MINUTES
LEWIS COUNTY PLANNING BOARD
May 21, 2020

(1) Call to Order: Chairman Petersen called the regular meeting of the Lewis County Planning Board to order at 2:30 PM remotely, via Zoom. Roll call was requested by Mr. Petersen.


(3) Reading and Approval of Minutes: The draft April 16, 2020 meeting minutes were received. Mr. Rosiczkowski motioned to approve the minutes; Mr. Shaw seconded the motion, which carried unanimously.

(4) Correspondence and Communication: Ms. Buell reviewed a noticed received by the Planning Department since the last County Planning Board Meeting.
   ▪ Geronimo Energy – Soft Maple Solar Project
     o Ms. Buell gave a brief overview of the proposed solar development and shared a map of the proposed project area with the Board. Mr. Shaw suggested reaching out to Town of Croghan officials to see if they need any guidance on the Article 10 process. Ms. Buell offered to reach out to Town of Croghan officials to offer said guidance.

(5) Report of Officers: None

(6) Report of Special Committees:

   239-M Review

Ms. Buell read the following review to the Board:

TOWN OF MARTINSBURG PLANNING BOARD
Special Use Permit and Site Plan Review for the construction of manure anaerobic digesters, gas collection and processing with gas delivery to existing gas lines to be located on East Martinsburg Road in the Town of Martinsburg.
Tax Map Numbers: 228.00-01-28.120 and 244.00-01-03.200
Dairy RNG NY – Applicant

The applicant provided the following Project Documentation: 1) SEQR Short Environmental Assessment Form (SEAF) with EAF Mapper Summary; 2) Agricultural Statement; and 3) Preliminary Site Plan.

The applicant submitted site plans that include the construction of two (2) 120’ wide digesters, one (1) future 120’ wide digester, digester feed lines, digestate return lines, gas interconnect system, one (1) 120’x60’ gas unloading pad, one (1) upgrading pad, one (1) 20’x20’ feed tank (26,000 gallons), and one (1) 20’x20’ digestate tank (26,000 gallons). The third digester will be installed based on capacity needs. Each digester tank will be 20’-24’ tall. An access/manure line easement (1.3 acres) and pipeline easement (.33 acres), both through Marks Farms, were also included on the site plan.
According to the submitted Special Use Permit Application, the applicant has identified the following permits required for the action: CAFO update, SPDES for construction activities (in process), NYSDEC air permits and County Road Crossing. Gas produced will be directly sent to the NYSEG line and according to the RNG Project Manager, they estimate producing 68,000 MMBtu each year at this facility. The anticipated start date of construction is set for September 2020.

- **Compatibility with Adjacent Uses:**
  The zoning for this area is identified as A (Agricultural) and the proposed action is located on parcels owned by Marks Farms Realty, LLC (an active farm) within Ag District 6. According to the submitted Agricultural Data Statement, the only farm operation within 250 feet of the proposed project parcel is Marks Farms, the land lessor. The proposed action is compatible with adjacent uses.

  The proposed facility complies with the intent of Article IV, § 240-14 of the Town of Martinsburg allowed use. The proposed use also meets the general interpretation of the County Comprehensive Plan, specifically, Chapter 3, Page 60, § Opportunities/Alternative Energy.

- **Traffic Generation and Effect:**
  Egress and ingress to the digester facility will be located, through an easement, on the existing East Martinsburg Road driveway. According to the submitted SEAF, the applicant has determined that the proposed action will not result in a substantial increase in traffic above present levels. According to the RNG Project Manager, the Lewis County Highway Department has been contacted regarding the crossing of County Route 22 (East Martinsburg Road). Further discussions are planned to decide how the manure lines will be installed when crossing the road.

  While the proposed facility will have remote access/management capabilities, there will be a site manager visiting the facility once a day. It should be noted the proposed anaerobic digester installation will generate minor traffic associated with its initial construction.

  Future traffic levels to the facility are estimated at 2-3 trucks/week for gas delivery from planned off-site anaerobic digestors.

