

**Village of Cazenovia Planning Board
Meeting Minutes
March 11, 2013**

5 Present: Richard Huftalen, Chair; Diane Webb; Jennifer Gavilondo; Adam Walburger; Anne McDowell.

10 Others Present: Kurt Wheeler, Mayor; Don Ferlow; Randy Miller; Tom Clarke; Ted Bartlett; Pringle Symonds; David Katleski; Kurt Ofer; Nick Irvine; Denyse Ledyard Montegut; Hugh Emory; Tim Butler; Jody Reynolds, Mike Wright; Carlos Menacho; Amie Menacho; Douglas Zamelis; Camilla Knapp; Doug Riker; Dan Riker; Frolic Taylor; Madeleine Hartt; Bob O’Leary; Jenny Coughlin; Margie Twomey; Barb Lindberg; Cheryl Cousins; Jon Philips; Carol Buckhout; Beth Barney; Gerald Barney; Cindy Page; Nelson Eddy; Jason Emerson; Graham Egerton; Barbara
15 Maziuk; Stanley Maziuk; Tara Hartley; Noel King; Manon King; Jonathan Holstein; Patrick Spaulding; Bob Ridler; Judy Gianforte; Bob Lucas; Jim Huftalen; Bill Carroll; Charles Anderson; Gen Phillips; Amanda Bury; and many others who did not sign in. There were more than 60 people in attendance.

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R. Huftalen called the meeting to order at 7:30 p.m. and introduced the Board. R. Huftalen asked for any revisions to the February 11, 2013, minutes. D. Webb noted that on line 595 the word should be United. D. Webb made the motion to approve the minutes as revised. A. McDowell seconded. The
25 motion carried.

R. Huftalen asked for any revisions to the February 25, 2013, minutes. D. Webb made the motion to approve the minutes as submitted. J. Gavilondo seconded. The motion carried.

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Empire Farmstead Brewery, Continued Public Hearing.

R. Huftalen: The first item on our agenda tonight is a continued public hearing for the Empire Farmstead Brewery. There is a lot of interest for this topic. We have had a lot of public input so far.
35 Just to recap where we are in the process: We had an informal sketch plan conference at a public meeting on January 14. The applicant appeared before the Historic Preservation/Architectural Advisory Review Committee (“HPC”) on January 28. We opened our public hearing on February 11 and continued it to tonight. We will be accepting public input. The Planning Board is charged with making a recommendation to the Village Board regarding the application for a zone
40 change request. At this point, there are issues before us that regard the use of the site. There is also, obviously, a lot of interest in the site plan and the architecture of the building. Those reviews are our responsibility as a Planning Board and will take place subsequent to the zone change. To clarify, we are seeking input so we can make recommendations to the Village Board with regard to the zone change itself. We have had a number of opportunities to hear about the project. The project has
45 gone through a number of iterations. I will ask the applicant to give a two-minute update regarding any recent additions. I know there have been some modifications. We have had some new information submitted regarding the site plan.

50 Kurt Ofer: I'm an architect from Cooperstown. We do have an updated site plan. We are here to talk about land use in support of a PDD (Planned Development District). We have made a lot of incorporations of the building. For instance, the building has been shifted toward the east and has also been shifted slightly to the north as a result of the Cazenovia Area Conservation Commission (CACC) input that has conserved this bunch of trees, which is a great environmental thing to do. It didn't really compromise the visitor parking lot. It opened up a greater area for the service drive.

55 We have also proposed a 35-foot high hedge of Douglas fir trees which run along the south side of the service area, which will screen residents' views to the building as they are looking north at the building. By moving the building down this way and putting the screen up here, we are helping to protect the building from the neighbors' views. The CACC, in their February 28 report, asked about noise. We quantified our equipment noise at the last trustees meeting. In terms of HVAC noise, I

60 have a report from our mechanical engineer, who is local, basically stating that at 350 feet, the HVAC units will be at 50 decibels, at least along this line. Certainly, these trees will help mask that. Other points with regard to land use, we took some time to review your Comprehensive Plan 2008. The Comprehensive Plan was a joint document by the Town and the Village. As I pointed out to the trustees a week ago, these following points are what we called out of your Comprehensive Plan.

65 You want to encourage the development of innovative agribusiness. No sprawl. Open space preservation. Encourage light industry. Encourage the use of trails and connections. Agritourism, which has a whole section in there, is a goal too. Stop the loss of farmland and farm sensibilities. This project does all that. You are not going to have a subdivision here with 30 houses in it. You are not going to have a strip mall. You are going to have a building which adds to your cultural

70 heritage. This may not be the perfect agribusiness. Google agribusiness. Google on your phones now. It talks about agricultural equipment dealers. It talks about providing feed. This may not be a feed store, but we are growing hops on the property. The hops are going to be used in the process. You are going to be able to experience an entirely agricultural tradition, which was lost when all the hops growing areas were wiped out across New York State. This is a huge plus for you. I just love pointing this out. There is an image of Cazenovia using the Cazenovia College website. I just cannot believe the diversity that you have in this village. You have a college with three campuses. You have a high school, an elementary school. You have a shopping mall. You have a yacht club down here by the lake. There is Lorenzo down here. And then right next door is where you all live. You live next to all of this incredible diversity. I would submit that it is the diversity that makes

80 Cazenovia significant. It makes Cazenovia far better than almost any other place to live. It is what gives you your value. Look at your real estate values. Is it down because you live next to a college? I would submit that the brewery adds to that. This is not just some development. I think it is thought out and truly adding to your culture. What I have given today are updated site plans, which show all the changes we have made in response to both CACC reports, as well as the Village

85 Engineer reports. I want to close by running down the list of the seven criteria that the Planning Board needs to evaluate, to make a recommendation to the trustees, about whether a PD should be adopted on this site. Very quickly: Greater choice in the types of dwelling or businesses you have in the community. Well, you don't have a brewery. More usable open space and recreation areas. It contributes to the trails. And because it is such a small use of building use on the site, the rest of the

90 site is open. It is not like it is all being built up. Open areas preserved. More convenience in location of facilities which serve particular community needs. It is close to the Village, so it reinforces your economic energy. People don't have to drive 20 miles outside to some place out in the country. It is in the Village. That is huge. Preservation of trees, streams, and wetlands. Working in concert with CACC, we have done everything possible to preserve every tree that we

95 can. Use and development of land which allows an orderly and compatible transition from built-up portions to surrounding areas. It was recently annexed and it provides a transition between less dense and the Village. Patterns of land resulting in reduced and more efficient

networks of utilities and streets. It will have a neutral impact. Those were essentially the criteria. There was an entire packet delivered to the Planning Board that is available for public inspection.

100 D. Webb (to Mr. Ofer and holding up a booklet): This is what we received awhile back. This would all hold except for the site plan? Mr. Ofer: This is our third presentation in front of the Planning Board. At the first Planning Board meeting, an entire booklet was given, which had the EAF (Environmental Assessment Form) and a lot of the information. Essentially what we are seeing now
105 are updates which have occurred as a result of community input. Does that answer your question?
D. Webb: Yes.

J. Gavilondo: There is a new State Environmental Quality Review (SEQR) form. Mr. Ofer: There is a new SEQR form because Don (Ferlow) caught a couple of things.

110 R. Huftalen: There is an extensive public record. I would ask anybody who views the public record to make sure they have the current documents in place, as we have just received an updated traffic report, for instance, and several other submissions. For those who heard Mr. Ofer's discussion with the seven points that need to be considered, he is referring to the Code Section 180-69, which is PD
115 Planned Development District Purpose. We are charged with evaluating and assessing the merits of the application and making a recommendation to the Village Board.

