

Town of Manchester Planning Board Meeting Minutes

March 21st, 2023 – 7:00pm

Present: Board members Steve Buerman, John Boeckmann, Lee Sanders, Scott VanAken, Julie Vanderwall, and Jefferey Flower; Chairman Stuart Gwilt; Code Enforcement Officer Steve DeHond; and secretaries Nichole Ruggles and Laurel Pitcher.

Absent: None.

Also present: Bill Mueller, Bill O’Hanlon, Kyle Johnson, Doug Cumming, TJ Murphy, Kim Williamson, Terry Williamson, Bob Woodhams, Thomas DeYulio, Gary W Rosens, Bruce Habberfield, Brandee Nelson, William Young, and Dave Phillips.

Application #4645-23: Consider Site Plan submitted by Gary Rogers who is requesting approval to construct a 60’ by 120’ building for storage of construction supplies on property located at 485 State Route 21, tax map number 11.00-2-59.100 in an A-1 district pursuant to Chapter 325 Section 325-62.4.

Stuart Gwilt, Chairman, started the meeting with review of the public hearing notice. 7 surrounding neighbors were notified of the hearing. None were in attendance.

Gary Rogers: I run a growing construction company and repair shop with Woodstone repair being my fastest growing operation. I recently helped to take down a building from the Hill Cumorah, and intend to relocate said building on my property. I do not plan on adding heat, but the building will need electric. Additionally, it is a steel building with drive-through access.

At this time, Stuart Gwilt reviewed the Ontario County’s Planning Board Minutes as stated below.

“The property at 485 SR 21 is zoned A-1 Agricultural. According to OnCor the property is not in Ontario County Agricultural Districts #1, though the rear portion of the property appears to be cultivated in conjunction with agricultural lands surrounding the property that are in the county agricultural district. OnCor also indicates a large area on the National Wetland Inventory to the south of the existing house. There are no steep slopes on the property.

Comments

The referring body should require the applicant to document no wetland disturbance.”

Gary Rogers: There’s no house there or designated wetlands.

Jeffrey Flower: Where will this new building be located?

Gary Rogers: I intend to put the new building directly behind the already existing building on my property.

John Boeckmann: I’m assuming you’ll need to clear the area to place the new building; where will the excavation waste go?

Gary Rogers: This site used to be a sawmill, so much of the area is wood chips. After that, the land drops off and any debris removed during this process will go into my business.

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Steve DeHond: What about the lighting in the new building? Will this disturb any of your neighbors?

Gary Rogers: Lighting won't be a concern since we'll aim the lights down and we're far enough from the neighbors that it shouldn't be a problem.

A motion was made by Scott VanAken to approve application #4645-23 submitted by Gary Rogers who is requesting site plan approval to construct a 60' by 120' building for storage of construction supplies on property located at 485 State Route 21, tax map number 11.00-2-59.100 in an A-1 district pursuant to Chapter 325 Section 325-62.4.

Motion seconded by Lee Sanders. All voted "Aye." Motion carried.

Application #4644-23: Consider Preliminary Site plan submitted by Cabbage Patch Lane, LLC who is requesting approval to construct a 300,000 sqft dry storage building on property located at 20 Cabbage Patch Lane, part of tax map no. 44.00-2-65.100 in a M-3 district pursuant to Section 325 Section 325-62.4.325-222.

Stuart Gwilt reviewed the Public Meeting notice at this time.

Engineer Bill presented survey map.

Bill O'Hanlon: We are hoping that the board will be willing to provide the SEQ. We also hope to expand in the future if the business goes well, and we've accounted for storm water and residential areas that could be impacted nearby.

Bob Woodhams questions the claim that storm water wouldn't be a concern and cites an incident on East Ave saying it was poorly executed leading to flooding.

Steve DeHond clarifies that the cause of that issue was separate and found to be a problem under the road that was remedied.

Engineers Bill O'Hanlon and Kyle Johnson review the proposed drainage system for the new building.

Kim Williamson: Semi trucks frequently get stuck or damaged by the bridge near my house because there's no sign saying they won't fit. There's only a small sign saying no box trucks. We've had several tall vehicles lose things off the roof due to the bridge as well. When these trucks get stuck, they have to use my yard to turn around creating large ruts and tearing up my yard. This has happened many times. If you add this building, won't that increase the amount of traffic going through the area, thus increasing the amount of trucks that inevitably destroy my yard in turning around?

Terry Williamson: What would it take to get a sign at the end of South Ave so that these trucks know to go another route?

Scott VanAken: That would be a town board concern, but we can forward it to them.

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Kyle Johnson: I'd like to be aware of each incident so we can track and limit these incidences by informing affected vendors to send their truck another way. We've had some success with rerouting GPS systems to avoid obstacles such as this, but we're still working to get some GPS systems switched.

At this time, Stuart Gwilt reviewed the Ontario County's Planning Board Minutes. These included comments from Finger Lake Railway as stated below.

