

**TOWN OF ULYSSES  
PLANNING BOARD  
MINUTES  
06/03/14**

***APPROVED 6/17/14***

**Present:** Acting Chairperson John Wertis, **Board Members:** Sarah Adams, David Blake, Brian Cutler, Richard Garner, Andy Rice, Rebecca Schneider; **Environmental Planner:** Darby Kiley, **Town Board Member:** Rich Goldman, Nancy Zahler, **Tompkins County:** Barbara Eckstrom, **Cornell Waste Management Institute:** Jean Bonhotal

**Excused:** Rod Hawkes

**Applicants:** Lance Gates, William Proctor, Scott Nostrand (B&L)

**Call to Order:**

Mr. Wertis called the meeting to order at 7:00pm; he did role call and stated Mr. Blake would be serving as the alternate and voting in place of Mr. Hawkes

**Agenda:**

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

**Minutes:**

Mr. Wertis presented the past minutes; Ms. Adams stated she would like to have these reviewed at the end of the meeting due to the minutes needing clarification. Ms. Adams MADE the MOTION, Mr. Wertis SECONDED the MOTION to table the minutes until the end of the meeting. The vote was UNANIMOUS, minutes tabled.

**Privilege of the Floor:**

Several members stated they were in attendance to hear about the subdivision proposed.

**Town Board:**

Mr. Goldman reported the Town Board had no comments. He asked Ms. Kiley to talk about the rezoning. Ms. Kiley stated a Public Hearing is scheduled for June 10<sup>th</sup> regarding the residential lots in the Light Industrial District. The Town Board is proposing to change the zoning map so the residential parcels are zoned Residential 2. Long term they will review the Light Industrial for uses and zoning changes.

**Major Subdivision Appeal for Krums Corners Road**

Mr. Wertis stated the first item on the agenda is a review of the subdivision, it had a minor subdivision approved in 2012; this subdivision of 3 parcels classifies it as a major subdivision. Ms. Kiley and Ms. Thomas conferred with the Town attorney regarding procedures and checklist for this site. He noted the checklist prepared and distributed by Ms. Kiley. He noted previous to any subdivision this had been one lot; the purple

outlined lot had been part of this originally. He stated they could not take further action tonight. He proposed the members consider June 17<sup>th</sup> meeting for Public Hearing. He stated they would need to have the information back from the County Highway regarding the proposed culvert. He stated the public hearing would include additional neighbors being notified; the four on the Ag Data Statement are only farming operations. He stated he appreciated Ms. Kiley's work; after extensive legal counseling she prepared the checklist. He stated they can only govern with the zoning they have in front of them.

Ms. Schneider stated the major subdivision regulations came after discussion of salami tactics dividing lots. She stated parcel A would have to have a driveway across the stream she believes they cannot develop within 25 feet of the stream. She stated she has concerns regarding approving this; this could add 4 additional lots for residential use. She stated she feels like they are being pressured to rubber stamp these subdivisions. She understands this is an acceptable use for the agricultural district. She still has concerns with this subdivision. She would not want this on the agenda for the June 17<sup>th</sup> meeting as they will be dealing with Cayuga Compost. She stated she loves working with this group; whereas she represents the interest of the Town; she feels some members are representing the applicants in granting these approvals.

Ms. Adams appreciated the background; she asked for clarification on the map for Parcel A North and Parcel A South. She asked where access to each parcel would be; she asked how close the driveway on the flag lot B would be to the neighbor. She also asked why there is not a house shown on the lot. She is in agreement with Ms. Schneider in feeling they would be rubber stamping vs. going through the procedure as outlined in zoning. She also stated they could not review at the June 17<sup>th</sup> meeting.

Mr. Cutler asked if there was a house on the triangular parcel. He inquired if this meeting is considered the public hearing.

Mr. Cutler MADE the MOTION, Mr. Blake SECONDED the MOTION to hold the Public Hearing for the major subdivision on July 1<sup>st</sup>.

Vote:

Ms. Adams AYE

Mr. Blake AYE

Mr. Cutler AYE

Mr. Garner AYE

Mr. Rice AYE

Ms. Schneider AYE

Mr. Wertis NAY

MOTION APPROVED.

Ms. Kiley read the zoning that indicated structures could not be within 25 feet of a stream; the driveway can go across the stream with a culvert. This parcel is what the Ag Plan would like to have. The lots are being divided for Ag uses. She noted when reviewing this project there is not a need for utilities; many of these items would not pertain to this project.

