

Town of Waterford
Planning Board
65 Broad Street
Waterford, NY 12188

Minutes of October 11, 2021

The meeting began at 7:30 PM with Chairman David Woodin, and members Bob Lefebvre, Peter Fletcher and Paul Henry present. Member Harriett Fusco was absent.

Paul Henry was introduced as a new board member replacing Dave Wendth who resigned in August. Wendth had been a board member since 2003.

Chairman Woodin made a motion to waive the reading of the minutes of the August meeting and to adopt them. Mr. Lefebvre 2nd the motion and it was approved 4 – 0.

Scott Brownell (Momentive) and Chad Kurtz (CT Male) were in attendance to present plans for two separate projects, both containment areas required by DEC. The two projects were explained by Mr. Brownell as follows:

1. B78 Transfer Area Containment Area – The site plan calls for the construction of a “new/additional” containment area for the existing B78 Transfer Area. The “new” containment area will be 38’-0” x 8’-0” x 5’-0” deep minimum. The new structure will be constructed from concrete. Part of this project will also include a concrete pier to support a new pump and a new containment concrete berm.
2. Tank 538 Transfer Pad Containment Area - The site plan also calls for the construction of a “new/additional” containment area and transfer pad for the existing 538 Tank Containment Area. The “new” containment area will be 12’-6” x 13’-4” x 3’-9” deep minimum. The new structure will be constructed from concrete. Part of this project will also include a new concrete support slab 7’-6” x 5’-0” for a pre-made monitoring hut and a raised 8’-3” x 5’-7” structural steel platform for the Delta V electrical controls.

Both containment projects are meant to handle overflows and are mandated by DEC due to a change of regulations. With larger tanker trucks being used to deliver product, there is a need for a larger containment area in both transfer areas.

The Board reviewed Nan Stolzenburg’s Site Plan Review letter which noted that Momentive needed to address how stormwater will be treated, the anticipated construction schedule, state any DEC approvals required and if and how any hazardous materials will be dealt with. Scott Brownell provided the Board with a letter addressing all the concerns.

For the stormwater, Momentive has a professional engineer that has certified that a SWPPP is not required due to the size of the project and that the site will manage all stormwater and control sediment in accordance with the project's construction plan, facility SPDES permit, and site best management practices. Collected stormwater will be processed through the facility's wastewater treatment plant prior to discharge.

The construction will begin in October and the B78 Containment Area completed in March and the 538 Tank Area in April 2022.

DEC requires permits and two lengthy approval letters were provided related to each project. The Board was not originally aware of the need for DEC permits when the original review occurred.

Disposition of materials will proceed in accordance with the requirements of the Waterford Town Code and applicable DEC regulations and permits.

Nan Stolzenburg prepared a LWRP Consistency Checklist and found that the project is consistent with Waterford LWRP policies. Momentive also provided a separate letter explaining why they were in compliance with the LWRP policy.

Momentive had also provided a comment that for SEQR, this should be a Type II action rather than an unlisted action. Chairman Woodin said he was not sure and that Momentive might be correct, but would go with the former determination as it was more restrictive.

As the Board had had no further concerns, Chairman Woodin read three resolutions that would apply to both projects. The two were combined since they were both small containment areas.

Resolution # 1 – Unlisted Action, Lead Agency & Uncoordinated Review Designation
Motioned by Mr. Woodin, 2nd by Mr. LeFebvre Approved 4 – 0.

Resolution # 2 – Designation of Complete Application, Saratoga County Planning Board Review, and Waiver of Public Hearing
Motioned by Mr. Woodin, 2nd by Mr. Fletcher Approved 4 – 0.

Resolution # 3 – Negative Declaration – Unlisted Action, Determination of Consistency with Chapter 159 (Waterfront Revitalization) and Site Plan Approval
Motioned by Mr. Woodin, 2nd by Mr. Henry Approved 4 – 0

The site plan was approved conditionally as it was determined that Momentive had not paid the required meeting fees (2 projects @ \$250 each/meeting = \$500). Mr. Brownell stated that he thought the fees would be paid from the escrow account that Momentive maintains. Chairman Woodin explained that only fees for the engineering review are covered by the escrow account. Checks for the meeting fees are payable to the Town through the Town Clerk's Office. Mr. Brownell said that he would get a check ASAP

and Chairman Woodin said that he would allow the issuance of the building permits to proceed independently.

Chairman Woodin motioned to adjourn at 8:17 PM and seconded by Mr. Lefebvre.