

Minutes June 19, 2008

Town of Corinth Planning Board

Meeting called to Order 7:03pm
Pledge of Allegiance

Eric Butler, Chairman
Edwin Eggleston, Vice-Chairman-Excused
Louise Reed
Althea Rivette
Joan Beckwith
Attorney Pozefsky
Fred Mann, Building Inspector
Cheri Sullivan, Secretary

Public Present:

Sigrid Koch, Arleen Springer, Crawl, Bill Beers, Palette Stone Co. Pres., Stephen Griffin, Palette Stone Co., Jeff Lang; Griggs and Lang, Shawn Eggleston, Jim Hamm, Michelle Wyman, Jay Whitcomb, Dan Curley, Krista Anders, Carolyn & Terrance Eggleston, Wade DeMarsh

After Roll Call and the Pledge of Allegiance the following business was conducted:

*MOTION TO APPROVE MINUTES FROM MAY15, 2008.

Motion~ Joan Beckwith
Seconded~ Althea Rivette
Polled as follows:
Butler- Yes, Rivette- Yes, Beckwith- Yes, Reed- Yes

Public Hearings:

1. **Palette Stone-** Public Hearing on Special Use Permit for Mining. **Tax Map ID# 98. -2-7.** Property is located at 36 Miner Road in South Corinth. It is not in the Adirondack Park. It is not within 500ft of the Greenfield Town line. The applicant is proposing the mining of sand on a

separate parcel as an additional reserve for the future. There is 42.8 acres of land with 800 ft of road frontage. Mr. Beers spoke on behalf of Palette Stone and said there had been some confusion about the whole process at the last meeting. Attorney Pozefsky had contacted him and said that Palette Stone needed to go to DEC first. Mr. Beers said they chose to still have the public hearing because they wanted to hear from the surrounding community in regards to the mining operation and address any issues that may come up in the future now.

Mr. Beers said the expansion is essentially for reserves. Mr. Beers and his associate Mr. Lang showed the planning board the maps of the mining area. One map was of the parcels they owned and highlighted in yellow was the area that they are currently working at. The other map was of their reclamation plan. Mr. Beers explained the reclamation process and explained, that DEC holds the reclamation bond and they will not release the bond until DEC is satisfied that the land involved is truly reclaimed. Mr. Beers explained to the public present that the only area of the current parcel that is in reclamation is the top northerly section. Mr. Lang said that New York State reclamation fee has risen to \$5,000.00 per acre.

Mr. Lang said they planned to leave a ridge of additional screening on the lot behind the old homestead, which will provide additional acoustic screening. Mr. Lang said the current plant would remain where it is on the original site, and there would be no additional roadways in or out to access the new proposed site.

Mr. Beers said they have already started the beautification process at the roadway entrance, which was requested at last months meeting. Mr. Lang said there would be no change in the excavation level. Mr. Lang said currently they are excavating at 5 five feet above the seasonal high water table. Mr. Beers said they were not sure if they were going to keep the original homestead or not. Board member Reed asked if there were any wetlands on the additional proposed property. Mr. Beers said there was not.

Attorney Pozefsky said he wanted to bring the planning board and audience present up to date. Mr. Pozefsky said this use is permitted in this zone, therefore what Palette Stone needs from the Town is a special use permit. The proper sequence of events is for Palette to go to DEC first to get a state

permit. Attorney Pozefsky said that after tonight, the special permit application for the Town will be on hold until the Town hears back from the state regarding whether or not the State wants to be lead agency. Attorney Pozefsky said the State would more than likely is Lead Agency because they will be doing a thorough review and analysis of the environmental impacts of this proposed project. Attorney Pozefsky said there would be an opportunity throughout that process for the Town to be involved with input and attend hearings. Attorney Pozefsky said that once the SEQR determination is made then the applicant will return to the Town Planning Board and they will continue the public hearing and review the special use permit.

Secretary Sullivan read into record the Public Hearing notice.

There were some general questions asked by the Planning Board members and the public present. It was asked if the amount of truck traffic on the road would increase with the addition of this other parcel. Mr. Beers said there would not be an increase in the amount of truck traffic, that it would stay the same. It was also asked if currently, they were removing just sand or aggregate or both? Mr. Beers said they were mostly moving sand.

Mr. Whitcomb wanted to know about the spring, which is about 15-20ft below the creek. Mr. Whitcomb said if Palette used the current level of excavation; then he was concerned that they might clip the aquifer that is there. If it was clipped vertically, there is an awful lot of water and could pose serious problems. Mr. Whitcomb said he wanted Palette Stone to be aware that they would need to change the level at which excavation was occurring. Mr. Beers said Mr. Lang is the Hydrologist that is working with them. Mr. Beers also said they would be looking to find out where the water table level is located on the new parcel.