1. Rail access should be a requirement for this facility. Building rail access could be to the north, east, and or west sides of the building as currently proposed.
2. Finger Lake Railway's initial consultation with the applicant and review of a concept plan for this facility indicated it would have rail access. Rail enabled development on this site is anticipated by Town and County economic development interests. The referring body should request documentation of correspondence between Finger Lake Railway and applicant regarding shared understanding of plans for rail access and/or interior building layout that would support such connection in the future.

Chairman Gwilt also read comments from the County Planning Board as stated below.

1. Adjacent residents are concerned about this expansion as the existing level of truck traffic in having noise impacts. It is not clear from the materials submitted whether the previously proposed berm was constructed along with the road construction. A continuous tree buffer may also improve sound attenuation.

Leonard's Representative: We've previously constructed a berm to help block headlights. We had some complaints after it was built that headlights were still an issue, so we built the berm up more and have yet to have another complaint. In the future, we could add a rail spur which would come directly to the back of our building, at which point we would look further into adding a loading dock onto the building. Right now, we interpret the code as being met since the parcel is serviced by rail, despite the proposed building not sitting directly on the rail line. We have no intention of building the loading dock until the rail is in place.

Scott VanAken: Is there enough rail traffic to make building a new section of railroad worth it?

Bruce Habberfield: I am here to represent the Finger Lakes Railway Company and to express our support for this plan.

Kim Williamson: Given the recent news stories, I feel that it's relevant to ask if you're planning to store hazardous materials in this facility?

Leonard's Representative: We won't guarantee that we would never have such materials, however our business is focused around refrigerated materials. We have certifications in food storage safety. We would also like the Planning Board to be the lead agency on SEQR.

A motion was made by Scott VanAken to declare the intent of the Planning Board of the Town of Manchester to be lead agency on this project and that the Town Engineer is directed to

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provide notice hereof to the involved and interested agencies, seeking their agreement (or objection thereto) in writing on or before 12:00pm on Monday April 24, 2023.

Motion seconded by Lee Sanders. All voted “Aye.” Motion carried.

This public hearing was not closed and will be kept open until the next meeting.

Application #4643-23: Consider Preliminary Site Plan and Special Use submitted by Catalyze Holdings LLC who is requesting to construct Solar Arrays on 116 acres vacant farm land on property located at State Route 31, tax map no. 4.00-1-31.000 in an A-1 district pursuant to Chapter 325 Section 325-40.33.

Stuart Gwilt reviewed the Public Meeting notice at this time.

Brandee Nelson, project engineer reviewed the project maps and discussed the changes implemented since the last meeting. This included showing a new subdivision map which proposes 2 lots be made from the current 116 acre lot. One lot would be in the Northern part of the property and the other in the South. This would leave the Western 50% as undeveloped farmland in order to be undetectable from the neighboring Field Street. The barrier would be 40 feet of trees at the property line and 25 feet elsewhere. The DOT approved having a minor commercial entrance for the purpose of implementation and maintenance of this project. We will mostly use the existing gravel road for maintenance and create the new driveway for internal maintenance.

Brandee Nelson, project engineer mentioned a letter of no effect of archeological and environmental impacts.

At this time, a brief discussion was had about the logistics of the solar panels including distance between units and performance maintenance. These factors had already been accommodated for, so there was no need for changes here.

During a previous meeting, the need for a variance was brought up. Brandee stated that changes were made to the existing plan such that a variance would no longer be needed.

Thomas DeYulio expressed concern regarding the proximity of the solar panels to his neighboring property. He said that the existing fields can be seen from his house and asked what can be done to make the proposed project less visible, especially in the winter.

The engineers discussed these concerns and reviewed maps and topography of the land including the plan to leave 40 ft of trees on each side of the property as a visual and audio buffer between the properties.

Thomas DeYulio and representatives of the solar project discussed options for addressing Mr. DeYulio’s concerns including building a berm, which was rejected due to the high environmental impact; planting 6 ft trees on the property line, which was rejected because Mr. DeYulio’s land is at a higher elevation making the proposed tree barrier less effective; and giving deciduous trees to the homeowner to plant on his land to act as a barrier. No solution was reached during this

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meeting regarding these concerns, but the board was invited to do a site visit before the next meeting to help visualize the space.

A resident asked what plans are in place to limit erosion. Brandee Nelson said that there will be silt fences in place and an inspector will be present once a week to ensure proper protocols are being followed. She also said that native grasses and wildflowers will be planted, and the resident agreed that this sounded like a good plan.

Another resident expressed concern regarding wildlife patterns given the proposition of an 8 ft fence surrounding the property. Brandee Nelson said that there will be passages through the fence so that small animals don't get trapped.

Lee Sanders asked if vandalism is a concern, to which Brandee responded that there can be problems with theft during construction, but vandalism is not very common. To limit theft concerns, there will be cameras monitoring the property and should there be a need to, further precautions can be implemented.

A discussion about the farmland was had, and the engineers said that farmers can use it to allow nutrients to repopulate the soil. They also said that the land will eventually be used for farming again in the future.

