

**TOWN OF ULYSSES
PLANNING BOARD
MINUTES
05/20/14**

APPROVED 6/17/14

Present: Acting Chairperson John Wertis, **Board Members:** Sarah Adams, David Blake, Brian Cutler, Richard Garner, Andy Rice, **Environmental Planner:** Darby Kiley, **Town Board Member:** Rich Goldman

Excused: Rod Hawkes, Rebecca Schneider

Applicant: Jim Proctor, Scott Nostrand (B&L)

Call to Order:

Mr. Wertis called the meeting to order at 7:00pm. He stated Mr. Blake would be serving as the alternate and voting in place of Ms. Schneider.

Agenda:

Mr. Hawkes asked for changes to the agenda; none offered.

Minutes:

Not available

Privilege of the Floor:

No member of the public present

Town Board:

Mr. Goldman reported the Town Board is keenly interested in the development of this application.

Cayuga Compost Site Plan

Mr. Wertis stated this is a continuation of the Cayuga Compost site plan. The Board put together items to review based on their questions and concerns. They have to take action by June 17th; this is a negotiated date with the applicant. They have another meeting scheduled June 3rd to further discuss. The members visited onsite and found some surprises maybe they should not have been but were. They noted surface water runoff; channeled leachate had been compromised on the site. The pattern of runoff had water flowing into an astute hole (scour from running water) tiles noted further away.

Underground water movement was noted. Comments from the Board were shocked and disturbed, something wrong with the original plan, management and inspection were lacking. Distrust from not getting the whole picture; additional water testing done. He empowered the members to draft letters with their concerns to the DEC. A letter was drafted and sent to DEC, a second letter was sent to Cornell Waste Management

requesting they provide or identify an expert in compost/SSOW. The letter was sent to DEC, B&L, CC, and Barb Eckstrom (Tompkins County Solid Waste). To date they have not received a response from the DEC. May 22nd is the closing date for public comment for the DEC. If they use a consultant it would be for an advisory role and not at our expense.

He stated they had received correspondence from Mr. McBride at Cornell; he advised he is not the person to speak with. They should speak to Jean Bonhotal the Director of Waste Management Institute. Barb Eckstrom corresponded with them and while discussing the site visit and concerns also mentioned Ms. Bonhotal. Ms. Kiley spoke to Ms. Bonhotal regarding questions to DEC; she stated she would be comfortable answering these questions for the Board. She could not attend tonight's meeting as she would be out of Town at a conference. It was discovered Ms. Eckstrom would be at the same conference; suggested a conference call with this Board and the two woman tonight. They agreed and have scheduled this call for 7:45pm. He provided the background information on Ms. Bonhotal; Ms. Eckstrom controls the purse strings for this project; he felt including her would be beneficial to express the Board's concerns.

The call was made and the parties were advised this was being recorded and part of a public meeting. They were accepting of this being recorded and documented.

Ms. Eckstrom advised the group Ms. Bonhotal is the consultant for Waste Management for the County. She served as an advisor for this project. She felt Ms. Bonhotal could work independently and trusted her to work directly with the Town as a consultant. She had seen the letter directed to DEC and spoke to B&L with her responses. B&L incorporated her responses in their letter to the Board. She stated the County is prepared to fund this project and assured the Board Quality Assurance is a high priority. They have a contract for the DEC to provide ongoing monitoring and testing on the site. She agreed the DEC had not kept up with visits. The new application will have new requirements in place to be followed. County has the contract and the permit will be conditioned these requirements be continually met. Ms. Bonhotal could be an independent voice for the Town.

Ms. Bonhotal acknowledged she would remain independent in her reviews and suggestions for the Town. She stated Cayuga Compost is processing correctly; the mix is properly done; the Carbon and Nitrogen work together to create steam vs. leachate. This also kills the pathogens. She has used this method to compost most everything e.g. dead animals, food waste. The leachate from compost is not a pollutant. The manure used is under 10% of the total volume. The manure is stockpiled briefly in a contained area; thus not an impact to the site. The tiles are not within the compost pad area. The tiles are further down in the field. They have looked at aerial drainage patterns to determine this. The pad is not releasing water into the field. She noted they are using the 2 to 3" rain events when reviewing these plans. The organic windrows are long and narrow, the piles are hot thus hard to wet. The rainfall hitting the pad does not absorb into the piles but is caught in a runoff swale. She stated this process does work in winter or summer as well. She stated Cornell uses a similar system; they are within a close proximity to a Class 1 stream. They have 2 leachate collection ponds with a berm around the pad. At the bottom

of the hill the water goes around this and into the stream. They test regularly and have had not impact on this stream. The collection pond water has been used to irrigate fields around Cornell. They use a cloth and gravel pad, they removed the topsoil and dug 12" to 18" and layered with gravel over the cloth. The cloth acts as a scrubby. It is a good hard surface for the compost.