R. Huftalen: Are there any questions from the Board? (There were none.) Are there any comments from the public?

120 Randy Miller, Burlingame Road: Thank you, Planning Board, for your time. Just a couple of things. This project is wonderful. We love it. One of the main problems, I think everyone in this room faces is what the building will look like. Does everybody see that (showing a picture)? It is a factory. We were promised a nice little farmstead brewery (showed another picture). Big
125 difference. I wanted to make sure this gets into the record.

D. Webb: You said that the barn you have there was something you were promised? Mr. Miller: That's what we thought it would look like. I would love to see that first document you just talked about what the initial site plan was.

130 R. Huftalen: This (the booklet) has been part of the public record since January 14. Mr. Miller: Less than two months? R. Huftalen: Yes.

Denyse Ledyard Montegut: I have been coming to Cazenovia for 61 years and I love it. I have a house that borders the property of the brewery site. I realize that I'm probably not going to be able to stop this from happening. In a way, there are many good things about this project, which I'm sure Cazenovia would appreciate. My worry for this is not just the visual and the row of trees that cuts off what I used to appreciate and love--the view from my property. There are other issues. We mentioned a few minutes ago that this is a brewery and a farm, but it is really a bakery and a party site and a pizzeria and lots of other things that we are not really talking about. Those things have to be addressed. And control of those things. The fact that it is 50 decibels at 350 feet, I don't know what that means. Am I going to be hearing whirring noises? I don't know what 50 decibels is. I'm just a person. That worries me. And music. I already hear Brae Loch every weekend and I'm farther from Brae Loch and that disturbs me in the summer. Am I going to be hearing more right
145 over my fence? What about so many things? The smell. We are not addressing smells. I don't know what a brewery puts out. I have gone online, and there are things I would be smelling. I do

150 know about a bakery because I live up the block from a bakery. It is not pleasant to smell baking in the morning, in the evening. It is not pleasant when ovens are cleaned and they are fired up to a point where you smell burning things in the air. It is not a pleasant outlook for me to think that I will have noise, more people, visuals, smells, and whatever else is going to come from this. My question is: How can I know ahead of time that there are regulations, hours of business, all of the things that would normally make me feel more comfortable knowing I'm not going to hear something at 5:00 a.m. or I won't hear people partying at 10:00 p.m. How are these regulations going to be in place? And who is going to back them up should violations occur? I think that is a valid question
155 from anybody who is a neighbor of this property.

J. Gavilondo: A lot of what you mentioned has been discussed and the developer has addressed some of those issues. But a lot of those issues will be part of the site plan review. I'm not sure where the pizzeria comes from. Ms. Montegut: It was a discussion I had with Dave in the summer.
160 J. Gavilondo: The application before us has no reference to a pizzeria. There won't be a pizzeria there unless somebody comes in with an application for a pizzeria. Ms. Montegut: What about a bakery? J. Gavilondo: That was mentioned, but I haven't seen anything on it. We are at a very preliminary stage here. A lot of the concerns that you have are what we are here for.

165 Ms. Montegut: Just to clarify—during this planning process, if a bakery were to go in there, he would have to specifically say there is a bakery going in there of x-amount of square footage? That would all have to be drawn up before it was approved? J. Gavilondo: That's correct, yes.

Amie Menacho: I'm Amie Menacho and this is my husband, Carlos. We are the new owners of
170 "Old Trees." This has been an amazing way to get to know a lot of people very quickly. I returned to Cazenovia. I grew up . . . part of my childhood here. Carlos and I decided this past summer to relocate back here and bring our two children with us for all the wonderful things that Cazenovia has to offer, especially in relation to where we live now in Miami, Florida. In getting to know the project and understanding the future path of the project, I just wanted to make our concerns very
175 clear today. Number one, as far as our priorities, we have three of them. The first is the historic integrity of the area. When we bought "Old Trees," we went through a lot of research and understanding of the restrictions that were put on that property, and the adjacent properties, by the family that built it and understanding why they were there. We came to realize that the restrictions really do wonders to protect what it is about Cazenovia that so many of us love. So we bought into it
180 full-on with the feeling that we would allow all of the traditions that Cazenovia has enjoyed, that cross our property regularly, that we would allow those to continue because this is a village and a town that puts the kind of rigor and discipline into the decisions that they make to protect people that live here and the integrity of the area. That is very important to us because it is why we came here. The second thing is the future. A project like this is very interesting for the growth of the area and one that we support. But what happens when this project is no longer this project and it doesn't have
185 all the best intentions of the people that are trying to do that? What are the protections and the restrictive covenants put in place there so that we ensure that future people and future owners consider the same things? The third thing for us, personally, is quality of life, which includes noise, and smells, and privacy and security. Obviously, our property backs up to the brewery and connects
190 with CPF (Conservation Preservation Foundation) trails, etc. How do we make sure that we are doing the right thing by keeping CPF trails open and allowing the public to continue using our property if the Village and the brewery owners maybe don't put the same kind of consideration into that property? Those are our few priorities if you move forward. I wanted to make it very, very clear that we are not trying to shut the project down, but we are trying to move it forward in a way
195 that feels right to Cazenovia and feels right to the adjacent landowners. Thank you.

200 Carlos Menacho: I just want to follow up with what my wife said. The other reason I'm really concerned about this is because that project is a warehouse. No matter how you quantify it. You can call it agribusiness. You can call it whatever you want. You are setting a precedent for other people to come in and plan. "He built that, why can't I build something like that across the street." You are going to change that corridor down Route 13 if you allow something of that size and magnitude to come in. Thank you.

205 Doug Zamelis: I am an attorney and I represent Carlos and Amie. I want to mention just a couple of things that discourage me that I have heard tonight. "When the zone change happens, they will have to get site plan approval." The project is already being discussed as if it is a fait accompli, that it is already done. We are only at the preliminary stages, but yet it has gone through several iterations. "The project plan has been out there for several months." It was actually submitted, as you noted, in the middle of January. So, the actual site plan has not been out there that long. What you are being called on to do by the Village Board of Trustees is very important in terms of your recommendation to the Village Board. We all know that if you make a positive recommendation, then the Village Board, as the elected officials, are going to say, "Our experts, our local Planning Board, say it is okay and we are going to do that." And when you get to the site plan review stage and all these people want to make their comments, the response is going to be, "The Board of Trustees has already determined that this is an allowable use and that ship has sailed." So this is a very important step that you are at right now. Kurt called out a couple of things from your Comprehensive Plan. You actually have something that is more important than your Comprehensive Plan. It is your zoning law. That is what gives your Comprehensive Plan teeth. Section 180-2 says your zoning law is to promote the appropriate and compatible use of land. It is to protect the natural and aesthetic values of land, and conserve and perpetuate the community heritage. As was mentioned, and as the applicant has conceded, this is a manufacturing facility. They actually describe it as a production facility. Manufacturing is necessary in our economy. Manufacturing, obviously, has necessary by-products. Light manufacturing usually goes in a manufacturing district. There is a manufacturing district, where there is active manufacturing, right outside of town. Another thing from your zoning law: Currently, this is a prohibited use. I'm originally from Cooperstown too. In Cooperstown, you get three strikes. Right now, the milling of flour, feed, or grain is prohibited. I don't know if everybody knows the Village is in the process of omitting and deleting that from the law so that can occur. If you look at the other lists, at the other uses that are listed with that, there are several other vary obnoxious uses that are listed right next to that. That is strike number one. 230 Strike number two: Manufacturing is not permitted in your R-30 district right now. It is not permitted as a right. It is not permitted by special permit. That is strike number two. Strike number three is one of the prohibited uses is any use that emits odor over a certain standard. I have to agree, I don't know exactly what that standard is. The applicant has submitted a report that actually acknowledges that the odors from brewing processes can be objectionable to others. Odor is a very funky thing. If you are making a profit from it, it may not bother you. But if you have to live with it every day, it builds on you. It also acknowledges that smaller breweries, like this one, can have odors detected at approximately 1,000 feet. So when a Planning Board member says some of these issues have been addressed, odor has not been addressed because, as I understand it, this property is only 650 feet wide. And, yes, the applicant will say the prevailing winds are from the west. 235 Prevailing means most of the time. I enjoy sailing on this lake. Some of the best sailing is when the winds are from the south when it is warm and light. At those times, that odor is going to be carried right over the Lorenzo historic district. Your zoning law is actually more important than your Comprehensive Plan. I urge you to take that into account. The Village is being asked to do several things for one single property owner. I think it is appropriate for the Village, through the Planning 240

