

March 21, 2018

The regular meeting of the Wheatfield Planning and Zoning Board was called to order at the Wheatfield Town Hall at 7:02 p.m. by Chairman Walt Garrow.

Present: Susan Eberwein, Walt Garrow, Melissa Germann, Michael Polek and Don Proefrock.
Also Present: Tim Zuber - Town engineer Wendel; members of the public.

Moved by D. Proefrock, Seconded by S. Eberwein to approve the meeting minutes of March 7th, 2018.
Motion unanimously carried.

Summary of Agenda

Upstate Tower – Telecommunications Facility, 7263 Shawnee Road - Site Plan Review. Site Plan for the construction of a 160' Self-Support Tower and associated telecommunications equipment in a 50'x50' leased area. The last time this project came before the Planning Board was on May 17th, 2017. They have not submitted any new material until now, 21 March 2018; and it appears that they have submitted the same material with no changes. There are many outstanding requirements agreed upon at the applicant's last appearance. The Town's Site Plan checklist was reviewed. The Planning Board advised the applicant that variances will be required through the ZBA to Include: 1) the height of the tower, 2) the fall protection zone, 3) the set back distance from a residence, 4) the number of tower's per acre.

Action

No action taken.

Wheatfield Gardens – 7341 Shawnee Road – Site Plan Review. Reviewed the site plan for the construction of a pre-fabricated steel pack-house for leafy green produce processing and packaging.

Action

No action taken.

MOOG – Wheatfield Business Park – 6686 Walmore Road – Site Plan Review. Various renovations to multiple existing buildings. Construction of new 725 ft² scrubber building, 7,595 ft² propellant storage building and 14,850 ft² site access drive.

Action

No action taken by the Board.

Next meeting: April 4, 2018

Motion made by W. Garrow, Seconded by M. Polek to adjourn the meeting at 9:15p.m. Motion carried.

Respectfully Submitted
Michael Polek, Secretary

TOWN OF WHEATFIELD PLANNING & ZONING BOARD
Site Review Process Results

1. **Type of Review ("X" one):**
- | | | |
|----|------------------------------------|-----------------------------------|
| | Sketch Plat Review | Public Hearing Special Permit |
| XX | Site Plat Review | Final Subdivision Plat |
| | Preliminary Subdivision Plat-Major | Rezoning Request |
| | Special Use Permit | Commercial Vehicle Parking Permit |

Site Plat Date – January 30, 2018

Review Date: March 21, 2018

2. **Development Specifics: Wheatfield Gardens**
- a) Property Identification & Location – 7341 Shawnee Road, North Tonawanda, NY, 14120.
 - b) Owner(s) Name(s), Address & Phone No. – Wheatfield gardens, LLC. 7341 Shawnee Road, North Tonawanda, NY, 14120.
 - c) Developer (when different) Name, Address & Phone No. – Same as owner.
 - d) Architect/Engineer/Licensed Land Surveyor Name, Address & Phone No. –
 - e) Development Details (Explain) – Construction of a pre-fabricated steel pack-house for leafy green produce processing and packaging.

3. **Planning & Zoning Board Mandated Conditions/Recommendations:**
- a) Zoned M-1.
 - b) 12 month per year process. The main product will be leafy green items/lettuce.
 - c) Site plan will include pack-house, which is a major part of this plan.
 - d) This may include 20 additional full time employees, with full benefits.
 - e) Will this process create any odors? They say no, because it is an enclosed process.
 - f) Where is the new building going on the property? Yes. This will be an additional pre-fab building (45X80 foot building). Will demolitions be required? No demolitions.
 - g) They have communicated with National Fuel about the new building which will be near to their service line. They must stay at least 5 feet away from the pipeline. They will provide record of this communication.
 - h) Fire Advisory Review Board is required.
 - i) Verification of contact and compliance with the Sewer Authority and/or State for SPDES and discharge compliance. Requestor indicates there will not be any discharges.
 - j) SEQR will be needed. (Short form and not coordinated review.)
 - k) Because less than 1 acre is involved, SWPPP is not required.
 - l) There is a "wetland" in this area. The Planning Board advises a preliminary wetlands determination be performed.
 - m) No additional parking will be needed.
 - n) Previously, two residents came to a Planning Board meeting and related that the proposer had a historical discharge that impacted a nearby pond (drainage and retention). Duck Weed grew due the fertilizer impact. They wanted assurances this will not happen again. One pond was built for drainage retention. Prior owner diverted waters to that pond, which overflows to the nearby creek. Response is that the pond is not used and no fertilized water goes to that pond anymore. The pond will be filled in this year with those actions being coordinated with the Town's water & sewer superintendent. Proposer promises to not have that discharge any more.
 - o) A base map is required per the Town's Site Plan checklist.
 - p) Building height will be less than 20'.

4. **Planning & Zoning Board Action:**
No action taken.

