gallivan, Jack Melsom, Ely Young, Green Renewable; Melissa Kiefer, Oldcastle Lawn & Garden, LLC; Shaun Logue, MRB Group; Char Commisso, Judy Romeiser, Lee Sanders, MFD; Jeff Gallhan, Town of Manchester, Supervisor; Jennifer and Elliott Davis; Kathleen Vienna, Pauline Sowa, Stephanie Man, Samuel Presley, James Acker. Marty Barnett, Deputy Code Enforcement Officer (DCEO)

Recording: Rita J. Gurewitch, Village Clerk/Treasurer

**PUBLIC HEARING NO. 1
OLDCASTLE LAWN & GARDEN LLC**

Chairman Robinson called the first Public Hearing to order at 6:30 pm.

The Clerk read the Legal Notice that was printed in the Daily Messenger on August 10, 2017 and posted at the Village Hall. An error was inadvertently made in stating the hearing was July 15, 2017 and not the correct date of August 15, 2017. The Chairman stated that as the Public Hearing was not mandatory and only a courtesy to keep the public informed. The Hearing will stand to be tonight.

The application is to repair existing structures (berms) and not build any new one(s). It is categorized as landscaping only.

Ms. Robinson explained the Public Hearing venue.

Ms. Marlene DeGloma asked, what is the purpose of filling in the 30 ft berm?

At this time, Ms. Robinson stated to hold questions. Some confusion followed.

Supervisor Gallahan said that at Public Hearings residents will be for or against a project. Ms. DeGloma voiced her concern that not enough answers have been provided to make that determination.

Ms. Jennifer Davis inquired about the trees on top of the berms. Mr. Cirulli expressed that when the original berms were put in through the erosion and planting only stones were on top, now they will be using top soil to establish the trees better.

Mr. Sam Presley asked if the spot filling will be accessed from the residential side or the Old Castle site. Ms. Melissa Kiefer from Old Castle said the trees will be staggered and repairs accessed from Old Castle side.

Mr. Elliott Davis asked what kind of vegetation will be used? Sean Gallivan, Green Renewable said that Spruce and Norways 4 – 6' will be used. Ms. Robinson said that the trees will hold erosion back and hold the soil in place.

Ms. DeGloma expressed that how can berms hold back smell? Melissa K. said that multiple studies have been conducted on vegetative berms and all show a reduction in odor.

Chairman Robinson asked if there are any other comments, and again, are there any other comments? And then a last time, are there any further comments?

Ms. Robinson asked for a show of hands who was in favor of the project, multiple hands were raised. Then asked who was opposed, zero hands.

Public Hearing No. 1, Old Castle Lawn & Garden LLC was closed at 6:35 pm.

PUBLIC HEARING NO. 2 GREEN RENEWABLE, INC.

Chairman Robinson called the second Public Hearing to order at 7:00 pm.

The Clerk read the Legal Notice that was printed in the Daily Messenger on August 10, 2017 and posted at the Village Hall. An error was inadvertently made in stating the hearing was July 15, 2017 and not the correct date of August 15, 2017. The Chairman stated that as the Public Hearing was not mandatory and only a courtesy to keep the public informed. The Hearing will stand to be tonight.

The application is to utilize a parcel of land south of Oldcastle for landscape material processing and storage.

Mr. Sean Gallivan, from Green Renewable, addressed the crowd stating that the open raw materials will be moved to the new site, across the railroad tracks, away from the residential neighborhood and the packaged material will be stored nearer the residential area. Additional buffers will be in place.

DCEO, Marty Burnett said the south side of the building will have the piles.

Mr. Gallivan stated they are looking into annexing the rest of the parcel into the village and are moving the raw material piles 1000 feet away.

Ms. Jennifer Davis asked are they looking to keep the manufacturing the same or will they be increasing production?

Mr. Gallivan answered that they are not looking to increase raw material, just wanting more storage area for what they have.

Ms. Davis asked about the “poop” smell. They have to close their windows.

Mr. Gallivan re-affirmed that there is no manure on premises. It gets to them already processed and bagged.