245 Board and the Board of Trustees, to take into account very carefully the considerations for the
neighbors of this property. To the extent that anyone may feel that the applicant already owns the
property, they bought it knowing that it was not in the Village, that it was going to be annexed with
R-30 zoning and they were going to need a zone change. To a large extent, if they were before the
Zoning Board of Appeals and they were applying for a use variance, they would not get it because
250 their hardship is self-created. I think you heard my clients say they are not against the project going
forward, but they want this Board to consider very carefully this project and where you are and what
impact and what significance your recommendation to the Village Board of Trustees is going to
have. Thank you for letting me go on.

255 Hugh Emory: I have a summer place that is just up the hill from this property. My family has been
coming to Cazenovia in the summer since the 1800s. Emory Avenue is named after my great-great
grandfather, Dr. Thomas Emory. Burlingame Road is named after my great-great-great uncle, Geoff
Burlingame. I have been coming up here for 67 years, sometimes in a cradle and now as an adult. I
own that property. Cazenovia is a wonderful place. I first heard about this project in the Cazenovia
260 Republican. The impression I had was that it was going to be this fairly modest self-contained
brewery. I'm from outside of Philadelphia. If you go to Sly Fox, they have the stainless steel things
there and everything is contained. There is no odor and there are no issues about any of this. And
that's what I had in mind. I think it is like the picture that Mr. Miller showed. That's the impression
I had. I am not a contiguous owner, but I am very close. This is water over the dam, but I got no
265 notice of the annexation process, or anything, other than what I heard after the fact. I bought
15 acres of land from the "Old Trees" property from my cousin, Camilla Knapp, and we had to go
through hoops. This was CPF easement land that could never be developed. We had to give notice
by certified mail to everyone within a half mile or a mile, even though they were not adjacent
landowners. Again, this is water over the dam. The annexation has happened. But here we are. To
270 me, I think Mr. Menacho said, "This is an industrial facility. This is not some little mom and pop
operation. As I understand it, they are moving their brewery from Brooklyn, NY, to Cazenovia.
That may or may not be true. But they are substituting the operations of the Brooklyn, NY, brewery
and putting it next to me, Menacho's, Denyse, my cousin Jody Reynolds. I have been around a long
time. I recall, they wanted to put a cell phone tower off of Route 92 and it was nixed because if you
275 stood on a corner of the Lorenzo property, you could see it. Not if you were on the front porch of
Lorenzo, but if you were standing over on the side, and you could see it. That was vetoed or
something. I get the Cazenovia Republican. There is more concern about whether you can have a
chicken than whether you can have a major brewery, industrial plant, right there in the Village next
to Lorenzo. I'm not an expert on beer, but my son is. He is a chef and he is a brewer. I had lunch
280 with him yesterday and mentioned that I was coming up for this. He said, "Dad, if we are next to a
brewery, it is going to stink." I think that was supported by an earlier comment. I just think that this
has flown under the radar for those of us who live in the Town. We got no notice of any of this.

R. Huftalen: I object to that comment. It has complied with all of our notice procedures.
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Mr. Emory: I understand that. Maybe the notice provisions need to be changed. If a subdivision,
which requires no development, needs certified mail, I think this would also.

R. Huftalen: I appreciate your comments. I'm not trying to be argumentative, but we are following
290 the procedures. Clearly, we have a lot of interest in this project. Our job, as was eloquently stated
by members of the public here, is to assess the balance of interests. That's why we are having this
meeting. We are quite interested to hear what everybody has to say.

Mr. Emory: I understand that. I think you really ought to look into the smell issue.

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Camilla Knapp: I'm the former owner of "Old Trees." One of the concerns I have, which has only been mentioned briefly, is the increased number of people coming to the brewery and then maybe walking off on trails and maybe using some of the CPF trails. In the nine years that I owned the property after my mother died, CPF and I had many discussions about trail use across private property because people were not necessarily very considerate. I think this brief mention of people using trails should be looked into a little more carefully. As a property owner, I went through some damage and CPF and I have had long talks about this. It is usually people who are coming from the outside and they toss their cigarette wrapper aside and their Pepsi bottle aside. That all adds up. I think it should be a consideration and not just a brief passing mention.

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Stanley Maziuk: I own property in the Town of Cazenovia and spend a fair amount of time on the lake. I will initially plead naiveté. When I first heard about this project, I did also envision a boutique kind of operation. I envisioned a place that maybe initially looked something like the Gothic Cottage that had a little old German man with wire-rimmed glasses in the back brewing something. But the scope of it is certainly more than I initially perceived. Maybe that's my fault. The one thing that I do want to bring up, and I think has been brought up, but I just want to add my individual voice, is the idea of views from the lake. From what I have recently read, if it is true, if it is possible that silos and industrial-looking buildings and whatnot can actually rise from the trees in and around Lorenzo as you are looking southward from the lake, I just think that would be an awful thing. I hope the Planning Board will use good judgment when they think about that aspect in regards to everything else also. The views and what our whole lake area looks like is awfully important. I say this with slightly mixed feelings. I'm a business owner. I know what the heavy hand of government feels like and sometimes I don't like it. But in this case, the impact on the community could be huge. So I hope you all think this through very carefully.

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R. Huftalen: There is a study underway of the visual impacts of the project that will be used to make our assessment.

