

Original

LIVONIA JOINT PLANNING BOARD MEETING MINUTES

OCTOBER 28, 2013

PRESENT: Chair R. Bennett, R. Haak, J. Palmer, C. Casaceli, D. Richards, D. Simpson, J. Sparling, Code Enforcement Officer - Adam Backus, Town Attorney - Jim Campbell, Recording Secretary - K. Masterson

AGENDA:

Approve the meeting minutes of October 14, 2013.

- 1.) ~~Csontos Estate~~ - 4 lot Subdivision application.
- 2.) ~~Larry Myers~~ - 1 lot subdivision application.
- 3.) ~~Doug Acomb~~, preliminary site plan application.
- 4.) ~~Sweeteners Plus~~ / Hess Corp. site plan application.

Chair called meeting to order at 7 p.m.

Chair asked board members to review the meeting minutes of August 26, 2013 meeting.

M/2/C (R. Haak/J. Palmer) to approve the meeting minutes of the October 14, 2013 meeting as submitted.

Motion carried 7-0.

Chair asked applicant representative Barry Carestio, land surveyor, to explain the application request.

Barry stated that this is considered a 4 lot subdivision identified as parcels A- 5.2 acres, B- 10.2 acres, C- 33 acres, and D- 37 acres. He showed the board a colored outline of the subject parcels.

Parcel A & B are considered flag lots and do conform to the minimum lot widths of 350'. Parcel A & B do have existing structures on them and all conform to set back requirements in the ARC-5 zoning district.

Chair asked if the County had any comments on this application, answer NO, local option.

Chair asked board members if they had any comments, hearing no further comments he asked if a public hearing was desired. Secretary said that all 4 lots are larger than 5 acres and therefore could be considered exempt from public hearing.

Chair asked for a motion on the public hearing. M/2/C (D. Richards/D. Simpson) to waive the public hearing. Motion carried 7-0.

Chair asked the board members to review part 2 of the SEQR short form. C1.- C7. all answered no environmental impacts. Chair asked for a motion on SEQR: M/2/C (J. Plamer/J. Sparling) to declare a negative declaration based upon the review of possible impacts form the project.

Motion carried: 7-0.

Chair asked for a motion of the subdivision application: M/2/C (R. Haak/D. Simpson) to approve the 4 lot subdivision application as submitted.

Motion carried: 7-0.

Chair asked Larry Myers applicant to explain his application for a 1 lot subdivision located on Federal road. Larry indicated the location of the parcel on federal road and board members felt familiar with its location.

Recording Secretary announced that there is a letter from the Zoning Board Of Appeals granting the area variance for the lot size.

Larry explained the submitted survey map prepared land surveyor Craig Welch. The remaining lands will be 14.3 acres while the subject parcel will be 1.6 acres. He will be offering this 1.6 acre for sale as a building lot.

Chair stated this wetland area receives town highway storm water and benefits the town along with the preservation of the wetlands.

Chair asked for a motion on a public hearing.

M/2/C (J. Palmer/C. Casaceli) to waive the public hearing.

Motion carried 7-0.

Chair asked board members to review part 2 of the SEQR short form. C1- C2 were all answered no environmental impacts. Chair asked for a motion on SEQR: M/2/C (J. Sparling/ R. Haak) to declare a negative declaration on SEQR based upon the review of possible impacts from the project.

Motion carried 7-0.

Chair asked for a motion on this subdivision application: M/2/C (C. Casaceli/D. Simpson) to approve the subdivision application as shown on the survey map.

Motion carried 7-0.

Doug Acomb was asked to update the board on his decision to move forward with a formal site plan. Doug distributed a preliminary site plan for option 3 design that was previously discussed with the board at their September 9, 2013 meeting. He submitted a color copy of the proposed building and a formal site plan. He discussed the drainage plan for the site and will be submitting it to the NYS DOT for approval. The two front homes will be demolished while the rear home will be kept for residential use by a property manager.

Board members liked the elevations designs of the building and felt it would be well received by the community.

Doug explained the location of the dumpster, parking layout, traffic flow, snow plowing and building lighting.

Don Simpson asked Doug to explain the type of lighting on the building and the amount. Don also asked Doug to further explain the snow storage area on the site plan.

Jack Sparling asked about a landscaping plan being submitted on the final site plan. Doug stated he is open to discussion. Board members felt some sort of buffer is needed at west property line to shield possible car head lights from the adjacent residential use. It was decided a 3- 4' high fence of solid design would be better suited as a landscape buffer along this property line. Doug will submit a landscape plan to address this and planting design for the property.

Adam Backus stated that the issue of the buildings location to the street must be resolved by application to the Zoning board of appeals because it does not meet the minimum 50' set back requirement. Doug stated he would be making application for such. Doug asked the board if they would be willing to write a letter to the zoning board indicating their choice for this building placement option.