Chairman Robinson asserted that Green Renewable has an Odor Remediation Policy in place. No one can guarantee that there will be no odor. It is an industrial area and when the railroad was at its peak, the coal dust was everywhere.

Mr. Ely Young, Green Renewable manager, goes out right away when an odor complaint is received. The key is that he needs to know right away in order to trace the smell. They also have a fire management plan. The mulch pile height is between 15-20 feet, 10 feet apart. They monitor the temperature of the piles. All employees receive training.

Supervisor Gallahan asked how many employees do they have? Mr. Gallivan said they have between 42 and 46 employees.

Lee Sanders, Lieutenant with the Manchester Fire Department, stated that the fire department has responded to a few calls for mulch fires. Green Renewable staff is always cooperative and respectable. Mr. Sanders wanted to clarify that no sirens or lights are used when there is no threat to life or danger to property. Mr. Sanders

wanted to say for the record there is not a conspiracy of not drawing attention to the mulch fires as the fire department is accused of.

Jack Melson, Fire Chief in Troy NY, and on site fireman for Green Renewable, said that all mulch locations for Green Renewable has on site firemen.

Mr. Samuel Presley asked when is the move to take place? Mr. Gallivan said as soon approval is given.

Ms. Pauline Sowa said she has not detected any odor. She lives on State Street. She asked how much mulch is made? Mr. Gallivan stated that there were four and half million bags last year.

Mr. Gallahan inquired if they have to move raw material? Mr. Young said they will finish up with the piles they have and write off any damaged material. He expressed that the process is not so much increasing inventory as it is about efficiency in the work.

Chairman Robinson confirmed with Green Renewable that there will be no outside grinding or dyeing. The fork lift and machinery is equipped with back-up swish alarm instead of loud beeping. There still are truck complaints but not as many as when first started.

Ms. Char Commisso said the trucks are always 8-9 at night, some early, some late.

Ms. Kathleen Vienna thinks it is a good idea moving the mulch to the 15 acres.

Ms. Davis inquired who should she call with complaints? Melissa from Oldcastle said to email her, she would get it right away and then they can track the odor.

Mr. Richard Cirulli said he is for the project and wants to make sure the hours of operation are the same as before with no overnight operations.

Ms. Sowa said she supports the project. As does, Mr. Presley.

The Public Hearing is remaining open and will re-convene on September 5, 2017 at 7:00 pm

**REGULAR MEETING PLANNING BOARD
AUGUST 15, 2017**

Chairman Robinson opened the regular meeting at 7:35 pm.

A motion was made by Vincent DelGatto to accept the July minutes, seconded by Sean Schumacher, unanimously approved.

SANFORD INDUSTRIAL CONTRACTOR'S – 49 NORTH MAIN STREET

There are Site Plans dated October 7, 2015, last revised June 1, 2017. The project consists of a use modification of the existing school structure and property.

Only a few remaining clean up items are left to complete this site plan.

CEO Steve DeHond said that Mr. Sanford will have his list completed and should be here for the next meeting.

OLDCASTLE LAWN & GARDEN – 155 STATE STREET

Shaun Logue, MRB Group, informed Oldcastle the berms need to be labeled A and B and detailed for clarification. A landscaping plan needs to be submitted and include surface area that is going to be disturbed. A verbal correction was given that there will be no new berm construction. The project is to level and add to the existing berm area. No new areas will be used. It was stated by Mr. Gallivan that this project is just landscaping. Trees will be put at the top of the berm for added dust and odor control. They will be looking for erosion and sediment species of trees. They would like a living fence on top of the berms. The original Environmental (SEQR) Review may be utilized.

RESOLUTION – FINAL SITE PLAN – OLDCASTLE LAWN & GARDEN LLC

WHEREAS, the planning board has considered the application of Oldcastle Lawn & Garden, LLS in detail, and

WHEREAS, according to the village's 2005 Comprehensive Plan, a survey stated over 90% said 'yes' to *Should the Village actively encourage business and industry to locate in the Village?*, and according to the 2006 Strategic Plan, Community Wide Goals stated to *promote and encourage light industrial development in the southwestern portion of the Village and work with the Industrial Development Agency to market the Village to potential businesses that may be making relocation decisions*, and

WHEREAS, the Ontario County Planning Board reviewed the application for repairing the existing berms on the Oldcastle parcel with no expansion of the building or paved area, such applications present little potential for countywide or intermunicipal impact, and

WHEREAS, the granting of this application will not be detrimental to the public good and will have no significant environmental impact; so

THEREFORE, LET IT BE RESOLVED, that Oldcastle Lawn & Garden LLC, 155 State Street, . be granted final site plan approval with the conditions set forth above and hereafter.

