

The Town of Fenton Planning Board held a meeting on Tuesday, January 31st, 2017, at 7:00 pm, at the Fenton Town Hall, 44 Park Street, Port Crane, New York.

PRESENT: Planning Board Members John Eldred, Chairman
Richard Armstrong, Board Member
Jason Aurelio, Board Member
James Keough, Board Member
Patrick Mullins, Board Member
Thomas Standard, Board Member
Legal Counsel Tina Fernandez (Hinman, Howard & Kattell)
Town Clerk Melodie Bowersox

ABSENT: Planning Board Member Brian Randall, Board Member

OTHERS PRESENT: Town Councilman Richard Pray, CAC Member Patricia Podrazil, Zoning Board of Appeals Member Mike Ward, 16 members of the General Public

MINUTES TO APPROVE

The Planning Board Members were either mailed or emailed the minutes from the Planning Board Meeting held on December 20th, 2016. With no corrections to be made to the minutes from the December 20th, 2016 Planning Board Meeting, **Mr. Standard made a motion to approve the minutes**, seconded by Mr. Aurelio. **Motion carried.**

VOTE: Ayes 6 Armstrong, Aurelio, Eldred, Keough, Mullins, Standard
Nays 0
Absent 1 Randall

NEW BUSINESS

Dale Development LLC – Change of Use – Jeff Finch – 126 E. Service Road – Jeff has a restoration company and he is purchasing the building at 120 E. Service Road (Jeff indicated the location of the property is actually 120 not 126 E. Service Road) where he would like to move his business into. The building is a small building to the left of the main plaza on the E. Service Road. The current zoning on this property is General Commercial. Jeff submitted a plan of what he would like to do with a portion of the building, explaining that he plans to put partitions in on the left side of the building for offices. (A formal site plan was not necessary because the review was for an acceptable change of use within the zoning.) His restoration business consists of fire mold, water mitigation, rebuilding, carpet cleaning, etc. Mr. Armstrong asked if there were any waste products to be disposed of as a result of his cleaning and restoration. Jeff replied that 95% of the waste is environmentally safe and people friendly; the waste is disposed of in a sewer that is not in the Town of Fenton. There will be no more than three vehicles parked in the parking lot and there will be one truck parked out of sight. There is a right-of-way across the other plaza's property to access E. Service Road. In the future, there may be an addition to the building but for now he is just requesting the change of use so that he may occupy the building. **Mr. Aurelio made a motion to accept the change of use**, seconded by Mr. Mullins. **Motion carried.**

VOTE: Ayes 6 Armstrong, Aurelio, Eldred, Keough, Mullins, Standard
Nays 0

Mr. Armstrong advised Jeff to work with Building Inspector Matt Banks in regard to the renovations to the building.

Natural Gas Compressor Station – 65 W. Service Road – James Tofte of Griffiths Engineering distributed a preliminary site plan to the Planning Board Members. James said he started working with NG Advantage last year to find an Industrial Zoned site for their business. The site would need to have adequate power and be located near the millennium pipeline where their by-product is located. They found the best location in the Town of Fenton. James introduced Chief Operating Officer Gerry Meyers and Vice President of Engineering, Construction, and Maintenance Steve Palmer who traveled from Greater Burlington, VT to attend the meeting. James said the project is actually called a Commercial Fueling Station (vs. Natural Gas Compressor Station, as indicated above). Within the Town's Zoning, James felt it would most likely fall under 'Truck Terminal' because that is the most appropriate use for the project. The Commercial Fueling Station would be located at 65 W. Service Road where Kenneth's Fine Repairs, LLC is currently in operation by owner Kenneth LaDue, who was also introduced. NG Advantage has the opportunity to lease the parcel from Kenneth. The improvements would include elevating the site. The proposed flood elevation is 852' and all essential equipment is being proposed to be elevated two feet above that. The compression equipment is generally elevated four feet above the fueling area. The equipment will all come in overhead; nothing will be buried. There were be additional meetings with the Planning Board to review extensive site plans, a full Environmental Assessment Form, and a SWPPP. Noise issues will be addressed. There will be a discussion on mitigation, as the property is located in a flood plain; material will be removed and moved to higher ground. There have already been discussions with the NYS Department of Transportation in regard to their concerns. Gerry Meyers distributed a pamphlet (similar to a PowerPoint presentation) entitled, "Town of Fenton: Intro to NG Advantage." Gerry started the presentation by explaining that what NG Advantage basically does is take gas off a pipeline, compresses it, puts it in the back of trailers, and distributes it to industries. Natural gas is greener than oil and will probably be taking the place of a lot of coal.