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Jody Reynolds: My partner, Mike Wright, and I live at 4025 Rippleton Road. We share a 1,000-foot border with the project, on land that was owned by my family for several generations. My house would be within a few hundred feet of the brewery. Originally, like most of the people here in the room, we thought it was a great concept for agribusiness. Business is important and jobs are important. We actually commend Dave for coming up with this kind of effort. Our concern, as neighbors, is that we are going to be very up close and personal, within a few hundred feet, of the business end of a brewery, and industrial brewing operation. I ask each of you, as a resident of Cazenovia, if you would like to live next to a loading dock with the constant beep beep beep of trucks backing up, and they will be doing it regardless of what the zoning tries to make them do, with the constant downwind smell. We are to the southeast. And when the winds are out of the northwest, we will get whatever smell of that baking and brewing operation, and hopefully not wastewater, but we will be right downwind of that when the winds are out of the northwest, which it is when we have lake effect. They have now added a line of 35-foot Douglas firs, which I am happy to hear about, that will provide visual protection, but will also break us off from any view we used to have to the north. So we have a number of concerns as neighbors—very strong concerns. As neighbors, we have taken a harder look at the plans than most people have. This is a very large footprint. It is a very large change in plan. I understand the PD criteria—the seven criteria that Kurt outlined—that's wonderful. But they didn't take into consideration the fact that this is actually an industrial facility that is not like the other agribusinesses in our area. We have the Owerá Winery,

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which is on 58 acres. I believe they have 7,500 or 7,600 square feet and it is nestled into its acreage. We have Wilson Farm across the street from us, with which we happily live. It has been a farm for generations. That also is nestled into the landscape. It is actually an architectural feature of the landscape as we drive down Route 13. Farther down, we have Critz Farm, which is also an agriculture operation. That is set on over 300 acres of land. It is my understanding that they have no close neighbors either. None of these have close neighbors to their facilities. This is being imposed on a formerly beautiful, stunning area. This is part of the lake views. (Ms. Reynolds held up a painting.) This is a Merrill Bailey painting looking south from the lake. You are looking at Lorenzo. Lorenzo is a 9,990 square foot building. It has, basically, a 4,950 square foot base. It is a little above the lake. As you are looking south from the lake, in a corner of the lake. The Lorenzo property is 1,400 feet deep. Immediately after that, you will have the Empire Brewery. The Empire Brewery, from what we can see from the topo map, the lake is at 1,195 feet. The CACC drawing topo map shows that the base of the brewery at the back is going to be at 1,252, which would make it 57 feet higher. You have the main flat roof that is 36 feet above that. Then you have three hop barn towers. And then you have the three silos, which will be 50 feet high. So you are going to be looking from the lake and from Route 20 at a building to the right of Lorenzo that I believe will dwarf Lorenzo. We haven't seen a 3D drawing. We have only a 3-5-inch high cardboard mock up. It doesn't show the relationship topographically of the lake and the lake view. When we went to make minor alterations (our house and Denyse Montegut) . . . We both have historic properties. Hers is an historic Cazenovia cottage. Her family spent a fortune refurbishing that place. We spent quite a bit of money on our property also. When we make minor adjustments to our properties, we were told that we are part of the Town. We are in the lake district. We had to submit a site development plan for everything. If I take down a dead tree, I have to apply to the Town. I have to get the Town to approve it. I have to take pictures of that tree before I can remove the dead tree that has no leaves on it. We were told that all of our runoff went into the lake. Empire is closer to the lake and a slightly higher elevation than my house. Now we are being told that their runoff goes into Chittenango Creek across the street. We don't see any culvert. I think it is a 27,000-square foot footprint. There is parking for 80 cars flanking this building on a 600-foot wide parcel of land. I would differ with Kurt in that it is not such a small footprint on the property. It is a much bigger footprint on the property than you might think. I believe the runoff would go into the lake. I think now the lake views are being addressed, but in the initial environmental study, I don't think the views from the lake were addressed at all. I find that very disturbing because the lake is a very important asset to this community. Once again, I want to say we think this is a great concept. But we think it is too big for this property. From Route 13 it will be attractive, but from the other three sides, including from the lake and from Lorenzo, it will not be attractive. I'm not an expert on environmental regulations, but when I read the SEQR regulations, it looks as if there is a relationship with Lorenzo, which is a designated national landmark. That has to be treated differently than the normal Type I and Type II actions. We learn more as we look at it. We really hate to be negative about the project, but I think it is too big and it's going to create a landmark on this landscape and this viewscape from Cazenovia Lake. Once it is there, it will never be gone. It is a lot higher and a lot bigger than most people first thought. I was told specifically it was going to be a small farm. I was horrified on January 29 when I came back to town and saw the Republican article and saw what it was going to be and how close it was going to be to our house. Please ask yourselves this question: Is this something that will enhance Cazenovia in its current location? Ask yourselves: Would you want to be within 300 feet of a loading dock? There was nothing separating us in the early plans, now we are told tonight we have a row of trees to protect us. A row of trees, frankly, won't do the job. Thank you.

J. Gavilondo: Where did the 80 cars come from? Ms. Reynolds: The site plan. I counted up the parking spaces and they have 32 on one side and 40 on the other, but there is no provision for RVs or tour buses, or anything of that nature. I was told 80 parking spaces.

395 Mr. Ofer: It is 40 and 40 for 80 parking spaces.

Mike Wright: You missed the parking spots because they are not represented correctly on the plan. I applaud Dave for taking our concerns about looking at a loading dock off our back deck and out of our windows. Now he is willing to put in a 35-foot screen of trees, so we have no view at all. The
400 concept of a brewery is good. The way it filtered down is that it was going to be a farmstead. A farmstead is a small operation. It is not a big farm. It is certainly not an industrial site. We need jobs. 15-20 jobs to start is a help. We need the tax revenue. So that's a help. You don't put an industrial warehouse in the middle of an historic preservation area. The land he is using is 600 feet wide. There is a lot more land farther back in that he can't use because of the drainage, which is
405 definitely going into the lake. He is filling it from side to side and barely maintaining the setbacks. This is what we are going to have to live with, folks. Every time you drive down Route 13, you are going to see it. Every time you drive down Route 20, you are going to see the thing poking up. When you come by Lorenzo, just to the right of it, the understory of the trees is very high, and you will have a clear shot of the brewery. That's the view you are going to get. They are not being held
410 to the standards. They were perfectly willing to wipe out a large copse of trees with no compunction whatsoever until the government stepped in and said no. So they moved the building. What did they do? They moved it so we could see it better. There is just so much to be thought about and to be really seriously considered, reviewed, and studies made before any decision is made and etched in stone about this project. There are other places it can go. I'm in favor of the brewery idea. It's
415 good beer, too, by the way.

Doug Riker: I live on West Lake Road. One of the things that the owner of Empire Brewery pointed out is that his long-term goal for this project is to actually double the capacity of his
420 brewery, which would necessitate another building attached to this, which would double the size of the whole structure. Even though the action before this Board is not to consider an expansion, I think it is very important to this community to realize that it is very likely that would be something that would be facing this Board in years to come. We would rather have a successful business than one that goes out of business.

425 Dan Riker: I'm Doug's brother. We are Cazenovians for the last five generations. I'm an environmental lawyer by training. I used to work extensively with Town Supervisor, Don Callahan, CACC, CPF, and a variety of other organizations. I am baffled by the location of this project—an industrial scale alcohol manufacturing plant. Let's say what it really is. It is just hundreds of feet from a National Register historic site—hundreds of feet from one of the most important National
430 Register buildings in all of Upstate New York—with paved parking for 80 cars, with loading docks, with five-story industrial towers, with day and night use, with a bakery, and the disruption of views from the lake, including the most important one in all of this area, which is the view of Lorenzo. The Empire Brewery would have to be called the Empire State Brewery, thinking about that very tall tower in New York City. I would be surprised if this project doesn't trigger the highest level review under SEQR, particularly given the contiguous setting with a National Register historic site. I would
435 strongly encourage you to consult counsel. This may well require a Level I review. I would be very careful about moving forward without it because I think you are going to face legal challenges. Thank you.

440 R. Huftalen: Are there any further questions or comments from the public? Are there any questions or comments from the Board members?

