

Meeting Minutes March 13th, 2024

At a regular scheduled meeting of the Planning Board of the Town of Mentz held in the municipal building, located at 14 Sponable Drive, Mentz, NY 13140 at 7:00PM, following were present:

Chairman: Fred Whiting

Member: Doug Wilson

Member: Richard Burke

Member: Laura Torres

Clerk: Caitlin Bacon

Code Enforcement Officer (CEO): Jay Moose

Public Present: Polly Lyn Davies, Donna Trumble, Walt Trumble, Bill Applebee, Brenda Coleman, Al Coleman, Lori Siracusa, Thomas O'Brien, Brandon MaGill, Todd Family Farms (Jeff, Donna, Jacob), Steve Morgan, Tony Blair, Heather Mahunih, Sandra Loveless, Merlin Wenger

Chairman Whiting called the meeting to order at 7:00PM, the Pledge of Allegiance was said by all present followed by a moment of silence.

Merlin Wenger entered the Planning Board meeting at 7:03PM.

Chairman Whiting proposed a motion to accept the meeting minutes from prior Planning Board meeting, February 14th, 2024, to be approved.

After reviewing the minutes, a motion to approve meeting minutes dated February 14th, 2024, with one correction regarding a double name typo in the last motion to adjourn, was made by Member Torres.

Motion was seconded by Member Wilson.

All in favor 4-0.

CEO Moose mentioned he passed out the Cayuga County 239 Meeting Schedule, brief conversation regarding what that meant.

Chairman Whiting stated there were no new reports.

Chairman Whiting stated four letters mailed to abutting affected residents from the Solar Project on North Main Street have been returned by the Post Office.

Chairman Whiting moved to old business. Chairman Whiting stated that there will be no discussion regarding the Solar Project at this meeting. No representatives present from any agencies affiliated with the project.

Chairman Whiting moved to the transfer station project as Steve Morgan and Attorney Tom Blair were present with updated forms. Mr. Blair stated that Mr. Morgan has completed the 360 application and DEC work and was looking for the Planning Board to vote on acquiring lead agency status at tonight's meeting and start that process. Mr. Blair stated that Mr. Morgan has now completed every permit and application there is until the process is started, and most of them were not required, that he was asked to do this, even spending money with no guarantee of moving forward. Mr. Blair vocalized the process of SEQR, Site Plan Review, Special Use Permits, Public Hearings, required for the next steps. Mr. Blair stated that he has spoken to Cayuga County officials and has been encouraged to move forward and also mentioned that Steve Lynch can be present for any meetings.

Mr. Blair mentioned the status of Auburn Landfill, Seneca Meadows and next closest, Ontario landfill and the need for transfer stations as soon there will be no where to bring refuse, further stating the Mr.

Morgan is a responsible business owner and invested in bring a Class A transfer station into the community for benefit of many.

Many questions were asked of by the public, however, Mr. Blair was not prepared for a public hearing and stated he will bring the project engineer during such meetings to properly answer all questions, and also encouraged the Town Attorney Mr. Cox to also attend.

Mr. Blair again asked the Planning Board to create a resolution regarding agency status, as this project has now been over two years in the making, and this is the next step.

Chairman Whiting mentioned he has heard someone witness a Morgan truck collecting recyclables and refuse and dumping the two bins into the same truck. Mr. Morgan stated the there are some trucks on his fleet that have two compartments for such bins, and you have to climb into the hopper to see them.

Public present from Todd farms stated that most of the people present have come to discuss the Solar Farm and wanted to talk about that. Chairman Whiting again stated that it was not on the Agenda for tonight's meeting and would not be discussing it.

Todd Farms exited the Planning Board meeting at 7:33PM.

Chairman Whiting made a motion to accept lead agency status for the transfer station, presented by application, by Steve Morgan.

Motion was seconded by Member Burke.

Public Present Ms. Siracusa questioned the role of lead agency and if that was a permanent requirement as she was concerned the Planning Board was jumping into something that could not be rescinded.

An extremely long discission was had regarding what Lead Agency meant and what that process was.

Mr. Blair, the Planning Board members, and CEO Moose all vocalized the requirements.

Many comments and questions were had including a question of how to stop this project. Mr. Blair reminded the Planning Board that this project has changed locations, at the towns request, to be built in a commercial zone, permitted by the Town's Zoning Laws, and essentially, the only way to stop this is a lawsuit, that thoughts and opinions are not permitted, furthermore, Planning Board Members are required to keep their noses in the books and do their due diligence. Mr. Blair stated that he has successfully sued other municipalities for not complying with the law and letting opinions surface.

A discussion was had about the land in question changing to commercial and no one was ever notified.

CEO Moose explained the process of zoning changes.

Public present Walt Trumble exited the Planning Board meeting at 8:05PM.

Public present Mr. MaGill questioned if he had facts to stop the project, do I give them now.

CEO Moose stated that anyone can present any matter of information and facts at any time, that there's no reason to withhold information.

Public present Walt Trumble entered the Planning Board meeting at 8:08PM.

Motion to acquire lead agency regarding the transfer station project, Type 1 Action, submitted by Steve Morgan and start the required process made by Chairman Whiting.

Motion was seconded by Member Burke.

All in favor 4-0.

Mr. Blair asked the Planning Board to ensure they classify as Type 1, send paperwork required to the County, and set the Public Hearing dates, stating if they are not ready, it's ok, but Mr. Morgan has been waiting years for this.

Motion to send information to the Cayuga County for the 239 Meeting made by Chairman Whiting.
Motion was seconded by Member Torres.
All in favor 4-0.

Chairman Whiting asked the Public is there was any other business to discuss.
Mr. O'Brien stated that he had a minor subdivision request for his property on Route 31 and it was suggested to go before the board before land surveyors were required.
The Planning Board stated that he would need to go before the zoning board for a variance first.

Many members of the Public were having several side conversations regarding the transfer station and Solar Project. Chairman Whiting asked the Public if they could please cease conversation.

The planning Board stated that Mr. O'Brien needed to go to the ZBA and a SEQR application for the driveway.

Public present Bill Applebee exited the Planning Board Meeting at 8:34PM.

Chairman Whiting questioned the Planning Board if there was anything else to discuss. Nothing else to discuss.

Next scheduled Planning Board meeting is April 10th, 2024.

Motion to adjourn the regularly scheduled Planning Board Meeting on March 13th, 2024, was made by Chairman Whiting.

Motion was seconded by Member Burke.

All in favor 4-0.

Meeting Adjourned: 8:36PM

Planning Board Clerk Bacon