Ms. Adams questioned the law that if they take no action if is an automatic approval in the zoning. She questioned how they could determine where the tiles are. She has concerns with Ms. Eckstrom being an advocate for Ms. Bonhotal. She discussed the 1" rain events being used as standards for the DEC. The climate changes include 2 to 3" events happening more frequently in this area. She questioned the pad at Cornell and what it is composed off. She stated after the site visit they realized the system was not working property. These concerns are addressed in the application; however, it is apparent site monitoring had not been done. Much larger facility is a big concern. She questioned the change made by B&L; would this constitute a new timeline. She stated in a perfect world she would prefer they not have an alliance with the County as an advisor for the Town; however, understands time constraints. She would request Ms. Bonhotal review the changes made to the plan by B&L.

Ms. Kiley noted the applicants had discussed the failed system and mitigation in the Executive Summary that was distributed prior to the January meeting. It was the 10 to 20 page document distributed. She spoke to Jim Gruppe (DEC) who stated they would have their comments to us by the 1st part of next week. She stated this is not a substantial change thus the timeline is intact with the 1 day extension to June 17th.

Mr. Cutler stated he could not get to the site visit. He cannot make meeting earlier than 7pm. He questioned if the testing was adequate as well as how they get testing done on the water. He felt an evaluation on this project is helpful as this is over this Board's heads. He asked if the SWPP and engineer report had been sent to Ms. Bonhotal. He read an article that stated the DEC is not monitoring sites like these. He would like to have site visits and testing done in lieu of the DEC. Additional quality assurance measures after the site is opened. He understands they do testing every 7 days while construction is happening. He appreciated Ms. Bonhotal suggesting this be done and at the County's expense; would they have input into this process. He questioned the increase in truck traffic; he noted mud tracking at the site visit, has this been addressed. There are also diesel tanks near a stream course. Is this good practice management. He suggested they go through the checklist prior to the June 3rd meeting to determine all items have been received.

Mr. Blake agreed an exploratory phone call to Ms. Bonhotal would be beneficial. He questioned a timeline change based on the changes to the plan. He suggested questions be sent to Ms. Kiley for presentation to Ms. Bonhotal; invite her to the June 3rd meeting.

Mr. Nostrand stated the DEC had come onsite Friday during the heavy rainstorm. They did take samples; as did CSI at the same time. These samples are not back yet. He is working on the SWPPP as a result of the last meeting. He will also provide an erosion

and sediment plan; it is not required but is drafting per Ms. Kiley's request. Mr. Nostrand provided details on changes he is making; level spreader over a wide area vs. channelized release. Due to failure of the 2009 system; they have embellished the changes even more. He will provide details at the June 3rd meeting. They will mitigate the drain tile issue as well as design for the 2" rainfall events. The system is being designed using the worst case scenarios.

Mr. Goldman questioned the Board if they ran out of time to obtain information what would they do.

Mr. Rice stated they would like to have this site be a model for other municipalities to visit.

Mr. Proctor stated the DEC was onsite for an inspection on Friday; again, no citations were issued. He stated the DEC has used his site as a model several times. He has had buses come from Albany County and other parts of the state to look and speak to him.

Resolution on Cayuga Compost Site Plan Review Status

Resolved that at this point in the Ulysses Planning Board's site plan review of the proposed expansion of the Cayuga Compost operation, and after review and discussion of the B&L Engineering report (11/13), the B&L prepared SWPPP (3/14), the DEC "Notice of Complete Application" (5/2/14), and a site visit (5/6/14), we find and agree on the following:

For the project to move forward with any form of Ulysses Planning Board approval would require the satisfaction of the following conditions (but not specifically limited to these conditions):

1. That we receive an evaluation from an independent authority on composting and water management relative to the efficacy of the proposed SWPPP and Engineering Report for the expanded Cayuga Compost operation (moved by Wertis, seconded by Blake, all members voted in favor);
2. That a plan for testing water leaving the site be developed for our approval by a consulting "expert" and implemented by an independent testing organization (moved by Wertis, seconded by Blake, all members voted in favor);
3. That a plan for on-site, regular inspections of the composting operation be developed for our approval by a consulting authority (that goes above and beyond the current requirements of the DEC) and that such a plan be managed by an independent organization (moved by Wertis, seconded by Adams, all members voted in favor).

Mr. Wertis adjourned the meeting at 9:50.

Respectfully submitted,

Robin Carlisle Peck
Administrative Assistant

