

Minutes of the Planning Board Meeting held by the Town of LaFayette Planning Board on April 17, 2007 in the Meeting Room of the LaFayette Commons Office Building at 2577 Route 11 in the Town of LaFayette at 7:00 PM.

Present: James Nakas, Chairman  
Richard Markoff, Member  
Barb Lasky, Member

Absent: Brad Bush, Member  
Shawn Adam, Member

Recording Secretary, Mary Jo Kelly

Others present: John Langey, Planning Board Attorney  
John Dunkle, Town Engineer  
Jim Dolan, Contractor for Tenn. Gas  
Hans Christopherson, Surveyor for Tenn. Gas.  
Phyllis Shute  
Brenda Gaffield  
Kristen & Michael McClary  
Ed Keplinger  
Maurice Nash  
Carol Reed

Chairman Nakas called the meeting to order at 7: 03 P.M. and welcomed everyone.

Chairman Nakas asked if there were any additions or corrections to the March 20, 2007 Planning Board Meeting Minutes. Chairman Nakas said on page 3 is should read Norway Spruces in place of Norwich Spruces. There were no other corrections or additions. Chairman Nakas said the minutes will stand as corrected.

**CASE # 385**

**Public Hearing for application by Tennessee Gas Pipeline Company for Controlled Site Approval for expansion of the use of their property located at 3447 Sentinel Heights Road in an Agricultural/Residential District. (Tax Map No. 025.-02-05.2).**

Chairman Nakas asked the representatives of Tennessee Gas to give a short summary of what they are proposing to do.

Hans Christopherson and Jim Dolan introduced themselves as the surveyor and contractor for the project.

Hans said basically this project is like other compressor stations throughout upstate New York used for the transporting of gas. This station is known as Compressor Station 241. They are proposing to enlarge their compressor capabilities.

Chairman Nakas asked if there are three buildings being proposed.

Hans said one large building and a couple smaller buildings.

Brenda Gaffield heard Binghamton is giving them a run for their money regarding environmental issues. Her concern is that they are on the side of a hill which is in a watershed and supplies the water for the whole area. Her mother received notification about a year ago that she should have her water tested due to a possible PCB leak from

Tennessee Gas. How do they propose to stop any possibility for further leaking of PCB's?

Hans isn't aware of any pipeline construction. They are only proposing enlarging the compressor and building.

Brenda said her mother was notified that she would be offered a certain amount of money to allow the pipeline to go through her property and if she didn't accept their offer, they would take the land.

Mike McClary said they also received this letter. He was concerned because these letters were sent out regarding eminent domain and they seemed to involve the compressor and building.

Hans said his services are restricted to the compressor station. He is not aware of any installation of a third pipeline.

John Langey said there is an application in DeWitt regarding a coal burning plant that said it will utilize some burning of natural gas. The application before this Board is not asking for any pipeline installation.

Mr. Dolan asked if it could be another company that is planning on tying into Tennessee Gas.

Phyllis Shute submitted the paperwork she has received for the Board to review.

John Langey and John Dunkle reviewed the material.

John Dunkle thinks this might be two separate actions. The people who received these notices are on Route 11 and Tennessee Gas is up on Sentinel Heights.

Brenda said the compressor station is just above their property.

John Dunkle said his understanding is the proposal before the Board is all on Tennessee Gas's property.

John Langey said this Planning Board cannot grant any approval for Tennessee Gas to go on to anyone else's property to put an additional pipeline in. This application should be based solely within the boundaries they own. He called their attorney today and asked if any additional pipeline was going in and the person assured him this application had nothing to do with the DeWitt proposal.

Chairman Nakas said this Board's approval would only be for construction within the confines of their property.

Mike McClary said the proposal before the Planning Board will not affect their land.

Brenda Gaffield said her mom received a notice of possible PCB contamination. If they are enlarging the facility, what's their guarantee it won't come down the hill into their well?

John Langey said in 1991 an amendment to this application had been approved to construct an addition to the existing compressor and he noticed at that time there was an outstanding DEC issue. There were PCB's apparently located on Tennessee Gas property.

Chairman Nakas confirmed it was the soil that was contaminated.

Brenda asked if they removed the contaminated soil.

Chairman Nakas asked if Phyllis Shute had PCB's in her well water.

Phyllis said she is taking her water to be tested tomorrow.

John Langey asked when she learned about this.

Phyllis said last year.

John Langey asked if there was any testing done at that time.

Phyllis said no.

John Langey asked how come it wasn't tested at that time.

Phyllis said she didn't know who to contact.

Mike McClary said before they purchased their property, he thinks his parents received a letter stating Tennessee Gas had taken care of the problem.

John Langey asked Mr. Dolan if he had any information on this.

Hans said the record given to him was that they were given an Order of Consent in 1997. He was asked to submit this information to the Board at the appropriate time. In 1997 El Paso did 4 components for remediation. He submitted some information on this to John Langey.

John Langey said this information looks like it's part of a larger document. His concern is that this Board doesn't know what the extent of the contamination was that they were talking about. We are talking about disturbing a significant portion of that site that may or may not have PCB's in the soil and they are asking for the Planning Board to give permission to do this. He is surprised this information is being received by the Board on the evening of the public hearing. The Board needs a better understanding of what they are approving

John Dunkle agreed with John Langey that the Board should not put themselves in a position of approving anything until there is a detailed report on the soil.

Chairman Nakas said if there were PCB's at one time and a remediation was put into effect, he would like to know the amount of PCB's before the remediation and how many PCB's after the remediation and that the DEC has given their blessing.