Highlights of Gerry's presentation included:

- NG Advantage Current Operations
 - o Formed in 2012, first delivery in March, 2013
 - o Largest CNG (Compressed Natural Gas) provider in US
 - o Two compression facilities: Milton, VT and Pembroke, NH; hope to add Binghamton, NY in November, 2017
 - o 71 CNG trailers in our fleet
 - o 27 commercial and industrial customers in VT, NH, ME, MA, and NY (three customers in NY); serve hospitals, colleges, paper, asphalt and energizer battery plants
 - o 40 plus deliveries per day; expect 40-50 in Binghamton initially
- Properties of Natural Gas
 - o Approximately 97% methane with trace amounts of ethane, butane, pentane, and propane
 - o Relatively high ignition temp > 1,100 deg
 - o NG will burn between 5-15% volume in air (LEL/UEL)

- o Specific gravity approximately 0.57 (relative to air); gas will rise! This is one of the reasons all of the piping and equipment is installed above
- o Studies show ignition level to be 160' above ground
- o Odor added (mercaptan); smells like rotten eggs
- Safety is NG Advantage's First Priority
 - o All transported equipment (trailers) will meet or exceed 49 CFR 571.304 (Federal Motor Vehicle Safety Standards for CNG container safety), plus other applicable DOT regulations
 - o All facilities and equipment (loading and unloading stations) will meet or exceed National Fire Protection Association (NFPA) codes: NFPA 52 (Compressed Natural Gas), NFPA 58 (Liquefied Petroleum Gas Code) and NFPA 70 (National Electric Code)
 - o All facilities and equipment will be approved by State Division of Fire Safety; we work with all local firefighters for training on handling natural gas; NG Advantage has already met with two of the local Fire Companies that provide for the Town of Fenton
 - o All operators and handlers will be certified for hazardous materials and trained specifically on our fueling station, trailers, and decanters (skids)
- 2016 Safety Inspections
 - o Department of Transportation and PHMSA performed a full scale compliance audit in April of 2016 (After there was an incident by one of NG Advantage's competitors in the industry, a complete inspection was done and NG Advantage did very well)
 - o Reviewed and audited our entire safety and training program
 - o In depth review of Haz-Mat Security Program as well as DOT Haz-Mat training
 - o The final inspection report (exit briefing) revealed "no violations found at this time" and "no further action required"
 - o VOSHA/Work safe performed voluntary audit on safety and training program with Milton compression and two customer facilities
 - o One violation found during tours of Milton and customer sites (fixed in the field) resulted in "no further action required"
 - o Quote from the inspectors "NG Advantage's compliance with Vermont Occupational Safety and Health Administration (VOSHA) workplace health and safety regulations is overall very impressive"
- Milton Compressor Site (included photo); this would be very similar in size to the Fenton project
 - o We are served directly by the transmission pipeline at 550 psi; gas then compressed to as much as 4000 psi
 - o Nine compressors (three zones in Milton, VT)
- Pembroke Compression Facility (included photo)
 - o We are served directly by the transmission pipeline at 550 psi; gas then compressed to as much as 4000 psi
 - o Five compressors (one zone in Pembroke, NH)

- Operations
 - o 24/7 Operations Center; maned by a minimum of two people but usually it is three or four
 - o Highly trained in the operation and transportation of CNG
 - o Monitoring real time customer data to ensure safe operation and on time deliveries
 - o 12,000 plus deliveries in 2016
- Dashboard
 - o All information is automated
 - o Indicates various status and statistics, such as heat exchange temperature, meter battery voltage, meter pressure, etc.
 - o All 27 customers have a dashboard
- Titan XL Photos (2) – the trailers hold composite tubes of compressed natural gas; strict DOT compliance on the tubes; currently have 52 Titan XLs and expect to purchase 20 more; cost \$700,000 each
- Titan XL Specifications
 - o 40' trailer
 - o Just shy of 100,000 lbs. fully loaded (truck and trailer), height 13'4"
 - o 12 tanks/cylinders (five-large/seven-small)
 - o 12 tank/cylinder valves (seven in rear, three in front, two in belly)
 - o Three manifold valves
 - o Fully loaded holds 526,612 SCF (3,600 PSI @ 59F)
 - o Emergency shutoff system (levers on drivers side of trailer)
 - o Fire extinguishers on board
 - o Biased actuated valve (BAV) operating system
 - o Three emergency handles on side of chassis (cable driven to manifold valves) stop the flow of gas when utilized
- Titan XL Front Tank Valves (photo)
- Titan XL Manifold Valves (photo)

A question and answer/comment session followed the presentation.

- Mr. Keough – What is the noise level? 65 decibels with all of the compressors at 100'; a test will be done on site to verify that. Hearing protection is recommended but not required by the State. They are very quiet, state of the art machines. Hours of operation? 24/7, 365 days.

- Mr. Aurelio – Has your company ever had an incident? We did have one truck go off the road and it was pulled out by a crane then put into service from the road.

- Mr. Armstrong – Do you add the odor component at the station? We will at this station.

