

Town of Fayette Planning Board
1439 Yellow Tavern Road
Waterloo, NY13165
315-585-6282

Minutes for Monday, October 23, 2017

The Town of Fayette's Planning Board's October 23, 2017 meeting was called to order at 7:03PM by Keith Tidball-Chairman with a roll call for attendance, present were:

- ✓ Ronald Schubert – Present
- ✓ Mark Lott – Present
- ✓ Nelson Wise –Absent
- ✓ Teresa Bryan – Present
- ✓ Keith Tidball – Present
- ✓ Dave Fitzgerald – Present
- ✓ Mike Cecere – Present
- ✓ Sandy Caster - Absent
- ✓ Joseph Midiri , attorney – Present
- ✓ Robert Steele , zoning officer –Absent

In attendance were: Sean Logue, Bill Caster, Bette Schubert, Aaron Bo
The meeting was opened with the Pledge of Allegiance. Chairman Tidball gave a welcome and Introduction of how the meeting will proceed.

Public Hearings were opened:

A continuation of the Public Hearing of 3 Brothers Wineries and Estates 623 Lerch Road, Geneva, NY 14456, Town of Fayette, (Tax Map 23-1-52) regarding a Site Plan Review and SEQR Review to put in a sub-surface mound style leach field to treat effluent that can be utilized for various areas at the wineries thus Increasing environmental sustainability and decreasing amount of solid and liquid waste disposed from the facility. This hearing of August was reopened at 7:05PM.

To recap the previous meetings:

3 Brothers have a grant to use for this subsurface mound style leach field to treat effluent that can be utilized for toilet and urinal flushing in restrooms on the winery. Increasing environmental sustainability and decreasing amount of solid and liquid waste disposed from the facility. In regards to public health there doesn't seem to be any issues as they have to test before pumping it out. They have holding tanks that can be utilized if need be and then haul it off site for treatment. Is Ag & Markets involved? No, they are not. It is to be 400 feet from the setback, north of the building and north of the pond. They are following the 10-10-5 rule and have to test for three elements daily which may result in the system being adjusted. Question from the audience and abutting neighbors were listened to and answered.

Letters were received from NY State Agriculture and Markets and Seneca County Health Dept.

The full environmental assessment form part 2 Identification of potential project impacts was reviewed.

1 Impact on Land

- a. The proposed action may involve construction on land where depth to water table is less than 3 feet.

and

f, the proposed action may result in increased erosion whether from physical disturbance or vegetation removal (including from treatment by herbicides).

This is the reason for the mound system so not to affect the water table and use of a swale.

3. Impacts on Surface Water

- k. the proposed action may require the construction of new, or expansion of existing, wastewater treatment facilities. - the use of 2 15,000 gallon holding tanks is available if needed.

4. Impact on Ground Water

- d. The proposed action may include or require wastewater discharged to groundwater. The system is designed to treat all affluent

Teresa asked if there was an aquifer in the proposed area and the answer was no.

8. Impact on Agricultural Resources

- a. the proposed action may impact soil classified within soil, group 1 through 4 of the NYS Land Classification System.

b. The proposed action may sever, cross or otherwise limit access to agricultural land (includes cropland, hayfields, pasture, vineyard, orchard, etc).

c. The proposed action may result in the excavation of compaction of the soil profile of active agricultural land.

d. the proposed action may irreversibly convert agricultural land to non-agricultural uses, either more than 2.5 acres if located in an Agricultural District, or more than 10 acres if not within a Agricultural District.

The project is located on prime soils and consists of more than 2.5 acres.

10. Impact on Historic and Archeological Resources

b. The proposed action may occur wholly or partially within, or substantially contiguous to , any buildings, archaeological site or district which is listed on or has been nominated by the NYS Board of Historic Preservation for inclusion on the State or National Register of Historic Places.

Due to the location but SHPO (NY State Historic Preservation Office) signed off.

15. Impact on Noise, Odor, and Light

c. The proposed action may result in routine odors for more than one hour per day.

f. Other impacts – During construction it is anticipated that there will be elevated noise levels.

There will be quite significant amount of dust while construction takes place. It is so noted that the neighbors still have issues with dust. No windows can be opened on the west and they would like to be able to especially in the warmer weather. The project does sound “cool” to them.

A motion to close the Public Hearing was made by Dave Fitzgerald, 2nd by Ron Schubert; all in favor Public Hearing was closed.

Roll Call remained the same.

New Business:

Resolution

The deed was recorded on Friday October 20, 2017. They are currently awaiting response from the DEC

Preliminary Hearings – no preliminary hearings at this time

The Record Shows that roll call remains the same.

New Business -

3 Brothers Wineries and Estates 623 Lerch Road, Geneva, NY 14456, Town of Fayette, (Tax Map 23-1-52) regarding a Site Plan Review and SEQR Review to put in a subsurface mound style leach field to treat effluent that can be utilized for various areas at the wineries.

A prepared resolution by MRB regarding the project was read and voted upon by the member. All members voting in favor. All concerns/comments regarding SEQR were answered during the

hearing. A motion to approve the project contingent upon DEC Approval was made by Ron Schubert, 2nd by Mike Cecere, all in favor, project approved.

Katie will get copy of the signed resolution and EAF to Sean.

Public comments: no comments.

Minutes:

A motion to approve the minutes was made by Teresa Bryan with corrections, 2nd by Dave Fitzgerald; all in favor, minutes approved.

Planning Board Attorney Report – Joe Midiri

Keith had questions in regarding to the docks / moorings

Sarah had sent reply that can't regulate where the docks are attached to the land.

Controlled & Owned by the State due to navigation laws and army corp.

Joe will send State Senator Pam Helming a reminder on legislation.

In regards to the joint meeting tomorrow (10/24) copy of vacation rental regulations for Skaneateles, and Geneva.

Promoting more vs. regulating

Single family

Commercial activity use has to be specifically stated

What do we (TOF) do to enforce / compliance?

Land Use Officer Report: Robert Steele

Approved Permits:

Melkon Babigian – Sunrise Cove – Single family residence

David Bishop – Yost Road - Shed

Ehtan Ehst – Marshall Road – Residential addition

Kenneth Miller – Marshall Road – Pole Barn

Ezra Oyer – NY State Route 89 – to build a 3 bay garage

Denied Permits:

Other:

Yeo case is scheduled for court on November 21 at 5:00PM

Town Board Liaison Report – no report

County Planning – nothing to report

Other Business:

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A motion to adjourn was made by Mark Lott, 2nd by Teresa Bryan; all in favor Chairman Tidball adjourned the meeting at 8:02PM.

Respectfully Submitted by

Katherine "Katie" Nelson - Town of Fayette Planning Board Secretary.