- **Protection of Community Character:**
  As noted on page 2, Part 1 of the submitted SEAF, the applicant has identified that the proposed action is not located in nor does it adjoin a state listed Critical Environmental Area and, according to the SEAF, is consistent with the predominant character of the existing built or natural landscape.

  According to the submitted SEAF, the applicant identified that the proposed project site is located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological inventory. After further review on CRIS, Cultural Resource Information System, there is an Archaeology Survey (#03SR55310) for phase 1 cultural resources for the Flat Rock Wind Power 230 kV transmission line that runs through the southern proposed project parcel. Additionally, the proposed project site has been identified as an open consultation project (#20PR02669) for the referral project.
• **Signage:**
  No signage was included on the submitted referral; however, emergency contact information should be posted at the facility entrance for 911 services. If signs were to be installed, compliance with Article V §240-23 is necessary.

• **Drainage:**
  According to the submitted SEAF, the proposed action is not located within the 100-year flood plain and will not physically alter, or encroach into, any existing wetland or waterbody. The applicant has identified that NYS DEC mapped wetland L-17 is adjacent to the project; however, no impact to this wetland or other adjacent Federal wetlands are anticipated. Additionally, according to the submitted SEAF, there will be 6 acres of ground disturbance. Any land disturbances over 1 acre in size requires compliance with NYS DEC regulations and, according to the submission, they are aware of the required SPDES permit.

• **Parking:**
  No definitive parking areas are proposed; however, the proposed access road leads to a loop driveway, complete with 29’11”x30’ turnaround location that can be utilized for minimal parking necessities.

• **Community Facilities:**
  The applicant notes that the project does not require water or sewer service; however, the proposed project will produce gas and, according to the project engineers, will tie into the NYSEG gas line that runs along NY Route 12.

• **Lighting:**
  Outdoor lighting details were not included in the submission. After speaking with the RNG project manager, security lighting will be installed as needed.

• **Landscaping and Screening:**
  The applicant has not yet proposed any landscaping or screening for the proposed action. Any proposed fencing or buffering should be approved by the Town of Martinsburg prior to installation.

**Recommendation: Approve with the following conditions**

1. Emergency contact information should be posted at the facility entrance for 911 services. If signs were to be installed, compliance with Article V §240-23 is necessary.

2. Any proposed fencing or buffering should be approved by the Town of Martinsburg prior to installation.

3. Compliance with all Local, State and Federal regulatory requirements for this type of facility and the products stored.

Several Board Members posed questions regarding the anticipated taxes, digestate composition, useful life, and line pressure. Representatives from Rev Energy were available via Zoom to answer the questions posed. Mr. Gleason explained that the digestate would return to Marks Farms as a liquid fertilizer, the line pressure will be 124 PSI and no compressor station is required, taxes will be paid as assessed, and each concrete digester is expected to last at least 20 years with periodic maintenance. He went on to explain that many farm-owned digesters struggle with the funding necessary to properly operate and maintain anaerobic digesters.
For this reason, it is much more feasible for a developer to own, operate and maintain these types of systems. With no further questions, Mr. Lehman made a motion to approve the application with the above recommendations; Mr. Petersen seconded the motion, which carried unanimously.

(7) **Report of County Planner:**
Ms. Buell read the following responses from municipalities regarding previously submitted/reviewed projects:
- Site Plan Review – DMK Development (Tractor Supply) – Town of Denmark Planning Board – Approved
- Zoning Text Amendment Re: Campground Regulations – Town of Watson Town Board - Approved

(8) **Unfinished Business:** Ms. Buell updated the group on the Village of Copenhagen’s Dollar General project. After speaking with the Village of Copenhagen Clerk, Mrs. Buell reported that it seems as though the project is held up with NYS DOT.

(9) **New Business:** Mr. Rosiczkowski asked Ms. Buell if she knew of any new projects on the horizon. Ms. Buell reported that she expects a referral for a solar project in the Town of Lowville in the coming months.

(10) **Adjournment:** There being no other business, a motion to adjourn the meeting was made by Mr. Lehman, seconded by Mr. Petersen, which carried unanimously. Ms. Buell adjourned the meeting at 3:14 PM.

Respectfully submitted,

Casandra Buell
Interim Director of Planning