

Minutes
Cayuga County Committee for Review under NYS GML §§239-l, m & n
December 20, 2012

The meeting was called to order at 9:08 AM in the Conference Room on the 5th floor of the County Office Building at 160 Genesee Street in Auburn, New York.

The following committee members were present:

Director of Planning and Development: **Nick Colas** (designee)
Director of Environmental Health: **Eileen O'Connor**
Environmental Engineer: **Bruce Natale**
Superintendent of Highways: **Steve Koon** (designee)
Director of Soil and Water Conservation: **Doug Kierst** (designee)

A quorum was thereby established.

Others present: Gabriel Holbrow (staff).

MINUTES:

Minutes from November 15, 2012:

Only two of the members present had been present at the November meeting, which is not a quorum to approve the minutes. Approval of the minutes was postponed to the next meeting.

The following municipal matters were submitted to the Committee for consideration pursuant to New York State General Municipal Law §§239-l, m, & n:

1. Town of Aurelius – Site Plan – Fingerlakes Drive-In, 1064 Clark Street Road

The Committee carefully considered the site plan and materials provided by the Town related to the proposed modifications to the drive-in movie theater. The Committee first reviewed and reiterated what elements of the site plan have been referred for review. The referral comprises the following nine elements only:

1. New concessions building (depicted on the site plan)
2. Modifications to the existing septic system to connect the new concessions building to the existing septic (new septic holding tanks and existing leach field depicted on the site plan; existing holding tanks, existing connections, and other modifications not depicted)
3. Design of the new concessions building that includes solar panels (not depicted on site plan)

4. Relocation of the ticket booths farther back from the highway (depicted on the site plan)
5. New projection booth (approximate potential location depicted on the site plan)
6. New screen (approximate potential location depicted on the site plan)
7. Vehicle charging stations which may include stations for electric or natural gas fuels and use of which will have no effect on the external circulation to or from the site (approximate potential locations depicted on the site plan)
8. Replacement of existing speaker poles or new speaker poles, in either case with minimal lighting as is currently the case (not depicted on the site plan)
9. Continued use of the existing wood-frame projection house and wood-frame screen alongside any new concessions building, new projection booth, or new screen (depicted on the site plan)

The committee noted that the applicant is considering a modification to the exit driveway to eliminate the curves of the existing driveway and provide a right-angle connection to the highway with safer turning radius, but that no modifications to the exit driveway are included in this referral. Any future change to the driveway that requires site plan review or other approval from the Town of Aurelius or its boards would have to be referred to this committee for review before approval by the Town. Committee members further noted that any modifications to the exit driveway may require a highway work permit and approval from the New York State Department of Transportation (DOT). The state DOT would likely be pay close attention to whether the modification provides adequate sight-distances for vehicles entering and traveling on the highway.

The committee noted that the applicant has been corresponding with the county Health Department but has not yet received the required permits for new food concessions or modifications to the septic system.

The committee discussed wetlands in the area, noting that a state-designated wetland covers a portion of the southern end of the parcel where the proposed future screen is located on the site plan. Any development in a wetland area or within a 100-foot buffer area must obtain approval and permits from the New York State Department of Environmental Conservation (DEC). The required permits likely include a Freshwater Wetland Permit, but the applicant should verify his requirements with the DEC.

MOTION BY DOUG KIERST: Approve with comments:

Comment #1: The project as proposed requires approval from the New York State Department of Environmental Conservation, such as a Freshwater Wetland Permit, because the future screen is located in a state wetland.

Comment #2: The project requires approval from the Cayuga County Health Department for food concessions and for modifications to any components of the septic system.

Comment #3: If the applicant seeks to move the driveway, the modification will require approval from the New York State Department of Transportation.

SECOND BY BRUCE NATALE: All vote AYE.

Motion Approved and Carried.

2. Town of Aurelius – Site Plan – White Barn Winery, 6634 Cayuga Road

The Committee carefully considered the materials provided by the Town related to the proposed new barn. The committee could not identify any intermunicipal impacts from the proposal.

MOTION BY EILEEN O’CONNOR: Return the matter without comment since it appears to have no intermunicipal concerns.

SECOND BY STEVE KOON: All vote AYE.

Motion Approved and Carried.

3. Village of Aurora – Site Plan – Wells College

The Committee carefully considered the materials provided by the Village related to the proposed installation of a liquid propane tank. The committee discussed the costs of various fuels and the justifications for the project. Committee members noted that the underground tank will not obstruct views of or from Cayuga Lake. Committee members agreed that lessening fuel oil storage right on the lake would be a good thing.

MOTION BY BRUCE NATALE: Approve with one comment:

Comment: The applicant should make sure to use proper erosion and sediment control methods during construction to prevent sediment leaving the site and impacting the lake.

SECOND BY STEVE KOON: All vote AYE.

Motion Approved and Carried.

Motion to adjourn by Doug Kierst. Seconded by Nick Colas. All approving.
Adjourned at 9:42 PM.

The next regularly scheduled meeting is 9:00 AM on Thursday, January 17, 2013.