Maurice Nash said they would like to know how far down the hill the contamination went.

John Langey said he has been involved with cases where the DEC has closed something out but does not agree for any future disturbance of the soil.

Maurice said whatever is on their property is coming down the hill into his well. He also wants to know what other toxic chemicals are used up there.

Hans said he can put a request into their engineering department for this information.

Chairman Nakas said he would be very interested in before and after data.

John Dunkle said they note there are monitoring wells installed.

Chairman Nakas said we would like to see the data from them as well.

Hans noted they say there are several of these wells.

John Langey said the applicant needs to contact the DEC and advise them of their plans and get a letter from them stating they have no problem with this going forward.

Maurice asked how many people they have doing maintenance at the plant.

Mr. Dolan said he has no idea. He is just the contractor.

Maurice said the reason he asks is because if that place blew up, it wouldn't be very nice. He would like to know how well the maintenance at that plant is.

Chairman Nakas said it would probably be a good idea to have a local in-house representative who is at the compressor station attend the next meeting to respond to the questions asked. There are very specific questions regarding the site and it would be a good idea to have someone from the site answer them.

Carol Reed advised she lives right next to Tennessee Gas where they are proposing to put in the temporary parking lot. A couple of years ago they were asked to put another row of pine trees in because the original ones died. Her pool and patios are on that side of her house and she has a concern about the noise. She hoped they could put up some kind of privacy fencing.

Maurice said she is probably concerned about the maintenance of the plant as well.

Carol said she is concerned about that. They were living here when the plant did have a problem and she thought a jet was going off in her house. She hasn't had her water tested but knows there were some issues with the PCB's going into her ponds.

John Langey asked if the water was ever checked in the ponds.

Carol didn't know.

Chairman Nakas said he received a letter from the DEC stating they don't like the applicant's stormwater prevention plan very much. This whole thing would have to be addressed. If the DEC isn't going to be happy then obviously this Board isn't going to be happy.

Mr. Dolan said the stormwater adjustments are O.K. per a discussion he had with his supervisor.

Chairman Nakas said the SPDES form would have to be modified.

John Dunkle said obviously the DEC is checking the same things this Board is.

Carol asked if the parking lot is a temporary thing.

John Langey said the construction parking lot proposed is temporary. It will be restored to lawn or whatever it was before. John Dunkle's Office did a comment letter that he believes should also be addressed by the applicant.

Chairman Nakas noted the public hearing for this application will be continued at the next meeting and the applicant can respond to the public concerns as well as the Planning Board's.

John Langey said one of the concerns is that the building is 41' high at the peak. These folks came to the Zoning Board of Appeals and advised there are some federal regulations that might pre-empt the Zoning Board of Appeals granting a variance. He is looking into this.

**CASE # 383**

**Sketch Plan conference continued for application of Jeffrey Cohen for a 12 lot subdivision (Jamesville Grove Estates, Section II) of his property located on the west side of Route 91 approximately 1 ¼ mile south of the Route 91 and Route 173 intersection in an Agricultural/Residential District.**

**(Tax Map No.'s 001.-05-14.1 & 001.-05-14.2).**

The applicant is not ready to go forward with this application yet.

**CASE # 384**

**Sketch Plan conference continued for application of Jeffrey Cohen for a resubdivision of Lot 7 and Lot 8 of the Jamesville Grove Estates, Section I subdivision of his property located on the west side of Route 91 approximately 1 ¼ mile south of the Route 91 and**

**Route 173 intersection in an Agricultural/Residential District. (Tax Map No.'s 001.-05-14.1 & 001.-05-14.2).**

John Langey asked if the applicant isn't also adding the blue line to each of the properties along the shore.

Ed Keplinger said he is.

John Langey said they are requesting an amended final plat showing the blue lines being added to each parcel and showing the new lot line between Lot 7 and Lot 8.

Ed asked if a public hearing could be held for this at the next meeting.

The Board was in agreement with this as long as a revised map, short EAF and amended application are received in time to send this application to Onondaga County Planning.

Ed said the Health Dept. doesn't want Lot 8 called Lot 8.

John Langey asked what they want it called.

Ed said they want something on the plan.

John Langey said to call the Health Dept. and see what language they want for Lot 8 on the map.

John Dunkle would recommend the Health Dept. send a letter to the Planning Board regarding how they want Lot 8 to read. He asked if they are proposing to use Lot 8 as open space. This is a change to the original concept and may be controversial with the Jamesville folks who are concerned about amending the Zoning Ordinance to prevent lake frontage lots being used by more than just the property owner. They want to avoid the funnel affect of many lots being able to use one lot for access to the lake. This is a potentially significant change to the original discussion.

Ed said there was a 50' access easement from the beginning.

John Langey believes this was always part of the application.

John Dunkle said the Board should see whatever restrictions will be put on this property as it will be owned by the Homeowners Association.

John Langey said the covenant would say only the people residing on the 20 lots would be allowed to use Lot 8 and it would state what activities or items would be allowed on the lot, i.e. picnic tables, boats, etc.

John Dunkle said we had a meeting with the residents in that area. One resident noted the recent rain storm we had made him believe the whole system failed. John went out and checked on it. He believes the culvert under the existing road is too small and needs to be removed.

This application will be scheduled for a public hearing at the next meeting if all material is received.

**Member's Markoff moved and Lasky seconded the motion to adjourn.  
Motion passed unanimously.**

The Planning Board Meeting adjourned at 7:58 p.m.

Respectfully submitted,

Mary Jo Kelly  
Secretary

**Adopted 5/15/07**