- Mr. Mullins – Have you had any experience with the odor getting into the neighborhood? When it is not functioning properly it has. It has happened once in our four years of service at the Milton facility.

- Mr. Armstrong – You show in your site plan it looks like initially the potential to handle eight vehicles at a time and then you show potential for future stations. Steve, when you talked earlier you mentioned 40 loads per day – is that in the initial or in the future? That is in the initial. So in the future, what do you see that potential to be? 80-100.

- Mr. Standard – You said you already talked to the DOT about this? Yes, initially they thought this was a DOT road but the Site Plan Committee at DOT said that the road was turned over to the Town of Fenton. Their only concern was the bottle-neck issue on Route 12A. Coming down from Albany on Route 88 will be a straight shot onto the Service Road but coming back the other way is going to be more difficult due to some turns that would have to be made. DOT recommended going down to Phelps Street to return to the highway which currently many of the trucks do.

- Mr. Armstrong – Are we looking at a retaining wall around a portion of the compound? Yes. They are talking to Binghamton Precast about a retaining wall system to allow them to elevate the equipment section which is the same system that is at the Chenango Valley School bus garage that was recently constructed (on a larger scale). In this way, NG Advantage would be using a local contractor who would be supplying the blocks for the wall.

- Mr. Armstrong – Realizing that the Service Road does belong to the Town and the Town did recently pave that road, you will want to refer to Section 123 in the Town Code where concentrated traffic is addressed and concerns with what impact your operation might have with that pavement. Gerry said that they would like to discuss (with the Town) improving the frontage of Kenneth's property due to the extremely narrow road that has no shoulders and makes it difficult for truck traffic. They have done some modeling of the turns and they need a little more than standard opening size at the frontage area for trucks to come in and out.

- Mr. Keough – Your existing facilities, are they located as close to residential neighborhoods as you are going to be here? Closer. There is a picture of the one in New Hampshire which is by a house and a residential/commercial area.

Additional comments made by James, Gerry, and Steve:

- There is a modular trailer on the property that will be used as a bathroom for the drivers.
- They will be looking to hire six or seven full time staff to cover the 24/7 timeframe and up to 60 drivers in Phase One.
- They are conscious of Port Dickinson Park. The property is a few hundred feet from one of the trails located in the Park.
- The compressor air will be fenced.
- A Photometric Plan will also be supplied which will show the lighting around the site. They plan to keep light to a minimum.
- Phase One will cost approximately 12 million dollars and will serve primarily New York customers.
- They are considering a redevelopment project in accordance with NYS DEC in terms of the stormwater design for the site. Materials are being repurposed from a site that was acquired.

- Steve asked if the project should be considered a fueling station or a trucking terminal. Mr. Armstrong said it seemed to be more of a trucking terminal.
- The local Fire Companies will be very involved with the project. They will be provided a plan on how to handle issues involved with the project and will receive training. This was an introduction to the project and they anticipate returning to the Planning Board. Gerry said that if there were any further questions or comments, they could be contacted through Mr. Armstrong.

Old Business

Brewery – Brendan Harder – 197 NYS Route 369 – Mr. Armstrong said the ZBA listened to comments and concerns of a neighbor at a meeting on January 17th, 2017. Also, the applicant of the Brewery Project had an H & H Study completed which looks like any impact to the river levels associated with the project are minuscule according to the preliminary finding.

Chuck Rhoades of the Brewery Project has not seen the report yet. There are individuals meeting with NYS DEC to further understand the project and how it is related to agriculture, clarifying how NYS DEC looks at it and how NYS Ag and Markets look at it. The ZBA may be meeting on Wednesday, February 8th, 2017, at 7 PM, for a continuation of the January meeting for an interpretation as to whether the project is a permitted use in the Ag-Res-A District as well as the project's impact on the floodplain.

DLA – Hillcrest – Mr. Keough asked if there was update on the project at the DLA in Hillcrest. Mr. Armstrong replied that he had no update. Chenango Valley Central Schools was adamant that they are not willing to consider traffic through the school property, including employees that may be working at the company.

Binghamton Precast – West Service Road – Jay Abbey – Mr. Mullins asked if there was any response to Mr. Hamlin's letter dated October, 2016 that was addressed to Jay Abbey that he had shared with the Planning Board that he would make an effort to provide landscaping when the site plan was reviewed and to date there was no indication of landscaping. Mr. Eldred nor Mr. Armstrong were aware of a response from Jay.

Commercial Fueling Station Project – Handouts – CAC Member Patricia Podrazil asked for copies of the handouts from the project that were distributed to the Planning Board Members at the meeting. Mr. Keough gave his copy to Patricia who will share the handouts with the other CAC Members.

At 7:54 pm, **Mr. Keough made a motion to adjourn the meeting**, seconded by Mr. Armstrong. **Motion carried.**

Melodie A. Bowersox, Town Clerk