


TOWN OF LANSING PLANNING MEMORANDUM

TO: PLANNING BOARD

FROM: Michael H. Long – Planning Consultant 
Lynn Day – Code Enforcement Officer

RE: **Cargill – Shaft #4 - Surface Improvement - Site Plan Approval**

DATE: October 12, 2017

Consideration of the Application of Cargill Incorporated with Spectra Environmental Group, Inc. and Barton & Loguidice D.P.C., engineers presenting the application for surface Site Plan improvements for the proposed Cargill Shaft #4 project at 1001 Ridge Road (NYS Rt. 34B) , Tax Parcel # 23.-1-6.2 (57.95+/- acre parcel). The Cargill Salt mining operation has been in existence for over 100 years and this proposal deals with the site plan approval limited to the Surface Improvements to construct the new elevator shaft and related buildings to improve the safety and operation of the miners. The parcel is located in the RA – Rural Agriculture Zone which is a permitted use per our Town of Lansing Land Use Ordinance, with special conditions Section 802.1 (Planning Board Site Plan Review and Special Use Permit approval from the Lansing Town Board). The Planning Board held a sketch plan review meeting on September 11, 2017 to provide feedback and input during the design process.

New York State Department of Environmental Conservation (DEC) has continually reviewed the Cargill Salt Mining Operation and permits currently to mine salt over 2000 feet below Cayuga Lake. Cargill recently applied to DEC to amend their operating permits to include the addition of the new shaft #4 as a safety measure to improve air ventilation, reduce energy consumption and response times should an accident occur. The DEC was declared the Lead Agency for a Coordinated SEQRA Review and issued a “Negative Declaration for the Shaft #4 project. The Town of Lansing was an “involved agency” and the Planning Board is responsible to review the site plan improvements and recommendation to the Town Board for a “Special Use Permit”.

Site Characteristics: The site consists of 57.95+/- acres formerly farmed land that has terraced areas mostly flat land and open field with an existing residential house and wooded areas. The surrounding neighborhood is of rural agricultural and residential character with general views of Cayuga Lake. There are area drainage streams and soil, rock and storm water conditions similar to the general Lansing community

Comprehensive Plan/ Zoning: The site is in the RA Rural Agricultural Zone. The 2006 Town of Lansing Comprehensive Plans intent is to designate areas where the expected and desired use of land is a mixture of varied types of agricultural and residential development.

GML Referral: The proposal was submitted for the site plan modifications to the County Planning Department for 239 GML review. They have responded with the attached review letter dated September 29, 2017 and have stated” the proposal as submitted, and has determined that it has no negative or county –wide impacts”.

Requirements:-

- 1) The Engineering firm has prepared a SWPPP for the surface improvement required as part of the proposed development project. T.G. Miller has reviewed the submitted materials and has requested additional information. (See the attached letter Oct 11, 2017). The engineers will be updating the materials and continue to discuss with the town engineers the
- 2) Although the Applicant had supplied a preliminary design for an onsite Septic Treatment Plant dated and Tompkins County Health Dept. will be required to approve the Waste Water Treatment System.
- 3) The Developer will have to apply and comply with the requirements to NYS Department of Transportation (DOT) for a modification to the NYS Rt. 34B Curb Cut access permit. For the entrance driveway.
- 4) The applicant will also be required to apply and connect to the Bolton Point Water System.

Recommendations: That the Planning Board should take the following actions if deemed appropriate:

1. On October 16, 2017 a “Public Hearing” for Site Plan improvements.
2. At an appropriate meeting, review the additional documents and issue a “Conditional Approval” of the Site Plan application as per the prepared draft resolution.

Please feel free to contact us with any questions regarding the above.

T.G. MILLER, P.C.

ENGINEERS AND SURVEYORS

203 N. Aurora Street | Ithaca, NY 14850 | phone 607-272-6477 | fax 607-273-6322 | www.tgmillerpc.com

November 6, 2017

Michael H. Long, AICP
Town of Lansing Planner
29 Auburn Road
Lansing, NY 14882

Re: Cargill Incorporated – Cayuga Salt Mine
Surface Facilities for Shaft #4

Dear Mr. Long,

We received a revised Storm Water Pollution Prevention Plan (SWPPP) dated October 2017 prepared by Spectra Environment Group, Inc. and drawings C1 to C19 Dated November 2015 (C7, C8 and C10 revised February 16, 2016) prepared by Barton and Loguidice D.P.C. We have summarized our comments based on the revised documents and the response letter provided by Spectra Environment Group, Inc. dated October 13, 2017. In addition we have attached a few drawings with our redline comments.

