

Draft

YATES COUNTY PLANNING BOARD MEETING January 28, 2021

PRESENT: Sutterby, Danielson, Moberg, Schiesser, Strickland, Degner, Hullings, Vestal, Sisson, Granzin

EXCUSED:

ABSENT: Yonts

Also Present:

Dan Long (Yates County Planner), and Emilee Miller (Recording Secretary)

CALL TO ORDER: Schiesser called the meeting at 7:14 p.m. with the Pledge of Allegiance via Zoom

APPROVAL OF MINUTES:

A motion was made to approve the minutes from the November 19, meeting by Strickland, seconded by Sutterby. All in favor. Motion approved.

CONSIDERATION OF GML 239 REFERRALS

*Motion made by Moberg to move **2021-04** to the end of list for consideration. Seconded by Strickland. All in favor.

2021-01 Town of Starkey. Applicant, Earl Ray Nolt. 1255 Huff Rd., Dundee, NY 14837. *Special Use Permit.* Applicant plans to operate a custom meat processing shop.

Shop will need to be built. Applicant recently received other permit. The wastewater facilities and septic system are the responsibility of the local planning board and the code officer. There is a shortage of butchers in the county.

Moberg made a motion to the Board: That under GML 239 the application as presented has no countywide impact. Strickland seconded. All in favor. Motion approved.

2021-02A Town of Jerusalem. Applicant, Mahlon Esh (Keystone Custom Decks). 3134 Yoder Hill Rd., Keuka Park, NY 14478 Site address: North and adjacent to 2875 Rte. 54A, Bluff Point, NY. *Site Plan.* Applicant proposes to construct business offices located in the Scenic Overlay district

The location is 54A, in the Scenic Overlay. The point of the Scenic Overlay District is to maintain the character of the existing neighborhood. The parcel is currently a vacant lot with flat land. The lake cannot be seen from the road of the proposed project. The building will be two story, but under the maximum height restrictions. Building will not block the view of lake from the houses on the hill above, but they will be able to see the building. The Town asked about moving the parking lot to the opposite side of the building. The applicant agreed to do so. It appears that the applicant is willing to plant trees and shrubbery. There are houses on the overlook that are taller than this building will be.

Moberg made a motion to the Board: That under GML 239 the application as presented has no countywide impact. Schiesser seconded. 9 in favor and 1 abstain. Motion approved.

2021-02B Town of Jerusalem. Applicant, Mahlon Esh (Keystone Custom Decks). 3134 Yoder Hill Rd., Keuka Park, NY 14478 Site address: North and adjacent to 2875 Rte. 54A, Bluff Point, NY. *Special Use Permit.* Applicant proposes to construct business offices located in the Scenic Overlay district.

Same as for 2021-02A.

Moberg made a motion to the Board: That under GML 239 the application as presented has no

countywide impact. Schiesser seconded. 9 in favor and 1 abstain. Motion approved.

2021-03 Village of Penn Yan. Applicant, KanPak. 105 Horizon Park Dr., Penn Yan, NY 14527. *Site Plan.* Applicant proposes a 2,500+/- building expansion for boiler room and trash compactor room with associated lighting, and roof downspouts connecting to existing storm sewers.

Small addition compared to KanPak's last application. Have done a fine job and have added quite a few jobs in the community.

Strickland made a motion to the Board: That under GML 239 the application as presented has no countywide impact. Sisson seconded. All in favor. Motion approved.

2021-05 Town of Torrey. Applicant, Darlene Smith. 4116 Pre-Emption Rd., Penn Yan, NY 14527. Site address: 1720 State Rte. 14, Torrey, NY. *Special Use Permit.* Applicant proposes to operate a craft brewery in the existing structure. Grab and go foods will be served and there are future plans to offer made to order foods and small events.

West of the barn will be the septic system, will not be growing hops there. This project has been reviewed and approved by soil and water. There will be a small commercial entrance added in addition to the existing entrance. Not sure if NYS approval has been given for the additional entrance. Permitted use within the district.