D. Webb: Everything that has been brought up are things that we will consider. We are only in the fact gathering stage. We have loads of processes to go through. We take everything seriously. We appreciate everybody's comments. One thing that I have heard a couple of times, once tonight and 445 in a couple of letters that have come through, which I never heard as far as the information that has been presented to us from the applicant, the fact that there is an expansion plan. If we approve anything, it is whatever is put before us, period. We can put restrictions on whatever the approval is. Please don't think we don't think this is serious and that we will not give it every consideration that 450 we need to.

Frolic Taylor: I have learned so much tonight. Thank you. Many of us are here from Lorenzo Driving Competition, Limestone Hunt Club, and CPF. I do not understand why hikers and horse people have been targeted as being eliminated from going on the Menacho property when it is all in 455 the Village's hands in terms of the project.

Dave Katleski: I feel compelled to defend the project. I haven't had this warm of a welcome anywhere in my life. That being said, two years ago in the public before I bought this property, I came forward on multiple occasions and I'm sure everything is documented. I said that I live here 460 with my wife and two children and that this was a concept. The concept was that we are building a farm brewery. It is being made out to be this massive brewery. It is not. The gentleman from Philadelphia then mentioned Sly Fox. I know Sly Fox. I have been in the brewing industry for 20 years. I represent 120 breweries in New York State. I used to insure breweries across the United States and in Belgium. I am familiar with these breweries. It is what I do. Sly Fox produces over 465 twice as much as our maximum capacity here. And you said there is no smell. I will tell you that the smells here are minimal. This is considered a small farmhouse brewery in terms of capacity. So you don't like what it looks like. Okay, we will address that when the time comes if it's a warehouse. Ideally, in a brewery, you need 32 feet of clearance across the whole facility. I'm dealing with this box. From an architectural standpoint, we will address that should we get the zone 470 change. I will tell you that I just went and I checked out the warehouse that Jerry Wilson built across the street at the farm. It is a square box. It is right across the street. Part of his entire farm and part of a farm that everybody enjoys very much and his entire footprint is significantly larger than ours. Well, maybe not significantly larger, but it's over 20,000 square feet. Jerry told me so. So that being said, this is on the scale of something like the Wilson Farm right across the street. In 475 terms of odor, we will address all the odor studies. We have odor studies. We are doing everything possible. This is all a state-of-the-art facility that takes into consideration odors. It takes into consideration BOD (biochemical oxygen demand) before it goes into the sewer, use of water, etc. All of this is being taken into consideration. We will get to the noise level when it comes, but it is minimal. I don't believe, off the property, you will really even hear the noise, but I have to prove 480 that to you. A noise study has not been done as of yet, but it will. Every single meeting that I have ever been in, and I'm going to be consistent with what I say, it is not my goal at all to upset the harmony that is Cazenovia. I live here. I love it. I always thought this was going to be a great project. If any of you were in the meeting last week, the majority of the people speaking on behalf of this project were favorable. Intentionally, they are not here today because I really wanted to hear 485 the opposition because it is important to me. You need to live with it and I need you to live with it. So I'm willing to work with you. I completely understand where you are coming from. I think once we get to that stage, you will see, and I will be completely open to anything that is not unreasonable. I'm going to have to live here and work here every day as well. I plan to walk to work because I live

490 that close. I live right in the Village. I walked here today. I have lived here for eight years and I
intend to stay here. I have to have a project that you all love in order for me to comfortably stay
here. We will work that out. The purpose of today's meeting is to determine whether or not this is
the right use for this space for the community. I believe when I looked at this property, and I looked
at a lot of properties, I didn't have to put this in Caz. I believe this is the right use for this space. I
495 had a year option on this property and talked to the community. I met with Jody before I even made
an offer on the property and explained what we were doing. When you look at limits and capacities,
we have to somehow make a profit. As much as I would love to have a little shack with a little
brewer with glasses on, this has to be an incoming generating business. We have to produce jobs
and we have to create tourism. I don't know if you have looked at the population of our
kindergarten class as of late, but it's down something like 60 percent over the last ten years. A
500 project will bring in youth, will bring in a brain trust of creative individuals that are young, that will
have children. I will hire whatever I can from the community, but we are also looking to bring in
some skilled and highly educated people as well. In the scheme of today's industry, this is
considered desirable in terms of jobs. That's pretty much all I wanted say. This is ultimately a
zoning meeting, but I need to defend the project because I think it is being painted as this huge
505 industrial project, where it is not. It is one-third the scale of what the State is calling a definition of a
farm brewery, which is less than 60,000 barrels. This will produce about a third of that.

Madeleine Hartt: I live on Old Trees Lane, which is a dirt road. I have to look down on this
property. I have a question, if I can, directly to Dave. I know that you are trying to do the best for
510 the town. And the neighbors have concerns, which I think are very important. Would you be
willing to meet with the concerned neighbors in a separate meeting to work some of these things
out?

Mr. Katleski: Sure. But there is a process and I don't want to circumvent the process. But I'm
515 willing to sit down with you guys and talk about any of your concerns. Jody and I met and went
through all of the architectural plans before one of the public hearings about a month ago.

Ms. Hartt: It seems to me that a lot of people I have talked to say, "They said it was going to be this
farm brewery and now they are saying it is going to be between 18,000 and 27,000 square feet on a
520 22-acre property." There seems to be a lot of misunderstanding. And instead of reading what
people write in the newspaper, that may or may not be right, if you could get some of this stuff
worked out. It's just a thought.

Mr. Katleski: That's fine. The other thing is misconception of a bakery. I should have addressed
525 that. Let me tell you how this bakery thing came about. We used to make bread at the Empire in
Syracuse, my restaurant. We don't have the capacity to do that anymore, so we bring it in and I'm
not happy with the quality of the bread. I think there should be a restaurant component here, but I
didn't want to freak everybody out by having a restaurant on the plans. I heard in one of the
meetings that it is a desirable interest of the community to have a bakery. So I said, "Let's not call it
530 a restaurant." I just want a food component so when tourists come they have something to eat,
whether it's pizza, and I'm not talking about building a pizzeria. The bakery component of it was to
make bread for Empire. We go through 100 dozen rolls per week. That's not a lot of bread. We
could crank that out in a very small amount of time. On the brewery side, we plan on brewing five
days a week. During that time, there will be an odor for about 60-90 minutes per day. And that will
535 dissipate regardless of which way the wind is blowing because of the size of the stack and where it is
blowing out in height. That will dissipate out into the environment very quickly. I will leave you
with this: I have been brewing for 18 years in Armory Square. It is a mixed-use residential area,

540 very densely populated. There has got to be at least 200 businesses in a four-block area, as well as people living there. Not once has anybody complained of odor from the brewery, not once. There will be a small odor, but it will disappear before it gets to anybody.

Ms. Hartt: How many barrels do you brew there?

545 Mr. Katleski: 1,200. But we brew three or four days a week.

Tim Butler: I'm Tim Butler, Director of Brewing for Empire and formerly Head Brewer for Middle Ages. Sometimes we brew twice a day. The process is the same whether you are brewing 1,200 barrels a year or 50,000 barrels a year. The process happens the same every time. The equipment grows exponentially, but the time stays the same. We are going to brew for seven hours a day. We 550 brew for seven hours a day now. This facility will brew for seven hours a day. Out of that seven hours, we are going to be dissipating steam into the air from the boiling water for about 90 minutes at a time. That is all that will happen. As David said, it is going to go into the air and it is going to dissipate. With so much room around this facility, I would be highly surprised if anybody sitting in their living room or on their front porch could smell what we are doing on a daily basis. I would be 555 highly surprised.