Stormwater Management

1. Revise existing watershed map (Figure 1 by B&L) to match field conditions and update the pre-developed hydrologic calculations. Show the existing swales and field tile outlet along the western property line. Consider impact of field tile on the Hydrologic Soil Group (HSG) for the site. Should existing soils be modeled as HSG "C" for drained conditions? Clarify watershed draining to the existing pond.
2. Revise proposed watershed map (Figure 2 by B&L) showing routing of eastern drive and update post-developed hydrologic calculations.
3. Review existing and proposed runoff curve numbers. The existing ground cover conditions reflect "Meadow" more than "Pasture"? Review SWDM section 4.5.
4. Provide Pre and Post runoff summary within the SWPPP narrative.
5. Delete reference to excess fill areas shown on sheet C7 and C8.
6. Provide summary within the SWPPP requesting approval of greater than 5 acres to be disturbed at any one time along with a summary of the additional inspection requirements.
7. Verify pond outlet pipe diameter, outlet structure invert elevations and orifice size. Revise plans, details and HydroCAD calculations to be consistent between each.
8. Review the south bioretention basin outlet structure elevation and the spillway elevation. Are both intended to be at the same elevation? Revise plans and HydroCAD calculations as necessary. Underdrain is not shown on the plans.

David A. Herrick, P.E.
Frank L. Santelli, P.E.
Andrew J. Sciarabba, P.E.

Steven R. Rowe, P.E.
Dondi M. Harner, P.E.,
LEED A.P.

Lee Dresser, L.S.
Darrin A. Brock, L.S.

9. Review north bioretetion basin outlet elevations. Are both outlets intended to be at the same elevation? Are both outlets modeled in HydroCAD? It appears the underdrain is lower than the outlet structure pipe elevation. Consider lowering outlet pipe or connecting the underdrain to north inlet.
10. Is 6 inches of ponding proposed within the bioretetion basins?
11. If volume within bioretetion basins is to be used, review porosity of bioretetion soil mix. Should the porosity be closer to 20% voids instead of 40% as modeled?
12. Provide WQv summary and narrative in the SWPPP. Is any water quality volume accounted for in the wet pond?
13. Consider utilizing temporary check dams as in the proposed channels and show on the erosion and sediment control plan.
14. Provide details for temporary sediment basin outlets.
15. Consider use of a level spreader at the pond outlet or show grading for the channel along with appropriate stabilization techniques.
16. It is preferable not to have the emergency spillway align with the outlet pipe through the berm and within a fill area. Consider shifting the spillway.
17. Provide long term maintenance agreement for stormwater practices. Refer to Town of Lansing Local Law 6 of 2009.
18. Provide a copy of the determination letter from OPRHP once received.

NYSDEC Notice of Intent:

1. Revise #12. Project is located within a watershed with AA classified waters.
2. Complete #39 as it relates to question 32a.
3. Mark #43 as Yes.

Feel free to call if you have any questions.

Sincerely,



Donald Harner, P.E., CPESC

Enc: Redline drawings (C7, C8 and C14)

Cc: T. Ellis, Chair
E. LaVigne, Supervisor
M. Long, Planner
C. Purcell, Highway Superintendent
L. Day, SMO
G. Krogh, Esq.
D. Herrick, Town Engineer

RESOLUTION PB 17-

**RESOLUTION CONDITIONALLY APPROVING CARGILL
INCORPORATED MINE SHAFT #4 SITE PLAN IMPROVEMENTS
AND MAKING FORMAL REFERRAL AND RECOMMENDATION
TO TOWN BOARD REGARDING SPECIAL PERMIT FOR SAME**

