

MINUTES OF THE PLANNING BOARD 7-25-12

Members Present: James Harris, Timothy Coyne, James Seamon, and Maureen Knapp and Town attorney Donald Armstrong. Absent, Barbara Albro. Also present: Tony George, Deb and Ken Brock, Joe and Tarki Heath, and Donna Orr. The Meeting opened at 7:07 with the Pledge of Allegiance.

NEW BUSINESS: Northeast Transformer Services, LLC. In attendance for the presentation to the Board was Patrick Kozer, Manager, Larry Knickerbocker, Attorney, and Tim Buhl, Engineer. The Town Board has toured the current Cortland operation. They want to purchase the former Bestdeck facility in order to expand their operation. The business deals with the re-manufacture of transformers. It is all water and mineral based, using no pcb's or toxic materials or oils. Preble's code enforcement officer was of the opinion that Northeast should come before the Planning Board as well as the Town Board. Mr. Knickerbocker stated the client wants to move as quickly as possible. There will be no need for any permits or variances. The building only needs a good cleaning to become operational for their use and they do not anticipate making any changes to the existing building. Don Armstrong's reading of the ordinance is that he is looking for a trigger that would show the need for a permit. No building permit will need to be issued and the only possible trigger would be if the Town required an aquifer permit. Absent that, there does not appear to be any need for a site plan review and Northeast and their attorney agree with that assessment. The Town Board will discuss at their meeting on July 30th. Jim Harris mentioned the MSDS sheets and reiterated that no toxic oils are being used. Tim Coyne asked about any planned upgrades and other than sealing up drainage holes in the building, they do not anticipate any modifications or upgrades at this time. Jim Harris said the Planning Board will wait on the decision of the Town Board after their meeting on the 30th, as to whether an aquifer permit is necessary. Tim Coyne also inquired about doing a walk-through of the current operation and he was advised by Northeast that any Board members are welcome. He also inquired about any traffic concerns and was advised it would be similar as to when Saulsbury Fire Equipment was there.

OLD BUSINESS: Song Lake View subdivision. As was discussed at the last meeting, Don Armstrong sent a letter to the applicant and his attorney, Jan Kublick, to which he received a response that was read to the Board. Maureen Knapp had some questions concerning the interplay between the actual subdivision application and the request for an aquifer permit. Jim Harris stated that he believes the Town is waiting for the Planning Board recommendation before acting on that permit. Deb Brock agreed that all other permits must be completed before any final approval of the aquifer permit. Maureen was advised that the Board is still at the platt (map) stage, and that County Health, Planning and DEC are all involved. Don Armstrong stated there had been a change in personnel at County Health and Mr. Shirley had been told his current version map may not be acceptable. Further, after the SEQR had been completed, there was additional activities on the hill that may need a further review by all parties involved and may necessitate a new SEQR review. At this time, neither Mr. Shirley or his attorney have been before the board since last August or September. Once the Board has a final map, we will have Paul Sheniman, the town's engineer review. It is up to Mr. Shirley to meet the criteria. Jim Harris discussed with the Board what criteria would trigger a new SEQR review and the discussion was that if there was a significant difference from the information presented with the initial review. Jim Seamon stated he would like to revisit the entire process. Jim Harris said the Board can vote once it has

a new, final map. Further discussion was had as to whether the application should be dismissed based on the lack of any progress on the final map. Maureen Knapp stated her opinion that the new board members should be part of the SEQR process. She further noted that despite the Board reaching out, the applicant does not seem to be taking the initiative. Discussion was had as to the Board's options including dismissal or waiting until September as a firm deadline.

MOTION made by Timothy Coyne, seconded by James Seamon directing Donald Armstrong to send a letter to Jan Kublick that the Board will require a complete, final map, with all related materials needed to move ahead with the preliminary platt, and approved by the Health department by the September meeting meeting, or the Board may likely dismiss the application. All in favor, the motion carried.

New Business: Chairman Harris received a letter from Peter McLellan, Esq. concerning a transfer by the William Deline Estate to Wesley and Susan Swayze, adjoining landowners, of a 40" x 150" parcel to extend their driveway. Don Armstrong stated this could be considered a simple lot line adjustment rather than a subdivision application. It comes out of a 20 acre parcel and does not impact road frontage and would be in compliance with the R-1 regulations. Motion by James Seamon, seconded by Timothy Coyne to consider the transfer as a lot line adjustment only requiring a change to the tax map with Real Property. All in favor, the motion carried and attorney Armstrong will send a letter to attorney McLellan.

Motion to approve the minutes of the June meeting with (2) correction made by Timothy Coyne, seconded by Maureen Knapp, all in favor, the motion carried.

The public was asked for any comments and there were none. Motion to adjourn made by Timothy Coyne, seconded by James Seamon, all in favor, the motion carried and the meeting adjourned at 8:15 PM.

Respectfully submitted,

Mary Anne McCloskey, Secretary