BE IT FURTHER RESOLVED, that renovation will not begin until permits (if applicable) have been issued by all governmental agencies involved (State, Federal & Local), and fees paid.

The above resolution was offered by Laurent Gurewitch, seconded by Vincent DelGatto, and put to a roll call vote as follows:

Vacant position		
Judy Robinson	Voting	“AYE”
Vincent DelGatto	Voting	“AYE”
Laurent Gurewitch	Voting	‘AYE’
Sean Schumacher	Voting	‘AYE’

The resolution was then duly declared adopted.

Village Engineer will meet with Oldcastle to resolve the remaining comments accordingly.

**GREEN RENEWABLE, INC. – TAMARAC FARMS, LLC, OWNER - ACCESS
SOUTH 155 STATE STREET**

Shaun Logue, MRB Group, met with Green Renewable to go over the project application. Some of the items discussed were that the Manchester Fire Chief, Harry Bowker and Ontario County Emergency Manager, Jeff Harloff need to submit their comments also; there needs to be 10 foot avenues for vehicle access; adequate buffering is needed along residential boundaries and easements for maintenance.

Ontario County Planning Board comments were reviewed. Buffering will be provided, grinding and dyeing will be indoors to minimize any noise and odors. Vegetative berms will ensure that products cannot be viewed. The site plan will include the 20% minimum buffer. No wells will be utilized for water, village code prohibits private wells. Oldcastle Lawn & Garden will be granting an easement to the Tamarac Farms property, with tenant Green Renewable. The road between Oldcastle and Tamarac Farms/Green Renewable will be an internal driveway able to sustain truck traffic including fire trucks. There are no State or Federal Wetlands, and the property is not in a FEMA floodplain. The property is not located within 500 ft of an Agricultural District.

The following resolution was introduced by Vincent DelGatto, seconded by Sean Schumacher who moved its adoption:

PRELIMINARY SITE PLAN APPROVAL

WHEREAS, Green Renewable, Inc./Tamarac Farm LLC has submitted a site plan application for site plan for a landscaping processing center on a 15 +/- acre parcel to store materials such as mulch, bark, compost, chips, and top soil located south of Oldcastle Lawn & Garden, LLC at the west end of State Street; and

WHEREAS, the planning board has considered the application of Green Renewable, Inc., tenant; Owner, Tamarac Farm, LLC in detail, and under advisement of the village engineer, and

WHEREAS, the conditions of a variance &/or special use permit DOES NOT apply; and

WHEREAS, the Code Enforcement Officer may not grant a grading permit to move ground until easement is satisfied; and

WHEREAS, the applicant shall continue to work on the easement necessary for drainage to the satisfaction of the village engineer; and

WHEREAS, the Public Hearing remains open at this time to re-convene on September 5, 2017 and the Environmental Assessment will be completed at that time; and

THEREFORE, LET IT BE RESOLVED, that Green Renewable Inc is granted preliminary site plan approval.

BE IT FURTHER RESOLVED, the applicant still needs to acquire final site plan approval;

The resolution was put to a roll call vote as follows:

Vacant position		
Judy Robinson	Voting	“AYE”
Vincent DelGatto	Voting	“AYE”
Laurent Gurewitch	Voting	‘AYE’
Sean Schumacher	Voting	‘AYE’

The resolution was then duly declared adopted.

The meeting adjourned upon motion at 8:20 pm.

The next Regular Planning Board meeting and Public Hearing will be Tuesday September 5, 2017 starting at 7:00 pm.

Respectfully submitted,

Rita J. Gurewitch
Village Clerk/Treasurer