Mr. Katleski: The offensive odors that come with breweries come from the fermented grain, which nobody is really talking about. The fermented grain is what would smell. Even after a day, fermentable grain will have an odor. I have never met anybody other than a pig that would like the 560 smell of fermented grains. We are encapsulating that. We are going to have a spent grain silo that contains all of the odor. It is going to be cleaned on a regular basis. You are just not going to smell it. I have been to breweries that have these. They work. The other odor that comes from it really is when you can't tap into the existing sewer system and you are dealing with septic and leach fields. That is what Jody smelled when she went to Ommegang because that is the system they have there. 565 It is quite offensive. We are not having that as well. We are going to tie into the existing sewer system, which is no small feat to do. We are working directly with them to try to mitigate a number of things, including pretreating our water before it even hits the sewer. There will be very little impact on the sewer. We are doing everything possible to make this a facility you are comfortable with. Aesthetically, of you don't like it, that is certainly something we can talk about. Overall, I 570 think it does fall into the definition, by far, of a farmstead brewery. 18,000 square feet for the main footprint. I'm not going to try to change yours, but in my opinion, it's not that big.

J. Gavilondo: How much does Middle Ages brew? Mr. Butler: They were at about 6,000 barrels a year. They have a 30-barrel brew house. When we were there, we brewed three or four times a 575 week. Middle Ages sits right in the middle of a lot of close houses. Once again, we never experienced problems with the neighbors. In fact, our neighbors were our friends. They came there on a daily basis to fill growlers and drink beer. The houses were much closer. They do about half of what we project to do overall here at this facility.

580 Ms. Hartt: Do they have visitors come? Mr. Butler: They do. You can't compare us to Middle Ages. We have our own set of normal business hours, which we are going to call. As David said, we will probably be closed to the public Monday through Thursday and accept visitors on the weekends. Middle Ages is open every day but Sunday.

585 Ms. Hartt: What would be the closing time? Mr. Katleski: We haven't really determined that yet. It is probably going to be 8:00 or 9:00 p.m. I have a restaurant and a bar that is downtown with the

590 brewery. We have the legal right to stay open until 2:00 in the morning. That is not my intention or my goal at all. Don't throw me under the bus for saying production facility, but this is where we produce beer, so I don't know what else to call it. It is an educational tool as well. I really want those people that are interested in agritourism to come and do a tour of the facility and see how the ingredients are grown and how the beer is made. We will conduct tours on the weekends.

595 Ms. Hartt: Will there be events, or weddings, or anything like that? Mr. Katleski: We are not geared up for events. I don't want to have any events. Mark my words, if a wedding occurs, it will be inside, and it's going to be my family member and that's about it. We had one wedding at Empire in 18 years in Syracuse. I'm not opposed to weddings—just not here—or parties. That is not what this is. It will have a small tasting room component. The goal, really, is to be part of the beverage trail in Cazenovia. I am not relocating our Brooklyn operation. The Brooklyn beer that we make right now, we make at my friend's brewery, who is allowing us to produce beer in Brooklyn. I don't own it. It is called contract brewing. It makes sense that we continue that operation down there. We are not relocating anything. We are going to continue brewing beer there for the downstate market. Up here it is going to give us the capability of doing bottles and cans for distribution into supermarkets.

605 Randy Miller: Dave, are you going to have a restaurant, is that what you are saying, that would be open until 9:00 each night? Mr. Katleski: That is still to be determined. Because we are serving beer, I want to be able to serve some food component. I don't know what that's going to be. It might just be like charcuterie and local cheese and local meats of that nature. But I do think it is very important that we serve some type of food. If you want to call it a restaurant, call it a restaurant. But it's going to be really scaled back. Plus, I don't want to take away from restaurants. Restaurants in this area have a hard time. It's tough because our population is not very dense. So I don't want to take anything away from the existing restaurants in the area. The goal is to bring more business in so that both the restaurants and the hotels benefit by this project.

615 Gerald Barney, Thompson Road: Do you have an estimate of truck traffic? Mr. Katleski: There is a calculation that we have been using. It is all based on production. Although I don't think we'll get to 20,000 barrels in our first year, the estimates are based on 20,000, and I think we had determined three trucks per week. On the safe side, maybe one a day because there will be other deliveries that come through. We will do our best to get rid of all the beeping noises that are in trucks. The forklifts certainly can be disabled. Most of the trucks I see come through Armory Square, where our business is now, very few of them have backup beeping to them for what it's worth. I don't know the laws associated with that. My office is right on the street where all the deliveries come and I rarely hear a truck that beeps.

625 Bill Carroll: I'm a Remax real estate agent. I showed the Camilla Knapp property many times to Dave. I would like to say thanks for being a responsible neighbor and listening to our concerns about how the construction will fit in. Just a couple of quick points I wanted to make was that the property could have been something else. It was on the open market. I think it is a good option that we consider that Dave is going to work with us. With a home builder, we might not have had any say on how it was built. The other thing is the trails on the property that was part of the Faith Knapp estate. I understood those could be closed down for public access by any owner. I appreciate the owners keeping them open for use and I hope they will continue to be used as such.

635 Mr. Wright: You said you already started talking to the Village and other people—all in the Village. Why is it you never bothered to cross over and talk to the people on this side, the immediate neighbors in the Town?

R. Huftalen: Do you have any comments for the record, Mr. Wright?

Mr. Wright: I'm trying to establish some credibility here.

640 Mr. Katleski: Honestly, I thought if there was some concern, people would have come out over the
course of the last two years. It was not until just recently that anybody came forward. I was just
going through the process. I didn't think I was going to get this type of push back from the
neighbors, to be honest with you. I think, based on what I'm hearing, that there have been a lot of
645 misconceptions and a lot of misunderstandings that are associated with this project. It is unfortunate.
I don't even know how. But if you look at the public record and if you just listen to what I've been
saying here since the beginning, many of the things that were said tonight are in complete conflict
with what I have been talking about. It is almost as if misinformation is being fed into the
community. Frankly, that is the only reason why I stood up and defended myself a little bit. I think
650 it is unfair. I have all along said that I would be willing to work with everybody. All along I have
said I wanted to do something that people are going to be comfortable with. Yet, I'm being painted
as building this monstrosity that is not concerned with the environment or the wellbeing of our
community, which is completely anti everything I have been talking about. Frankly, I think it is
unfair.

655 Mr. Wright: For the record, he has a problem getting the word out because the Village does not put
the word out.

660 R. Huftalen: I take strong exception to that remark, Mr. Wright. Clearly, there has been no lack of
public input on this project. I would also add, for the public record, we have had a bunch of detail
work done by a non-partisan NGO (non-governmental organization), I guess I would call it, the
CACC, which has excellent analysis and set of questions and things that can help clarify some of the
issues that have been brought up. I would encourage anybody who is interested to access those
665 records on file. Many of these concerns we are talking about are things that are being addressed and
have been considered. It is part of the reason why we continue to have this opportunity for public
input.

R. Huftalen: Are there any further comments?

670 Mr. Menacho: I would like to make just one. I think the reason he is feeling so much push back is
because a lot of people weren't aware of the design of what he wanted to build. Everyone was going
with the moniker of a farmstead brewery, but now that everyone has been able to see what it is and
word is getting out, people are alarmed. That's why we're all here.

675 Mr. Carroll: But that can be changed, right?

R. Huftalen: This is not to consider the architectural review or the site plan process.

Mr. Menacho: This is the problem about segmenting this stuff.