WHEREAS, an application was made by Cargill Incorporated, owner, including by and through Edward G. Davidson of Spectra Environmental Group, Inc., for surface site plan improvements at 1001 Ridge Road, NYS Route 34B, Lansing, New York, TPN 23.-1-6.2, zoned Rural Agriculture (RA), for a site plan approval and special permitting review and referral for the siting and construction of site improvements for an Administration Building, Maintenance Building, Elevator Hoist House Building, Driveway and Parking, Stormwater and general site improvements (the "Project"); and

WHEREAS, the Planning Board held a sketch plan review meeting on September 11, 2017, whereat site planning input was duly provided upon a pre-application basis, such input having mainly been focused upon stormwater, buffering, traffic, and related Project issues, and the developer has since then amended the site and project plans several times and submitted a site plan application that was deemed complete, such that a public hearing upon the Project was duly scheduled; and

WHEREAS, the owner will complete a "Full SWPPP" for the Project, including properly sized stormwater retention practices and treatment sites and, in furtherance thereof, the developer's engineer has designed the on-site stormwater retention management practices for this site and the Project; and

WHEREAS, the Project, and its proposed building and land uses, is a permitted use under the Land Use Ordinance in the Rural Agricultural (RA) Zone, subject to obtaining site plan approval from the Planning Board and a Special Use Permit from the Lansing Town Board; and

WHEREAS, the Town has considered and carefully reviewed the requirements of the Town's Laws relative to site plan review and the unique needs of the Town due to the topography, the soil types and distributions, and other natural and man-made features upon and surrounding the area of the proposed site plan, and the Town has also considered the Town's Comprehensive Plan and compliance therewith; and

WHEREAS, the Cargill application submitted to the Town of Lansing Planning Board states this "modification application involves the construction of surface access and ventilation shaft" primarily for safety concerns and personnel access, and applicant does not intend to provide any surface salt storage or hauling at this location, and neither does the New York State Department of Environmental Conservation ("NYSDEC") permit amendment provide for or allow the same, such permit being duly and so limited; and

WHEREAS, NYSDEC as "Lead Agency" completed a "Negative Declaration" on the shaft #4 modification to the existing Cargill Salt Mine Permit, and the Town of Lansing participated in this process under the State Environmental Quality Review Act ("SEQRA") and, as involved agencies, the Lansing Town Board and Planning Board participated in a coordinated review in which DEC duly issued a negative declaration of moderate or significant potential negative environmental impacts arising from this project; and

WHEREAS, prior preliminary Project plans, and related information, were duly delivered to the Tompkins County Planning Department per General Municipal Law § 239, *et seq.*, as well as to the New York State Department of Transportation ("NYSDOT"), and the Project site plans have duly and already incorporated the requests and requirements previously addressed by County Planning and NYSDOT; and

WHEREAS, General Municipal Law § 239 referrals of the Project, as updated, were duly delivered to the Tompkins County Planning Department, and such Department responded by letter dated September 29, 2017 and determined that the Project has no negative inter-community or county wide impacts; and

WHEREAS, a public hearing was duly held before the Planning Board upon October 16, 2017, and the public was duly allowed to speak upon and address the Project and the Cargill Shaft #4 surface improvements and site plan, whereafter the Planning Board considered approval of the Project site plan upon receipt of final stormwater input and SWPPP updates, all including and in accordance with the provisions of the Town's Land Use Ordinance, § 701.4 *et seq.*, and including concerns addressing site drainage, lighting, nearby residences, landscaping, parking, and buffering/screening, driveway and any potential on and off site environmental impacts; and

WHEREAS, with (i) the completion of stormwater updates, the developer's replies to the Town Engineer's reviews, and updated stormwater plans upon October 13, 2017, and the review and recommendations thereupon by the Town Engineers thereafter, each and all of which concerns and check list items are hereby incorporated as approval conditions, and (ii) the issuance of this site plan review approval, the application for a Special Use Permit be and hereby is deemed completed effective this date, and a formal recommendation of the Planning Board is thus and duly so made upon this date; and

WHEREAS, upon due consideration and deliberation by the Town of Lansing Planning Board, now therefore be it RESOLVED as follows:

