

York Planning Board
March 27, 2024 – 7:30 pm
Meeting

Present: Joe McIlroy, Dave Dermody, Steven Carroll, Zach Kobylanski, & Chris Wall

Others: Donna Falkner, Jim Campbell Esq., Carl Peter, Kirk Richenberg, Theresa & Sam Mitrano Jr.

7:30 pm – Mr. McIlroy opened the meeting and led the pledge.

Resolution:

Mr. Dermody moved to approve the February 28, 2024 minutes, Mr. Kobylanski seconded, all in favor, carried.

Ayes – 4

Nays - 0

Mr. McIlroy asked Mr. Mitrano to tell us what he wanted to do.

Mr. Mitrano from Mitrano Tire LLC would like to add alignments to his tire business which is grandfathered. To do alignments he has to register as a repair shop to do this. He only works nights and weekends. He might also do oil changes. He would only work by appointment and would have no more than one car outside at a time.

Mr. McIlroy said he was pre-existing and non-conforming. He asked the board to look at p. 74, 702, a-5 and he read it aloud for the public. He asked if the board had any concerns.

Mr. Dermody said he had none, there were no external differences.

Mr. McIlroy said it does not require a motion.

Mr. Campbell agreed and it doesn't change anything. The existing building remains the same. He needs this to get the permit from New York State.

Mr. McIlroy asked everyone to look at p. 75, 704 a & b. It was never discontinued for 12 months. They maintained the equipment, stock and facilities.

Resolution:

Mr. Kobylanski moved acknowledging the request meets with 702 a-5 and the code enforcement officer will provide a letter for the state. There was no abandonment of the property per 704 a, Mr. Dermody seconded, all in favor carried.

Ayes – 4

Nays - 0

Battery Storage Review – Mr. Campbell is referring to Mr. Wall who has more knowledge of it.

Mr. Wall said Battery Energy Storage Solutions compartmentalized Battery storage. Energy storage falls under same umbrella as renewable energy.

Mr. Dermody likes Energy Storage System. Mr. Campbell asked if we can still go with Tier 1 & 2. Mr. Wall said he thinks so.

Mr. Campbell asked how does the hydrogen work?

Mr. Wall said similar. Facilities are huge industrial facilities where they stick 2 tubes into water, not identified as a battery. Mr. Campbell is referring to Mr. Wall who is more familiar with it. Mr. Wall said he doesn't know if it'll make it down to 5 megawatt system. He said the renewable source is feeding hydrogen production. Mr. Campbell said but it still could be fed from power lines. Mr. Wall said if there were no windmills or solar panels they would not get funding.

Mr. Peter asked what is hydrogen like for safety or planning for storage. Mr. Wall hasn't seen anything yet. Mr. Dermody said it is fairly combustible though and Mr. Wall agreed. Mr. Dermody asked who knows the most about hydrogen industry besides Chris? Mr. McIlroy asked if MRB would have a voice regarding this.

Mr. Wall said energy solution laws are fairly broad, maybe we don't have to define it broader. Mr. Campbell said the industry is often driven by politics so be careful. It's a moving target industry always changing too.

Mr. Wall said Tier 1 would need some kind of electrical approval. Tier 2 (Orangeville) package units from China, have to have UL standards, fire suppression issues.

Mr. McIlroy what about disposal of the batteries – hazardous wastes – from cradle to grave. Mr. Campbell said from an environmental standpoint absolute liability on the developer but it can be expanded to others.

Mr. Wall said with a decommissioning plan disposal costs were named and where it was going.

Mr. McIlroy referring to p 15 of the local law, #3, doesn't like the wording.

Mr. Campbell said a future buyer has to use due diligence and proper care – buyer beware.

Mr. McIlroy doesn't get it with dwelling and accessory dwelling, feel its creating non-conformity.

Mr. Campbell – you're waiving it pre-development

Mr. Peter – don't want setbacks between two parcels owned by the same person.

Mr. McIlroy – have reason for 400 ft. property line setback – safety reason

Mr. Campbell – not a liability issue but anyone can be sued.

Mr. Wall says there is legitimate concern for setback between solar and battery.

Straw vote – leave 3 out on p. 15

Mr. McIlroy – should be a timeline, p. 16, 7-a Decommissioning

Mr. Dermody – could still have one battery out of 20 trickling

Mr. Campbell – not binding – should sign a decommissioning plan that makes the company more liable - vastly more fleshed out over the last six years. He will add some more to #7.

Board recommends outside help for hydrogen part.

Mr. Wall asked if there is any special equipment as regards fires and training for the town.

Mr. Campbell said it would be better to let them burn according to the industry but the emissions would be detrimental to environment. Should put setback from the creeks, ponds, etc.

Mr. Wall said need to think of it like for transformers.

Mr. Campbell said DEC regs get triggered with a 5-acre disturbance. Don't know how DEC gets involved without a SWIPP

Resolution:

Mr. Dermody moved to adjourn at 8:30 pm, Mr. Kobylanski seconded, carried.

Ayes – 4 Nays – 0

Respectfully submitted,
Donna Falkner