680 R. Huftalen: There is no segmenting. The architectural renderings were in the public record. They
were submitted to our Historic Preservation Committee. It is outside their purview. We did it
because we seek that input. We are very interested to know what the HPC thinks. We have the

685 Chairman of the HPC here this evening. Mr. Bartlett, maybe you would care to comment on your Committee's findings.

690 Ted Bartlett: We were asked by the Planning Board to take a look at the architectural renderings as they have come in so far. We looked at the view and vista from Route 13, the architectural character of the building. What they are doing is referencing hop barns. The materials, the landscaping and so on and so forth per our guidelines are what we look at.

695 R. Huftalen: HPC reviews any projects within the designated Historic District in the Village. This project is not inside that Historic District. But because of their expertise and their mandate for that particular zone, we asked them to comment on this important project.

700 Mr. Bartlett: The brewery presented at our January meeting and we had a lengthy review and we discussed it. Several issues came up and we talked about it. We made a recommendation to the Planning Board that we thought what was proposed was an appropriate design and compatible with the neighborhood with the concept of an agribusiness or agricultural endeavor.

R. Huftalen: The trouble with design is that opinions vary. Again, I would say it is our difficult charge up here to determine the balance of interests on this project. I can guarantee you, we take that responsibility quite seriously.

705 Ms. Reynolds: With all due respect, they looked at the project from Route 13. And it is attractive from Route 13, but from the other three sides, it is basically a warehouse. Although people have been aware of it, we asked about it last fall. We asked the Town and the Village what the status was. We were told that nothing was going on and we would be advised when something happened. So we have been in a holding pattern and didn't know what was going on. We were flabbergasted when we saw the design. We were out of town when it occurred. It was a big surprise to us. I think in terms of the historic aspects of it, many of us, as neighbors, would say that we differ from that. I think that Dave has been very responsive. I would like to say that as neighbors we are giving him a really hard time tonight. I know that Dave is really trying to work with this project. I'm not trying to go up against Dave at all. I'm concerned as a neighbor. But I also feel that they should have taken into consideration the views from the lake and the proximity to Lorenzo. Although it is not technically in the historic district, is it really in keeping with what we want for that particular viewscape?

720 R. Huftalen: I understand there is a visual impact study underway that we will be considering. Are there any further comments? (There were none.) I appreciate all the input. Thank you very much. What I'm going to do is continue the public hearing for the next regularly scheduled meeting, at which point we may have enough information to take under consideration. Are there any further comments or questions from the Board members?

725 Bob O'Leary: Mr. Chairman, when you continue the public hearing, will you take testimony at the next meeting also? R. Huftalen: Yes, we will. Our next regularly scheduled meeting is April 8 at 7:30 p.m. We also enjoy any written comments.

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730

William Bouck, 10 Chenango Street, Addition for Bathroom.

735 Jim Huftalen came forward to act as representative and described the project. The request is to build an 8-foot by 6-foot addition onto the existing house and put a foundation under it. The deck will be condensed proportionally to the change. The roofline will stay the same.

740 J. Gavilondo commented that it will be a little bit visible from the road. Mr. Huftalen said that anybody driving by would have to know what to look for in order to see it. Materials will match the existing. No windows will be added.

745 A. McDowell asked if the foundation would match. Mr. Huftalen answered no, the foundation will be under the new part. The deck does not need a foundation. A structure was previously built on the deck. He wants to put a new foundation to the house so that what was previously built on the deck will be on a foundation.

750 R. Huftalen noted that this project has been reviewed by the Historic Preservation Committee (HPC). The project was deemed to be compatible as presented and they voted 5 to 0 on February 25 to recommended approval by the Planning Board.

755 R. Huftalen asked if there were any more questions or comments. There were none. R. Huftalen made the motion to declare this an unlisted action under State Environmental Quality Review (SEQR) since no other agency is involved and approval will not have any significant adverse effect on the environment. No further SEQR action is required. It is recommended that a negative declaration be prepared and filed for this project. D. Webb seconded. The motion carried.

J. Gavilondo made the motion to approve the application as submitted. A. McDowell seconded. The motion carried.

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760 Jim Cunningham, Manager of the Madison County Sewer District (MCSD), gave a PowerPoint presentation. He stated that MCSD has been working with Dave Katleski for some time regarding the Empire Farmstead Brewery. Mr. Cunningham stated that he also runs 20 other municipal treatment facilities. He likes to talk to planning boards because there seems to be a missing link between MCSD and planning boards. When a new application comes in, planning boards wonder if their facility has capacity or not. Madison County is the head of the MCSD. Mr. Cunningham stated that he answers directly to the Public Works Committee and the MCSD. Chairman of the Board is Ralph Monforte and there are members of the towns and villages on the board and Counsel is George Conway. MCSD is heavily regulated by the Environmental Protection Agency (EPA) and New York State Department of Environmental Conservation (DEC). MCSD has permits and certain requirements must be met to discharge into the stream. MCSD is composed of two major elements—the collection system and wastewater treatment plant. There are Village sewer lines and Town sewer lines. MCSD is responsible for the main trunks and the treatment plant.

775 A. Walburger inquired if the lines are force mains or gravity. Mr. Cunningham answered that they are all gravity.

780 Mr. Cunningham continued the presentation. When someone comes to a planning board for a new development, it may run through a town sewer to a village sewer to the MCSD. They all have their own budgets and their own repair of it and capital infrastructure. Most of the sewer system in

785 Cazenovia was built in the 1800s. The treatment plant was built in 1975. The collection system is
rather old. There are newer pipes such as PVC that is much better with fewer leaks. The older pipes
installed in the 1940s to the 1980s are vitrified clay and leak a lot and are a big problem. There is a
lot of infiltration from the joints. There is a lot of root intrusion and that breaks up the pipes. A few
years ago the sewers were pressure washed and digitally recorded. Overall, the sewers are in good
structural condition for the age of it. There is pretty good capacity in the system right now. One
major crack was found in a sewer line that was built in 1865 where the Clark Street bridge crosses.
The Village was in the process of replacing the bridge, so MCSD decided to dig it up. It was almost
790 a 28-foot deep ditch. An 18-inch line was replaced with a 24-inch PVC line. It was \$65,000 for
80 feet of this pipe, so that gives an idea of what these things cost. The treatment plant has two
sides; an active biological side and an empty tank not currently being used. The plant was designed
for 950,000 gallons per day (gpd). The last three-year average was 542,000 gpd, which is 57% of
the capacity of the plant. The strength of the wastewater, not flow, is measured in BOD
795 (biochemical oxygen demand), which is the amount of oxygen required to break down the
wastewater. The treatment plant is designed for 1,120 pounds per day (ppd). The plant sees
557 ppd, so it is at 55%. Total suspended solids is designed for 1,470 ppd and it is at 47%. Overall,
the plant is about half of its capacity. There is an extra tank that can be turned on and run if the
community grows. It is now being used to capture high flows when there is a lot of rainwater. Flow
can be diverted into there at the head of the plant. The extra tank can double the capacity. Only half
800 of the plant is being run right now.

