

**Minutes
Cayuga County GML 239-l, m & n Review Committee
May 15, 2014**

The Cayuga County GML 239-l, m & n Review Committee was established in 2005 by Cayuga County Legislature Resolution 413-05 as the agency to conduct mandatory reviews in Cayuga County under sections 239-l, 239-m, and 239-n of the General Municipal Law of New York State. The Committee meets monthly to review local actions for potential intermunicipal or countywide impacts.

The meeting was called to order at 9:10 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
Superintendent of Highways:	Steve Koon (designee)
Environmental Engineer:	Bruce Natale
Director of Soil and Water Conservation:	John Fraser (designee)

A quorum was thereby established.

Others present: Gabriel Holbrow (staff); James Scanlon (Town of Brutus and Village of Weedsport Planning Board).

MINUTES:

Minutes from January 16, 2014:

MOTION BY BRUCE NATALE:

Approve minutes as submitted.

SECOND BY JOHN FRASER:

John Fraser, Steve Koon, and Bruce Natale vote AYE. Nick Colas and Eileen O'Connor abstained because they were not present at the January meeting.

Motion Approved and Carried.

Minutes from March 20, 2014:

MOTION BY EILEEN O’CONNOR:

Approve minutes as submitted.

SECOND BY BRUCE NATALE:

Nick Colas, John Fraser, Bruce Natale, and Eileen O’Connor vote AYE. Steve Koon not present for the vote.

Motion Approved and Carried.

Minutes from April 17, 2014:

MOTION BY JOHN FRASER:

Approve minutes with the following correction:

- Replace “Nike Colas” with “Nick Colas” on page 1.

SECOND BY NICK COLAS:

Nick Colas, John Fraser, and Eileen O’Connor vote AYE. Bruce Natale abstained because he was not present at the April meeting. Steve Koon not present for the vote.

Motion Approved and Carried.

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 Owasco – Special Use Permit – Johnson, 6977 Owasco Road

The Committee carefully considered the materials provided by the Town related to the proposed conversion from a one-family dwelling to a two-family dwelling. Committee members noted that the building and improvements are outside the flood hazard area of the Owasco River.

MOTION BY BRUCE NATALE:

The action appears to have no intermunicipal concerns and to be of local concern only.

SECOND BY EILEEN O’CONNOR:

Nick Colas, John Fraser, Bruce Natale, and Eileen O’Connor vote AYE. Steve Koon not present for the vote.

Motion Approved and Carried.

2. Town of Genoa – Extension of Natural Gas and Petroleum Moratorium

The Committee carefully considered the materials provided by the Town related to the proposed three-month extension of the moratorium on natural gas and petroleum exploration and extraction which has been in effect since May 2012. The Committee discussed the proposed local law’s mention of critical regulations intended to be emplaced within the moratorium period, noting that the Committee is not aware of any recent progress by the Town on studies or permanent regulations. Committee members expressed opinions that the thickness, depth, and richness of shale formations in the Town of Genoa, including the Marcellus shale and the Utica shale, for various reasons make it very unlikely that there will be any significant natural gas exploration or extraction in the Town.

Committee members noted two apparent mistakes in the text of the proposed local law. First, although the title of the law and the purpose and intent declare that this is to be a three-month extension of the moratorium, subsection C of section 4 (page 9) states that the law shall expire “one year after [the] effective date” instead of three months. Presumably this was copied from the previous extension with intent to be changed but never was changed. Second, subsection A of section 5 (page 9) includes a question mark in brackets, as [?], after the amount of initial fine. Presumably this was left over from a draft for discussion but never removed.

MOTION BY EILEEN O’CONNOR:

The action appears to have no intermunicipal concerns and to be of local concern only.

SECOND BY NICK COLAS:

Nick Colas, John Fraser, Steve Koon, and Eileen O’Connor vote AYE. Bruce Natale votes NAY.

Motion Approved and Carried.

James Scanlon left the meeting.