D. Richards asked Doug about any plans for signage. Doug stated he would have a free standing sign in front that would not exceed the 20 sq. ft area code and would also have some building signage on the street side, also complying with the sign code.

Chair told board that the part 1 of the SEQR form has been filled out by the applicant and they would address part 2 in future.

Chair said that this site plan application along with the zoning board application would have to be referred to the County. Chair suggested to Doug that he discuss next steps with the building - zoning department.

Chair asked applicant representative for Sweeteners Plus and Hess Corp. to explain their site plan application to the board.

Drew West and Brent Telsa of American Natural gas Corp. explained Sweeteners Plus plans to install a private CNG (compressed natural gas) facility to only service Sweeteners Plus trucks and vehicles, it would not be a retail service to the public. They are partners with Hess on the infrastructure services and maintenance. The engineering firm of Core States will be doing the site plans. Board members were distributed preliminary site plans to review. Drew explained the entire operation and that its designed to comply with the NFPA 52 fire safety standards.

He showed renderings of the canopy over the dispensing pumps. There would be 3 possible drive up lanes to the 2 pump islands. There would be no signage on the canopy. Lighting would be dark sky compliant. The compressors would be in a fenced in area as shown on the plans. There are no tanks as such for storage. The system can compress and convert 450 gals continuously for dispensing into the vehicles.

Drew further explained that this type of fuel use for vehicles is becoming more widely used because its safer to the environment because its less of a fire hazard than regular gas stations and safer than most homes that use propane. It burns cleaner with less than 60% emissions and reduces greenhouse gases. Ford Motors and Honda now has vehicles for sale. John Hooker, manager, from Sweeteners stated it will cost them about \$90,000/ truck to convert to this system, not to mention the infrastructure costs involved.

Drew mentioned that many major transportation companies such as Fritolay and UPS are currently converting to this.

Jack Sparling asked if there are any other sites being developed. Drew stated yes in Buffalo and there is currently a small site in Rush for passenger cars. Nationally there are over 1200 stations and over 600 of them are public.

Jack asked if they provide fire training to the local fire departments. Drew stated yes and do encourage their participation. Adam Backus stated the site plan would also be referred to the Lakeville Fire Department.

Don Simpson asked if all the equipment was above ground. Drew stated yes there are no buried tanks and everything is ventilated above because this compressed gas is lighter than air. Other gases are heavier and do pose a greater fire hazard. Don asked what noise concerns there may be from the operation of the fans and compressors. Drew stated 70 DB's at 10' distance away from unit.

Drew stated there was a concern from Adam Backus that the proposed fence using barbed wire was not permitted. Drew stated that they would not be using the barbed wire and therefore be in compliance. The use of barbed wire is not required by any federal home land security.

D. Richards asked about the plan showing a new driveway entrance off the state road. Drew stated yes that is the plan and all necessary NYSDOT permits for such would be obtained.

D. Simpson asked if the compressor pad and equipment could be placed behind the existing warehouse building.

Drew stated they wanted it in close proximity to the service area and avoid placing it in the current parking lot.

Adam Backus expressed that the public may have concerns for the safety of this facility.

Drew stated those concerns can be easily addressed by them at any public hearing. This industry has a safe record and is safer than current gasoline stations and numerous propane tanks in residential settings. There is no real tank storage therefore no buried or above ground tanks that do cause potential harm. There are no potential spills. They hook up to the existing gas main at the street just as any gas purchaser does.

John Hooker stated their insurance carrier is supportive as is NYSDEC because of reductions in greenhouse gases and less a carbon footprint. They have 65 trucks to be converted and expect this conversion to take 2 yrs. It is a considerable investment at \$ 90,000.00/ truck.

Town Attorney Campbell asked Adam if this was a permitted use with zoning. Adam stated the building department has considered this an accessory use to the trucking facility operation and as such permitted. Jim asked if there would be any retail sales planned. Adam and Drew stated no. If there was then this would not be allowed on the same tax parcel.

D. Simpson had concerns for landscape buffering because the operation there would have a visual impact. Drew understood those concerns and said they would provide a landscape plan along with the final site plans submittal.

Jack Sparling asked, what are the time frames their looking at to begin operation. Drew stated before May 31, 2014 was their goal.

Chair suggested to board members that a public hearing was necessary and board agreed. It was felt a November 25th public hearing date would work. The application would be referred to the County Planning Board.

Drew stated he would have updated plans submitted ASAP to the building department office. Drew thanked the board for their time and looks forward to future meeting.

Chair Bennett said all regular business was concluded and asked for a motion to adjourn the meeting.

M/2/C (R. Haak/D. Richards) to adjourn the meeting at 9 p.m.

Motion carried 7-0.