Sisson made a motion to the Board: That under GML 239 the application as presented has no countywide impact. Vestal seconded. All in favor. Motion approved.

2021-06 Town of Benton. Applicant, Jason Martin (Twin Pines). 1300 Route 14A, Penn Yan, NY 14527. *Special Use Permit.* Applicant proposes to replace current Ferris sign with a new programmable LED sign of the same size.

No photo of the sign provided. Removing the middle portion of the Ferris sign and replacing it with this digital sign. Not a flashing sign and it will not project onto highway. Similar to the Hall Fire Department's sign. Sign just outside of the existing right of way.

Sisson made a motion to the Board: That under GML 239 the application as presented has no countywide impact. Vestal seconded. 9 in favor and 1 abstain. Motion approved.

2021-04 Town of Torrey. Applicant, Greenidge Generation LLC. 590 Plant Rd., Dresden, NY 14441. *Site Plan.* Applicant proposes to install data processing facility and site improvements, which includes the construction of 4 structures on concrete slabs to house data networking equipment. Power for data processing will be produced on site at existing facility.

Over 140 emails have been received with many of them containing the same message: concern with the impact that the power plant will have on the lake (water quality, fish, etc.). The power plant is regulated by NYS & the DEC. The town of Torrey would have referred this project to the county because of the parcels proximity to Route 14, not necessarily the location of the proposed buildings. The application is strictly for the 4 server buildings. The application will have to go back to the town for further action no matter what the recommendation is. The existing power plant according to the DEC is permitted to generate power based on the capacity of the permit that was issued. A motion was made and seconded to table this application until some of the concerns were answered. A noise study was completed and included with the application. The studies will be completed along the timeline that the DEC mandates.

The seconded for the first motion was withdrawn because it is uncertain if the concerns will be addressed. Another motion was put forward that the application be denied. The board is just to decide if the 4 structures presented in the application will have an impact on the county. Another motion was made that the application would not have an impact on the county. Both motions were seconded, but the motion for denial came first.

A few public comments/concerns summarized:

Plant has full permits to operate at full capacity 24 hours a day 365 days a year. This will not cause an increase or modify the existing permits. The only change would be that none of the power generated would be pushed out into the grid; it would all be utilized on site.

It was recommended that the referral be rejected by the county and sent back to the town. The procedure of GML 239 is in question.

The increased temperature of the water is a concern as it may create a hot spot for HAB (harmful algae blooms). There is a lack of fish screens, which is another threat to the lake. Greenidge will submit their thermal and environmental impact studies in 2022. Concern was voiced about the ash by product from burning.

The use of the bitcoin money should be taken into consideration.

The thermal study parameters have just been approved by the DEC and the study has been scheduled. The fish water screens have been under way. The final plans for the screens will be submitted to the DEC for approval. No studies will be conducted outside of the existing permits.

Plans for the fish screens were asked to be withheld from the community because of terrorist problems. It is a confidential security matter, however, the people who live near there can see the intakes. Saying something is within the DEC permits does not mean it will not have an environmental impact.

There always is a potential environmental impact.

Vestal made a motion to the Board: That under GML 239 the application as presented be denied. Schiesser seconded. 5 in favor, 1 abstain, and 1 absent. Motion approved.

COMMUNICATIONS: None

OLD BUSINESS: None

MEMBER REPORTS: None

NEW BUSINESS: Resolution 492-20 passed, extending Sisson's membership for another term.

ELECTION OF NEW BOARD OFFICERS:

Bob Schiesser was elected as Chair via a motion put forward by Vestal, seconded by Sisson. All in favor. Caryl Sutterby was elected as Vice Chair via motion put forward by Vestal, seconded by Danielson. All in favor.

ADJOURNMENT: Moberg made the motion to adjourn the meeting at 9:06 p.m. Sisson seconded. All in favor. Meeting was adjourned.