Krista Anders had multiple questions and concerns for Mr. Beers of Palette Stone and the Town Planning Board. Ms. Anders requested that there be additional hearings with DEC present, she was concerned that DEC would get lost in the process. Mr. Beers explained that DEC would be holding the hearings on the review of the mining permit and SEQR review process. Mr. Beers said DEC would notify everyone prior to the hearing. DEC will review all areas of the application from Hydrology to dust control. Ms. Anders requested clarification on the maps presented. Ms. Anders also

wanted to know about water quality in respect to turbidity and decreased elevation of the aquifer level, water pressure, etc. Ms. Anders wanted to make sure that these aspects were at least reviewed. Mr. Lang told Ms. Anders that this would be designed to have the least amount of impact on the immediate neighborhood. Ms. Anders was also concerned with another quality of life issue with respect to the noise level. Ms. Anders said currently, she hears what is going on as mostly as background noise, but she is concerned about with this new parcel. Ms. Anders wanted to know if a noise barrier wall could be put in place for noise control. Mr. Lang said that DEC would be doing a detailed noise assessment. Ms. Anders wanted to know what measures would be in place for dust suppression. Ms. Anders wanted to know what measures were being used currently. Site Project Manager Wade DeMarsh said currently they use a lot of water and grass.

Mr. Beers explained to Ms. Anders that she was welcome to stop at the site at any time, they have an open door policy, people are welcome to see what is going on at the operation. Mr. Beers continued to explain that the plant is going to stay where it is presently and that only the front-end loaders will be on the new proposed parcel. Ms. Anders also wanted to know how far away the Kayderossa creek is it from the boundary. Mr. Lang said that at approximately 300ft it is the closest. Ms. Anders wanted to know if there was any historical significance to the old homestead on the original parcel of land.

Mr. Whitcomb wanted to know what the green shading was on the maps. Mr. Lang explained that the shading represents the final slope at the end of the life of the mine. It is part of their reclamation process that has to be submitted to DEC.

***MOTION TO TABLE THE PUBLIC HEARING ON THE SPECIAL USE PERMIT UNTIL FURTHER NOTICE.**

Motion~ Joan Beckwith

Seconded~ Althea Rivette

Polled as follows:

Butler-Yes, Rivette-Yes, Beckwith-Yes, Reed-Yes

Board Member Rivette suggested to those members of the public present that if there is concern regarding future water issues, now is the time to have

a sample of their well water tested, so there is a record of what their water was like originally.

New Business:

1. Local Law#2, 2008- Attorney Pozefsky said the Planning Board had received a new local law from the Town Board regarding a Zoning Change for Nine parcels of land on Hamm Road. Attorney Pozefsky said the nine (9) parcels are currently zoned R3, which does not allow the use of mobile homes. The proposed change is to R2, which does allow the use of mobile homes. Code Enforcement Officer Mann said the setbacks between R3 zone and R2 zone are the same; the only difference being that one allows the mobile homes and the other does not. Board member Beckwith said there are currently at least 5 mobile homes on five of the nine lots. Board member Reed asked if the Planning Board had 30 days to review this Local Law. Attorney Pozefsky said typically the Planning Board has thirty days to review, however if the Planning Board members looked at the letter from the Town Clerk it is asked that the Planning Board review it tonight. Board member Rivette said she did not understand why it was zoned R3 to begin with, being that the mobile homes were already there, these parcels should have been zoned R2 to begin with. Chairman Butler said the Board members needed to make sure that they considered the surrounding area. Chairman Butler asked Code Enforcement Officer Mann if there were any negative impacts associated with this zoning change. Code Enforcement Officer Mann explained that the Hamm's had previously been before zoning for a use variance, which is extremely difficult to obtain, and were denied.

***MOTION TO RECOMMEND TO THE TOWN BOARD THAT THE ZONING ON HAMM ROAD FOR THE NINE PARCELS INDICATED BE CHANGED FROM R3 TO R2 WITH NO FURTHER RECOMMENDATIONS.**

Motion~ Joan Beckwith

Seconded~ Althea Rivette

Polled as follows:

Butler-Yes, Rivette-Yes, Beckwith-Yes, Reed-Yes

Old Business:

1. **Jeff Sandwick- Site Plan Review Application** for Property located at the corner of New York State Rout 9N and Heath Road. **Tax Map ID #86.6-1-14, 15, 16.** Property is zoned **Commercial.** – Applicant did not attend meeting.

***MOTION TO ADJOURN MEETING** ~ Joan Beckwith

SECONDED ~ Althea Rivette

ALL IN FAVOR~ Eric, Althea, Edwin, Joan

Meeting Adjourned 8:30 pm.

Respectfully Submitted

Cheri Sullivan