A letter was received from neighbor Tom Ekkebus expressing concern over the company's credentials for doing this project and if there will be subcontractors involved. He also expressed concern for potential damage due to weather. Additionally, Ekkebus noted that all construction disruptions will be absorbed by residents on Field St but not felt on nearby Garnsey Rd, Bedette Rd, or Armstrong Rd. He found this interesting.

A motion was made by Steve Buerman to declare the intent of the Planning Board of the Town of Manchester to be lead agency on this project and that the Town Engineer is directed to provide notice hereof to the involved and interested agencies, seeking their agreement (or objection thereto) in writing on or before 12:00pm on Monday April 24, 2023.

Motion seconded by Jefferey Flower. All voted "Aye." Motion carried.

This public hearing was not closed and will be kept open until the next meeting.

The Planning Board has decided to move the next meeting from the 18th of April to the 25th of April to better serve the applicants then.

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Previous Minutes:

A motion was made by Lee Sanders to approve the meeting minutes, which took place on February 21, 2023. Motion was seconded by Scott VanAken. All voted “Aye.” Motion carried.

At this time the meeting was stopped at 8:59pm.

Respectfully submitted,

Stuart Gwilt

Planning Board Chairman

TOWN OF MANCHESTER
LEONARD'S EXPRESS: DRY WAREHOUSE EXPANSION
20 CABBAGE PATCH LANE

SEQR RESOLUTION
DECLARING THE INTENT TO BE LEAD AGENCY

WHEREAS, the Town of Manchester Planning Board (hereinafter referred to as "Planning Board") has reviewed the SEQR Full Environmental Assessment Form (EAF) Part 1, prepared on the behalf of Bill O'Hanlon of Leonard's Express (hereinafter referred to as "Applicant") on the above-referenced Leonard's Express: Dry Warehouse Expansion (hereinafter referred to as "Action"); and

WHEREAS, the Planning Board determines that said Action is classified as a Type 1 Action under the State Environmental Quality Review (SEQR) Regulations; and

WHEREAS, the Planning Board determines that said Action is also subject to review and approval by other involved agencies under SEQR Regulations; and

WHEREAS, the Planning Board determines that it is the most appropriate agency to insure the coordination of this Action and will provide written notifications to involved agencies, for the purposes of conducting a coordinated review and making the determination of significance thereon under the SEQR Regulations.

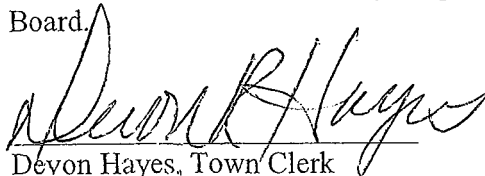
NOW, THEREFORE BE IT RESOLVED that the Planning Board does hereby declare its intent to be designated as the lead agency for the Action.

BE IT FURTHER RESOLVED, that the Town Engineer is directed to provide notice hereof to the involved and interested agencies, seeking their agreement (or objection thereto) in writing on or before **12:00 PM on Monday, April 24, 2023**.

Motion made by Member: Scott VanAken Seconded by Member: Lee Sanders

Dated: 3/21/2023

The above Resolution was duly adopted on March 21, 2023 by the Town of Manchester Planning Board.


Devon Hayes, Town Clerk
Town of Manchester

**TOWN OF MANCHESTER
NEWARK SOLAR PROJECT
NYS ROUTE 31**

**SEQR RESOLUTION
DECLARING THE INTENT TO BE LEAD AGENCY**

WHEREAS, the Town of Manchester Planning Board (hereinafter referred to as “Planning Board”) has reviewed the SEQR Full Environmental Assessment Form (EAF) Part 1, prepared by Catalyze Holdings, LLC (hereinafter referred to as “Applicant”) on the above-referenced Newark Solar Project (hereinafter referred to as “Action”); and

WHEREAS, the Planning Board determines that said Action is classified as a Type 1 Action under the State Environmental Quality Review (SEQR) Regulations; and

WHEREAS, the Planning Board determines that said Action is also subject to review and approval by other involved agencies under SEQR Regulations; and

WHEREAS, the Planning Board determines that it is the most appropriate agency to insure the coordination of this Action and will provide written notifications to involved agencies, for the purposes of conducting a coordinated review and making the determination of significance thereon under the SEQR Regulations.


NOW, THEREFORE BE IT RESOLVED that the Planning Board does hereby declare its intent to be designated as the lead agency for the Action.

BE IT FURTHER RESOLVED, that the Town Engineer is directed to provide notice hereof to the involved and interested agencies, seeking their agreement (or objection thereto) in writing on or before **12:00 PM on Monday, April 24, 2023**.

Motion made by Member: Steve Buerman Seconded by Member: Jefferey Flower

Dated: 3/21/2023

The above Resolution was duly adopted on March 21, 2023 by the Town of Manchester Planning Board.


Devon Hayes, Town Clerk
Town of Manchester