

TOWN OF SARDINIA
PLANNING BOARD MEETING MINUTES

January 18, 2023

The Planning Board of the Town of Sardinia was scheduled for Wednesday, January 18, 2023, and was called to order at 7:00 PM by Chairman Nancy Spink.

Members Present:

Nancy Spink
Keith Reynolds
Dan Szustakowski

Absent:

Attendees

Mr. Michael Mahar, Sr. District Manager, Waste Management
Mr. David Roach, Esq., Town of Sardinia Attorney
Becky Burke, ZBA and Planning Board Secretary

Correspondence: none

Old Business:

1. Mr. Mahar from Waste Management, came before the board regarding the ongoing project at the Chaffee Landfill Facility. Waste Management had submitted updated information to support their project. The documentation consisted of:
Revised Supplement to the Special Use Permit Application (Document now reflects the facility operating hours)
Revised Site Plan Application Figure 6 (Figure now shows requested information regarding dry hydrants along Hand Road.
New Site Plan Application Figure 6A (Figure shows requested information regarding traffic Management along Hand Road)

Discussion was held regarding the latest documentation that Waste Management had submitted to the Planning Board ahead of the meeting. Nancy asked if they had received the SEQR from the DEC. Mr. Mahar stated they had not. Nancy noted that the Plans submitted lacked the stamp of a Licensed Engineer and could

not be considered final until that occurred. Mr. Mahar stated he would look into getting that stamp.

Clarification was requested as to any signage and the timing of the road closure. Mr. Mahar stated the road would only needed to be closed during the construction and there would be signage placed on the road with a signal person. Nancy asked the board for their opinion on making a proposal to the Town Board of reducing the speed limit on Hand Road, once the project had been completed. The board was amenable to having Nancy propose that change.

Nancy informed the board that as the Town of Sardinia Attorney had stated it was not possible to recommend approval for the Site Plan until Waste Management had received the SEQR from the NYS DEC, the board needed to vote to rescind the approval from the September Planning Board Meeting. As such, the Town of Sardinia Attorney, David DiMatteo, had prepared language for the resolution to rescind the Planning Board Approval of the Site Plan Application from Waste Management. As Mr. DiMatteo was traveling, David Roach, Esq. represented the Town of Sardinia in his absence. Review and discussion of the wording of the Resolution then took place. The Planning Board was asked to vote on this resolution.

**RESOLUTION OF THE PLANNING BOARD OF THE TOWN OF SARDINIA
TO RESCIND PREVIOUS SITE PLAN APPROVAL**

Adopted: January 18, 2023

The Planning Board of the Town of Sardinia met at a regular planning board meeting at the Town Hall located at 12320 Savage Road, Sardinia, New York 14134 on the 18th day of January 2023, commencing at 7:00 p.m., at which time and place the following members were:

<u>Present:</u>	Chairwoman	<u>Nancy Spink</u>
	Member	<u>Keith Reynolds</u>
	Member	<u>Dan Szustakowski</u>
	Member	_____
	Member	_____
<u>Absent:</u>	_____	_____

WHEREAS, all Board Members, having due notice of said meeting, and that pursuant to Article 7, §104 of the Public Officers Law, said meeting was open to the general public and due and proper notice of the time and place whereof was given as required by law; and

WHEREAS, on or about the 5th day of May, 2022 Cornerstone PLLC submitted an application for a site plan, special use permit, and a request for a zoning reclassification on behalf of Waste Management; and

WHEREAS, the Planning Board of the Town of Sardinia previously met at their regular meeting on September 21, 2022; and

WHEREAS, during said planning board meeting on September 21, 2022, the Planning Board had voted to approve of Waste Management's site plan; and

WHEREAS, the minutes from the October 19, 2022 Planning Board meeting reflect that further approval is required from the Department of Environmental Conservation (DEC) prior to the Planning Board being eligible to approve the proposed site plan; and

WHEREAS, following the September Planning Board meeting, Nancy Spink had spoken with the Town Attorney, who had advised her that the Planning Board is unable to approve Waste Management's site plan as the DEC has not provided all required SEQR documentation at this time; and

WHEREAS, the site plan is still currently ineligible for approval as the Planning Board is currently awaiting further SEQR documentation from the DEC prior to the Planning Board being able to formally approve of said site plan; and

WHEREAS, the Planning Board of the Town of Sardinia acknowledges that the approval of the site plan at the September 21, 2022 meeting was premature; and

WHEREAS, the Planning Board believes it to be in the best interest of the Town to rescind the approval of Waste Management's site plan, as noted in the meeting minutes from September 21, 2022.

NOW ON MOTION OF Dan Szustakowski which has been duly seconded by Keith Reynolds, be it

RESOLVED, the Planning Board of the Town of Sardinia hereby rescinds the approval of the site plan, as noted within the meeting minutes from the Planning Board meeting on September 21, 2022; and be it further

RESOLVED, the Planning Board of the Town of Sardinia is waiting for all SEQR requirements to be met and provided by the DEC.

Ayes: 3

Nays: 0

Absent/Abstain:

Quorum Present: X Yes No

Dated: January 18, 2023

2. There was discussion regarding the status of the Comprehensive Plan Update and creation of subdivision rules. Nancy asked David Roach if he could assist with getting Subdivision Zoning laws from other municipalities. He said he would look

into it. Keith mentioned he had seen construction on land located on Genesee Road near Warner Gulf Road that appeared to resemble a subdivision and asked if it had received any approval to do so. Nancy said she was not aware of any approval would look into it.

Motion was made by Keith Reynolds, seconded by Dan Szustakowski to adjourn. Vote was 3 to 0 approving this motion. Meeting was closed by Chairman Nancy Spink at 7:31 PM.

Next scheduled meeting is Feb 15, 2023 at 7pm.

Submitted by: Becky Burke, Town of Sardinia Planning Board and Zoning Board of Appeals Secretary