Judy Gianforte questioned if the storm water from the village sometimes maxes out the plant.
Mr. Cunningham said there are spikes, but the permit is based on a 30-day average. The spikes are
measured and the 30-day is built into it. It is lower than that average, so it is okay. They do not like
805 to see that it spikes so hard that the biology is lost. A number of changes have been made to the
plant recently to ensure that the biology is not lost. Mr. Katleski came to the MCSD and numbers
were reviewed. Breweries can be extremely high in BOD. They are regulated by the DEC and the
EPA under 40 CFR, Industrial Pretreatment Program. MCSD then becomes the regulator, issues a
permit to the brewery, gives limits, and enforces. MCSD becomes the regulator if there is an
810 industry that could have enough impact to the plant. MCSD did a waste characterization and the
brewery is an SIC code 2082, a general food grade non-hazardous wastewater. EPA and DEC
classify breweries as non-categorical significant industrial users, which means they need a permit
from MCSD because they have enough BOD to impact the wastewater treatment process.
Mr. Katleski wrote a letter requesting 183 pounds per day maximum BOD at 43,000 gpd. The
815 wastewater treatment plant has 563 ppd BOD available. That leaves 380 ppd of BOD available for a
possible 2,773 household units. The treatment plant has almost a half million gpd of future capacity
from a flow standpoint. MCSD put together a permit for the brewery and it is the attorney's hands to
work out some details. Then it will go to Mr. Katleski. It has specific limits that he asked for;
183 ppd. There is a sewer use ordinance, so when anybody builds, they have to follow the sewer
820 ordinance. There are local limits in that sewer use ordinance that have been established for a long
time. MCSD would make the brewery do specific quarterly testing to prove that they are meeting
the permit limits that were set. Flow starts at about 9:00 a.m. and ends at about 9:00 p.m. There is a
spike during the day. At night, not too much is going on because the community is sleeping. MCSD
has asked the brewery to incorporate an equalization tank. They would put their wastewater in it,
825 aerate it, and then pump the wastewater to the treatment plant at night when the load is low. The
treatment plant probably will not see the load because there will be no load from the community.
This works well in a lot of communities. If they have a food venue, they need to have grease traps.
Mr. Cunningham urged the Planning Board to make sure applications for restaurants have properly
designed grease traps. The grease plugs up sewers and then they back up. When Cazenovia

830 Equipment moved to the Town of Cazenovia, they needed to have an oil/water separator because they pressure wash equipment there. The oils really affect the treatment facility.

The treatment plant has Class A compost. Biosolids are composted at the treatment plant and they are finely screened after a series of composting. This compost is given to the public for flower
835 gardens. It is a great recycle program. One of the problems is molybdenum, which is in greases. The treatment plant is getting very close to its limit. Cazenovia Equipment can put it over the limit. MCSD is very cognizant of what might be in an industry and limits are set, otherwise it will stop what the treatment plant can do. The treatment plant produces an effluent to the creek, biosolids, and there is air emission. It goes to three places; solid, liquid, and gas. There is mercury. MCSD
840 regulates dentists because of the mercury.

Regarding the brewery project, DEC reviews anything over 2,500 gpd. They will review this project and the Industrial Pretreatment Permit. Madison County Sewer Board has approved the project and the permit. Mr. Cunningham assumes that Empire will accept it.
845

Tom Clarke asked what the odor would be from the brewery. Mr. Cunningham answered that some of the dark beers use chocolate malts that give off a different odor. His concern is storage of the products. He went to Empire and worked with them quite a bit. He tested the wastewater. What
850 was found is that if the yeast in the bottom of the fermenters and the trub (pronounced troob) are removed, it cuts the BOD numbers in half. They are planning to do that in Cazenovia. The problem is that it cannot be stored too long without keeping it aerobic. That is an important consideration. Winter will cause a problem because it cannot be land applied on frozen ground. Mr. Cunningham thinks that it might have to be hauled to another treatment plant. Mr. Cunningham explained that MCSD treatment plant takes in outside waste because it is larger than other systems.
855

Mr. Clarke asked if there would be odors if the yeast and trub are spread on a farmer's fields, such as Wilson's farm across the road. Mr. Cunningham answered yes, if it sits around for awhile and becomes anaerobic. But if it is plowed in right away, it will not smell. It is a tough situation due to crop rotation. If a farmer wants to put it on a corn field, there are only a few windows of time that
860 can be done.

A. Walburger inquired if this would be aqueous or solid waste. Mr. Cunningham replied that it would be aqueous with only about 3-4% solids. The grains themselves are solids, so that should go to a farmer. It is the other two waste streams that will be more difficult.
865

A. Walburger asked if it can be pressed. Mr. Cunningham said that it can be pressed and squeezed into cake and taken to a landfill. It can also be composted.

Kurt Wheeler suggested that some of the factual components of Mr. Cunningham's PowerPoint presentation be put on the Village of Cazenovia website. Mr. Cunningham said he would add some
870 words to the slides and submit it.

Mr. Cunningham handed out a questionnaire that is being distributed to planning boards in Madison County. It is a multi residential and commercial user application. The questionnaire will give the
875 sewer district an idea of what kind of BOD or waste is expected.

Mr. Cunningham invited everyone to email wastewaterhelp@yahoo.com if there are ever any questions.

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Kurt Wheeler, 5 Liberty Street, Swimming Pool.

885 Kurt Wheeler was present. The swimming pool will be laid out on the property per the zoning regulations. He is going to use a landscaping company to do the landscaping. He will have more than the required setbacks on the sides and the rear. He will keep the existing 4-foot fence between the pool and the street. There will be a spring operated self-latching gate per the State law. He would like to add an additional piece of fence vertically from the back of the house toward the back of the property so that the pool area is compartmentalized. It will also have a self-latching gate. The pool will have an alarm so that if something falls into the pool, an alarm will sound inside the house.

890 If the pool needs to be pumped out, the flow of the pool pump will be reversed, a hose will be attached and run out to the storm sewer system. The water needs to be dechlorinated before draining. The pool will be a depth of 8 feet on the deep end and 3 feet on the shallow end.

895 R. Huftalen commented that the lot calculations were done and there is plenty of room for the pool as well as enough setback area.

900 A. McDowell inquired about whose responsibility it is to dechlorinate the water before it is pumped out. Mr. Wheeler claimed that responsibility. He described the process as putting a chemical into the water which would dechlorinate it. When the pool is empty the salt-like agent can be swept away.

905 J. Gavilondo asked if Mr. Wheeler had notified his neighbors. He replied that his neighbors are looking forward to using his pool. He continued that there is no legal requirement to notify the neighbors. His only concern is that the kids might get too noisy for his retired neighbors, in which case he would want those neighbors to call him so he can tell the kids to quiet down.

R. Huftalen said that noticing requirements are only for public hearings and this is site plan approval.

910 R. Huftalen made the motion to declare this an unlisted action under State Environmental Quality Review (SEQR) since no other agency is involved, nor will the approval of this application have any significant adverse effect upon the environment, no further SEQR action is required. Therefore, it is recommended that a negative declaration be prepared and filed for this project. J. Gavilondo seconded. The motion carried.

915 R. Huftalen made the motion to approve the project as submitted. A. Walburger seconded. The motion carried.

920 Mr. Wheeler commented that the sign system works very well in the Village to act as a public notice because properties are in such close proximity. But a public notice sign at other places, like the proposed brewery, may get missed because people are already at 55 mph. He will take a look to see if the law needs to be adjusted.

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925 Heritage Family Medicine, Atwell Mill, Request for Three Signs.

No one was present. No action was taken.

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930 A. Walburger made the motion to adjourn the meeting. J. Gavilondo seconded. The motion carried and the meeting was adjourned at 9:37 p.m.

Respectfully submitted,

935

Marlene A. Westcott
Recording Secretary