1. Final Site Plan approval be and hereby is issued for this Project for the proposed site improvements as located upon the afore-described 57.95± acre parcel, TPN 23.-1-6.2, as shown in and upon the Site Plan Sheets #C-1, C-7, C-8 and Architectural Drawings A1-16, as submitted by Barton and Loguidice Engineers, which also show proposed building elevations and shaft tower enclosure buildings, as dated November 2015 and February 2016, all subject to the following conditions:

a. Compliance with the recommendations of the Town's Engineer and SMO for any final stormwater plans and the terms of the approved final Stormwater Pollution Prevention Plan (SWPPP) for the developed site, and proper completion of all stormwater reports, permits, and facilities in a form and manner as approved by the Town and NYSDEC, is required prior to the issuance of any certificate of occupancy or compliance for the Project.

b. Obtaining a Permanent Curb Cut Highway Access Permit from NYSDOT for the driveway entrance from NYS Rt. 34B in a form as does not materially impair any of the stormwater or site planning features herein approved; further noting that if, at any time, the Planning Board deems NYSDOT conditions or approvals as potentially and negatively impacting the approvals or impact mitigation features of the approvals and conditions herein provided and stated, then and in such event the Planning Board may revoke, amend, or otherwise review the Project site plan, upon a *de*

novus or supplemental basis, mainly, but not exclusively, to reconsider this matter and ensure that the impact mitigation features of the site plan and approval are preserved to the maximum extent then possible.

c. A septic system as approved by the Tompkins County Health Department, with a permit therefor to be issued and approved prior to the issuance of any certificate of occupancy or compliance.

d. A water connection permit approved through the Southern Cayuga Lake Intermunicipal Water Commission (Bolton Point), with all final inspections and approvals completed and issued prior to the issuance of any certificate of occupancy or compliance.

e. All new construction must meet the current requirements of the New York State Building Codes.

f. Completion of the site plan improvements as shown upon the site plans (maps and pages C1-C8 and A1-14), including compliance with the drawings and visualization material as submitted for the Planning Board's review (and in accord with SEQRA materials as submitted to NYSDEC as lead agency), specifically including the visual impact mitigation features and also including the installation of vegetative buffering as meets the following buffering and maintenance goals:

(i) Buffering shall be designed to provide both visual cover buffering and sound baffling features, and emphasis shall be placed upon solid cover barriers, such as hedges and offset rows of evergreen trees, or large or densely placed deciduous trees of variable heights interspersed with evergreens or other plants as provide for such cover and buffering.

(ii) Developer and landowner(s), as an express condition of site plan approval (the violation of which shall be a violation of the Land Use Ordinance and Town Law § 135, and enforceable as such), shall hereafter and at all times: (1) properly protect and maintain such trees and other vegetative buffers as healthy and natural non-invasive vegetation designed to provide both visual and sound buffering; (2) promptly remove and replace any dead, diseased, or dying trees or plants; (3) promptly replace, supplement, enhance, or otherwise effect changes in buffers whenever such buffers, or any plants therein, whether singularly or in combination due to lack of growth, death, recession, disease or other cause, cease to function as buffers as afore-required; and (4) effect such maintenance in a manner as promotes the goals of such buffers as stated in this site plan approval.

g. All signs shall comply with the Town's sign local law unless variances shall be issued therefor, but in all cases site plan approval is conditioned upon all on-structure and freestanding signs being placed where indicated in the approved site plan, and such signs being operated only per site plans and being minimally lighted with down lighting that meets Dark Sky requirements and does not exceed the candlepower, lumen limits, or glare restrictions of the Town's local law.

h. All fill material brought to the site shall require fill compaction testing, and verification of proper completion of compaction and compaction testing shall be delivered to the Town's Code Enforcement Officer prior to the close-out of any building permit(s).

i. The construction access entrance shall be as indicated on NYS Route 34B on the original drawings label "Soil Erosion and Sediment Control Plan".

2. This Project, and its now finalized site plan review, be and hereby is referred to the Town Board for consideration of a Special Permit in accord with the Town Land Use Ordinance, Article VIII. The Planning Board finds that all proceedings to date have been in accord with such requirements, and recommends the issuance of a Special Use Permit that incorporates these site planning conditions.

Dated: November 13, 2017

Motion by:

Seconded by:

VOTE AS FOLLOWS:

**Gerald Caward, Jr. -
Sandra Dennis Conlon -
Norman L. Davidson -
Al Fiorille -
Larry Sharpsteen -
Deborah Trumbull -
Thomas Ellis -**