

TULLY JOINT PLANNING BOARD
PUBLIC HEARING AND MEETING – October 26, 2023

Members Present: Steve Bielecki, Chairperson
Steve Breitzka, Chuck Wykstra, William Hackett, Adrienne Drumm,
John Casey

Others Present: Robert DeMore, Town Attorney
Paul Sheneman, PLS Engineering
Alex Dutt, Sky High Solar
Susan Vaccaro, Interim Recording Secretary

Mr. Bielecki called the Public Hearing to order at 7pm and asked if there were any questions from the floor.

One resident expressed his opinion as far as being able to build what you want on your own property. And regarding traffic on Rt. 281 versus having truck traffic on the village streets, this resident also expressed his opinion in favor of having the traffic over on Rt. 281 in the “business district” rather than on the village streets.

Jason Shaw, the applicant, spoke next. He stated his intention as far as building his business on Rt. 281 was to keep truck traffic off village streets, away from school zones, and onto a more commercial and industrial roadway. In addition, he stated this is a fifth generation business. His family has been here for over one hundred years and are investing in Tully as well as eliminating an eyesore which was previously on this same property.

Mark Drumm spoke next and expressed his concerns regarding a “double standard” in the Town of Tully. Mirabito planned to put a gas station on his property; they went through all the steps in the process, did everything that was required. In the interim, a watershed protection district was created and a moratorium on land applications was established. So the project on his property has been held up for several years, but this one that’s the subject of this public hearing has gone through, apparently with no issues. He stated that he’s not here to speak against the project, just the process.

There were additional comments and questions by residents as to whether there is a wetland on the subject property as well as additional input from Paul Sheneman, our town engineer, who discussed the characteristics of wetlands and the different types of wetlands and whether they are governed by federal or state guidelines. Brief discussion ensued.

There being no further discussion, the following motion was made:

Joint Planning Board

October 26, 2023

Public Hearing

Motion to close the public hearing at 7:30pm was made by Mr. Bielecki, seconded by Mr. Casey. Motion carried. (Bielecki, Wykstra, Casey, Drumm) 4 ayes, 0 nays.

Joint Planning Board

October 26, 2023

Meeting

Town Attorney Robert DeMore stated that we had gone through the SEQR at the last meeting on October 10th. He also discussed several documents and modifications relating to the property including a NYS SPDES Permit, notices to adjacent towns. The applicant must conduct a formal wetland delineation to determine the presence or location of any federal wetlands on the site and get confirmation by the Army Corps of Engineers that that has been done, and it must be shown on the plan for the site. Discussion followed.

Mr. DeMore stated that the process is continuing. Site plan review is normally done in a few months. We've already had several meetings on this. We should have one more meeting.

Mr. Bielecki announced that the Shaw warehouse portion of the meeting is concluded. He suggested we ask TJ to come back to the meeting for the Boralex Sky High Solar portion of the meeting.

(TJ Shaw entered the meeting at 7:45pm)

Motion to approve the minutes of the August 9th meeting regarding the Boralex Solar project. Motion by Mr. Shaw. Second by Mr. Wykstra. Motion carried (Bielecki, Wykstra, Casey, Drumm, Shaw) 5 ayes, 0 nays.

Mr. DeMore advised as we move on to the Sky High solar project that we've completed the SEQR on that project. The planning board's role in this is to review the application and make a recommendation to the town board. Our engineer has reviewed all the documents. We've been in touch with the fire department on several occasions as to the width of the roadway through the project which we've agreed should be fifteen feet wide.

We have also received the recommendation from County Planning which met on October 11th. Lengthy discussion followed.

Meeting

Ms. Dutt offered several documents that had been missing from the last meeting. Brief discussion.

Chairman Bielecki asked our town attorney if the matter should be moved to the town board for approval.

Mr. DeMore agreed that they should make a motion to do that.

Motion by Mr. Bielecki, seconded by Mr. Wykstra to approve the application for the special use permit for the Sky High Solar project and make that recommendation to the town board. Motion carried. (Bielecki, Wykstra, Casey, Drumm, Shaw) 5 ayes, 0 nays.

Motion to adjourn the meeting was made by Mr. Bielecki, seconded by Mr. Shaw. Motion carried. (Bielecki, Wykstra, Casey, Drumm, Shaw) 5 ayes, 0 nays.

The meeting was adjourned at 7:55 PM.

Respectfully submitted,
Susan Vaccaro,
Interim Recording Secretary