3. Town of Aurelius – Site Plan – Johnston Paper, 2 Eagle Drive

The Committee carefully considered the materials provided by the Town related to the proposed 22,075-square-foot office expansion and 36,100-square-foot warehouse expansion to Johnston Paper’s existing 102,600-square-foot facility located in the Cayuga County Industrial Development Park.

The Committee discussed the traffic flow expected from this proposed expansion and from future development in the rest of the industrial park. The Committee observed that the traffic operations report submitted by the applicant predicts a morning peak in truck traffic to the site well before the morning rush on nearby roads and no significant afternoon peak as trucks come in sporadically. A Committee member recalled that the state DOT had recommended installing a truck stacking lane on Routes 5 and 20 in conjunction with the development of the milk plant in the industrial park. However, Committee members did not know what had become of that recommendation or whether

the turn lane is scheduled to be installed. The Committee discussed other possible access routes to the Johnston Paper site and the rest of the industrial park, including connections through the Finger Lakes Crossing development, connections with Ellis Avenue to the east, or connections to Half Acre Road to the west. Committee members observed that a long-term capital improvement plan will likely be necessary to plan for and fund improvements in order to manage future increases in traffic volume.

The Committee discussed the possibility of using permeable paving on the employee parking lot to partially compensate for the increase in impervious surface due to the proposed expansion. Committee members also expressed that they would appreciate a green roof or alternatively roof solar panels in a project like this.

The Committee discussed the stormwater flow from various points on the site, particularly from the employee parking lot on the west side of the site. Overall, the stormwater facilities seem to be adequate for the site.

The Committee discussed the sewer capacity and service at the site. Committee members reported that the Ellis Avenue sewer lift station project is near completion and has resolved all previous issues with sewer capacity at the industrial park

A Committee member recalled seeing an early plan for the gas feed to the Finger Lakes Crossing development that showed the gas line crossing the Johnston Paper property immediately to the south of the existing building. The Committee was unable to verify whether the gas feed was in fact installed at that location, but the Committee strongly recommended that the applicant investigate the location of that gas line.

MOTION BY JOHN FRASER:

Recommend approval without change but with comments:

Comment #1: Consider permeable paving under parking spaces in the employee parking lot.

Comment #2: The plan should have a concrete truck washout somewhere on the site to prevent washing in inappropriate areas that could lead to plugged storm drains.

Comment #3: Additional traffic from this expansion does not appear to warrant changes to the traffic pattern at this time. However, the Committee encourages the preparation of a capital improvement plan to address traffic controls that may be necessary to manage higher levels of traffic in the future.

Comment #4: Be aware that the gas feed to Finger Lakes Crossing may be under the proposed warehouse expansion.

SECOND BY EILEEN O’CONNOR: All vote AYE.

Motion Approved and Carried.

OTHER BUSINESS:

Changes to New Intermunicipal Agreement with the Village of Aurora

The Committee reviewed changes, as requested by the Village of Aurora, to the proposed new intermunicipal agreement with the Village. The changes would remove exemptions and require referral for multi-family dwellings, bed & breakfasts, and docks. Committee members expressed their preference to keep these exemptions but agreed that it would be better to offer an agreement that the Village would be willing to sign.

MOTION BY BRUCE NATALE: Approve execution of the intermunicipal agreement with the Village’s requested changes.

SECOND BY STEVE KOON: All vote AYE.

Motion Approved and Carried.

Posting Committee Materials on the Web

The Committee discussed whether to begin posting referral materials, agendas, and meeting minutes on planning department’s website. The Committee noted that staff expected this would help the staff’s management and make sharing meeting materials more convenient for Committee members. The Committee also noted that having easy access to past Committee minutes would be a useful resource. Committee members expressed general support for more transparency and openness in government operations.

MOTION BY EILEEN O’CONNOR: Authorize staff to post Committee materials on the web.

SECOND BY JOHN FRASER: All vote AYE.

Motion Approved and Carried.

Motion to adjourn by Steve Koon. Seconded by Nick Colas. All approving.
Adjourned at 10:06 AM.

Minutes submitted by Gabriel Holbrow (staff).

Minutes approved as amended by the Committee on June 19, 2014.