Mr. Gates indicated on the parcel map where the driveway would be. The driveway would be 150 feet from the neighboring lot in question. It would cross the culvert and go straight back. He has to cross the creek; Dave Thompson (the previous owner) drove through the creek with his equipment. He cannot do that as he does not have the same type of equipment. In addition, he does not want to drive through the creek; he does not feel comfortable doing that.

Mr. Rice stated he drove down the road and noted many residences; the sheet provided only noted 4 neighbors.

Mr. Garner agreed with Mr. Wertis' statement they could not take further action tonight; he asked what would happen next.

### **Cayuga Compost Site Plan**

Mr. Wertis stated this is a continuation of the CC site plan. He asked Ms. Eckstrom, Ms. Bonhotal, Mr. Proctor and Mr. Nostrand to join the group at the table. He introduced Ms. Bonhotal as a recognized authority on organic composting. He stated he would appreciate her input as to the "badness" of runoff for this project. He has a thick folder of printouts from DEC related this type of business but it has not helped him. He asked if she was familiar with this application.

Ms. Bonhotal stated she is familiar with the Cayuga Compost application; she was a consultant for this project. She has served as a technical assistant to composting food waster, organic matter, manure, etc. The new definition includes if it is dead it should be managed as compost. She consults mostly in NY; but has done around the US as well as worldwide. She stated if done correctly compost should not have any "badness" to it. The compost is the opposite of storing silage, where you use the cold and compress the oxygen. With compost you pile and create thermal heat to create the organic compost. The windrows can be 12 to 13 feet across but not usually higher than 8 to 10 feet high. The heat from the pile kills weed seeds and pathogens. The steam heat rises and drives moisture off the pile. In dry climates they sometimes have to wet the piles. During a rainstorm the water runs off due to the heat. The leachate coming off is not a pollutant.

Mr. Wertis asked about the stock material.

Ms. Bonhotal stated stock material can be challenging; the biggest concern is heavy material. This operation uses horse manure; this does not contain the metals common in dairy manure. Human waste is higher in biohazards than what is being used onsite. Compost vs. manure over a field - the compost will not leave the field manure does. She has implemented road kill using wood chips and tested the results. The wood chips were more contaminated with pathogens than the road kill. We all use these chips for our gardens, playgrounds, etc. and there are pathogens in these chips.

Mr. Cutler questioned the copper sulfate and asked if she had been on this site recently.

Ms. Bonhotal confirmed the horse manure does not have the copper sulfates; she confirmed she had been onsite and had witnessed what this group had. She provided an aerial view of the current and designated the construction SWPPP for this site. She noted construction and post construction SWPPP would be done. The filter strip system has been developed for fields to take on moisture with great success.

Mr. Cutler noticed runoff and the soil is clay that does not absorb; does runoff go into the stream.

Ms. Bonhotal stated testing had been done she asked if the results were back.

Mr. Wertis noted the Board with the narrative he had drafted based on testing from CSI done at CC. E. Coli, phosphorus, nitrites and nitrates were tested April 21 after it was dry then again on May 14 after a heavy rain event. He is not really sure what the results mean.

Ms. Bonhotal stated it is hard to read these results as normal testing is done in triplicate.

Mr. Wertis stated he is somewhat uncomfortable moving forward without regular testing information on basic turned compost.

Ms. Bonhotal stated the lagoons at Cornell are pumped out yearly and spread over the fields. They do a lot of composting of manure, food waste, horse bedding, and the from the veterinarians. If a test is found to be irregular the practice stops.

Ms. Schneider stated they are increasing threefold yet the windrows number are the same.

Ms. Bonhotal stated that the loader vs. turning system will increase the amount they can handle without increasing the amount of area needed for windrows. In addition, the finished product is currently stored on the pads. The finished compost will move to the building thus additional space is available. Dry compost is a sponge. Moving this to a dry area is a better management plan.

Ms. Adams stated her appreciation of Ms. Bonhotal answering their concerns. She still has questions regarding the tiling; this issue was discovered during the site visit. The issue came out of nowhere and had not been addressed by the DEC or earlier permitting, how was this not brought up.

Ms. Bonhotal admitted this caught her off guard as well.

Mr. Proctor stated the tiles are 300 to 400 feet from the compost area.