Authentication:

Planning & Zoning Board Representative
Distribution: Town Clerk
Town Assessor
Enforcement Office

March 21, 2018

Date
Building Department
Town Attorney
Applicant

Owner/Representative Signature
Town Board Members
File Folder

TOWN OF WHEATFIELD PLANNING & ZONING BOARD
Site Review Process Results

1. **Type of Review ("X" one):**
- | | | |
|----|------------------------------------|-------------------------------|
| | Sketch Plat Review | Public Hearing Special Permit |
| XX | Site Plat Review | Final Subdivision Plat |
| | Preliminary Subdivision Plat-Major | Rezoning Request |
| | Special Use Permit | Comm. Vehicle Parking Permit |

Site Plat Date – August 29, 2017

Review Date: March 21, 2018

2. **Development Specifics: MOOG – Wheatfield Business Park**

- a. Property Identification & Location – 6686 Walmore Road, Niagara Falls, NY, 14304. Part of Wheatfield Business Park II.
- b. Owner(s) Name(s), Address & Phone No. – MOOG Inc., 6686 Walmore Road, Niagara Falls, NY, 14304. Contact: Tom Klementowski. Phone: 716-731-6261.
- c. Developer (when different) Name, Address & Phone No. – Same as owner.
- d. Architect/Engineer/Licensed Land Surveyor Name, Address & Phone No. – Same as owner.
- e. Development Details (Explain) – Various renovations to multiple existing buildings. Construction of new 725 ft² scrubber building, 7,595 ft² propellant storage building and 14,850 ft² site access drive.

3. **Planning & Zoning Board Mandated Conditions/Recommendations:**

- a. Applicant was referred to the Town's Site Plan Checklist and Town Code Section 200-20.4 Airport Zone One Overlay.
- b. The project is within the Airport Protection Zone.
- c. The FAA must be notified. Documentation is coming.
- d. Project will create approximately 100 new jobs, 50 at this facility and 50 in East Aurora.
- e. The project will be conducted in 3 phases from over a total of 18 months. Whole project is 4 years.
- f. The project needs Fire Advisory Board (FAB) review and the plans need to be sent to the local Fire Department. Proof of receipt to be provided. Town Clerk will forward a new Site Plan to the FAB.
- g. A variance request for height of the proposed scrubber building was submitted to the ZBA under separate cover. Proposed height is ~45' and the limit is 40'.
- h. No new lighting to be added to the site.
- i. Planning Board requested the applicant to verify and report on all state permits the facility operates under. This was with the Emergency Response Plan. The applicant provided this information and it is attached to the Review Results.
- j. Engineering report for changes to the site will be provided.
- k. Needed Progression Steps:
 - i. A Special Use Permit will be required as per 200.86 and 200.87(g). This approval is to be done by the Town Board. The reason is detonable materials in an industrial site (in the new buildings). This was reviewed by the PB during the meeting. The response is that there may not be any detonable materials in the new buildings, according to the applicant. PB, with Wendel, will obtain further information on relevance and discussion with Town Board.
 - ii. Need a Height Variance. This will be done through the ZBA. (Site Plans are provided, but the ZBA will need the SEQR).
 - iii. Finally, the Planning Board could then decide Site Plan approval.
- l. Wendel provided a detailed time table. A copy has been entered into the PB file. Anticipated that this may conclude by 4/4/2018.

4. **Planning & Zoning Board Action:**

Motion made M. Germann and seconded S. Eberwein: In accordance with the SEQR requirements, the Planning Board has reviewed Part 1 of the EAF and information submitted by the applicant, completed Part 2, and evaluated the impacts in Part 3

and have determined that the proposed MOOG Inc. Facility Expansion Project at 6686 Walmore Road in the Town of Wheatfield will not have a significant adverse impact on the environment and therefore issues a Negative Declaration. The Planning Board authorizes the Chairman to sign the EAF which, along with the attached material, will act as the Negative Declaration.

Voting Results: Yeas: Eberwein, Garrow, Germann, Polek, Proefrock. Nays: none. Abstention: none
Motion Carried

Authentication:

	March 21, 2018	
Planning & Zoning Board Representative	Date	Owner/Representative Signature
Distribution: Town Clerk	Building Department	Town Board Members
Town Assessor	Town Attorney	File Folder
Enforcement Office	Applicant	

The table below lists all relevant permits that Moog operates under at the Facility.

Permit	Identifying Number	Fed/State Authority
NYS Chemical Bulk Storage	9-000462	DEC
EPA Hazardous Waste Generator	NYD000520924	EPA/DEC
Air Facility Registration (MOOG-ISP)	9-2940-00192/00001	EPA/DEC
Air Facility Registration (WBP) Boiler House	9-2940-00095-00002	EPA/DEC
SPDES Permit	NY0203700	DEC
Sanitary Sewer Industrial User Permit	16-26	NCSD #1
Manufacturer of Explosives	6-NY-063-21-8M-00695	BATFE
Dealer/Manufacturer of Explosives	D-5730 (M. Martin) D-5798 (T. Liptak)	NYSDOL
Explosive Magazine Certifications	9-0082 9-0083 9-0084	NYSDOL
US DOT Registration	060512 552 074UW	US DOT (Through EA)
CSAT Facility Registration	Facility 1911475	US DHS