Ms. Bonhotal agreed with this and provided the aerial photo that indicated the compost is not draining toward the tiles.

Ms. Schneider stated she saw issues onsite and a letter was sent to the DEC discussing the issues the board had observed.

Ms. Eckstrom stated this is a different situation; the County has a contract with Mr. Proctor.

Ms. Bonhotal stated the new plans will address and correct the runoff. This site had never been a problem.

Ms. Eckstrom stated the County will monitor for quality control. She asked Mr. Nostrand to present the revisions for the SWPPP.

Mr. Nostrand provided detailed maps and diagrams and reviewed with the members. He stated the testing B&L somehow got configured incorrectly which invalidated the coliform testing. They should have the results next week. He stated the chart Mr. Wertis provided had similar results. It indicated wastewater is not being dumped into the streams. He drafted the revision using the worst case scenarios; heavy spring rains, frozen ground.

A lengthy discussion among the members, Mr. Nostrand, Ms. Eckstrom, and Ms. Bonhotal was held.

Using compost filtration basins also is an additional layer of protection and a great use of the compost. Ms. Bonhotal advised Mr. Nostrand to incorporate and designate areas to include.

Ms. Eckstrom stated they would meet as a group on Thursday to review the SWPPP; incorporate and make additional changes. In addition, they would draft a quality assurance and quality control plan for this site. She reassured the group this would be maintained and monitored for quality control by the County. They have money to be invested and this is a County project. There is \$200,000 worth of equipment earmarked for this site; however the equipment could go elsewhere. This needs to be presented for July 1<sup>st</sup>. They will prepare a draft and are willing to work with the Town to add QA/QC measures as desired.

Ms. Schneider stated she is risk adverse; this project places wastewater on the edge of Taughannock Creek. The area depends on this for tourism—they come to swim, fish, and what impact will this have if we allow pollutants to enter the stream. We are the people that would have let that happen. She wants to ensure all measures of QA/QC have been implemented. She would not have picked this site for the compost and feels they have to be sure this will be ok.

Ms. Bonhotal stated they have done this at Cornell for years. Cornell has lots of land yet they put this near residential trailers, near a Class 1 stream at the bottom of the hill. The system had not failed; they have bermed as they are proposing here so all runoff goes around the site. Any runoff is filtered and put into lagoons; these are tested. If a problem

is noted; it is mitigated. The lagoons are eventually used as irrigation on hay fields at Cornell.

Ms. Adams asked why the compost site was placed where it is.

Mr. Proctor stated it is his land and had to be 500 feet from his house; this is where he chose to locate it.

The permitting process was discussed, the DEC and County are involved. Ms Eckstrom stated the County has not been involved prior to this but with the contract will be able to monitor. They do not have a formal system of fines/notices but could pull the contract. This is where the QA/QC comes into play; Ms. Bonhotal has stated she would be willing to be an independent advisor for the Town.

Mr. Cutler questioned the other buildings on the site; the columns that are present due to construction being stopped. They should take this opportunity to clean up the site. He was driving by and a cloud of dust flew as a result of the trucks.

Mr. Wertis stated they can deal with what is put before them. The columns are not a structure; the neighbors came and spoke with no concern for the dust.

Ms. Kiley stated she had received an email from Jim Gruppe/DEC. He stated he had received the letter from this Board; the new SWPPP provided is more protective than the previous approved thus felt this site would provide no negative impact.

Mr. Cutler questions the Tyvek roof; the maintenance on this site has not been very good. Why would they let a temporary roof on a structure with this history. It would be dilapidated within 10 years.

Mr. Wertis stated they cannot zone on assumptions. It was noted the building would be owned by the County thus maintenance is on them. Unfortunately, there are no standards to measure against. The only violation that may incur is the decibel level when running the drum.

Mr. Rice stated they should encourage the applicant to maintain the area; keep it "spiffy" as to be a showcase to other parties. When people visit onsite and see slime in pools, etc it does not look good.

Mr. Nostrand stated Mr. Proctor has come a long way since he first met; he lost the manager of the site and took on the operation himself. The more hands on the more it seems he is eager to process and improve the site. The County contract has been a great partnership for him and helping him to increase operations to provide a showcase site.

Mr. Wertis adjourned the meeting at 9:50.

Respectfully submitted,

Robin Carlisle Peck  
Administrative Assistant