

~~~PLANNING BOARD~~~  
AUGUST 11, 2009  
7:00 PM

Members Present; Pat Rice, Richard Johnson, Walter Geist, Julie Lescynski, Duncan McNeill

Others Present; Sally Carlson, Brad Lawson, Richard Sena, Don McCord, Kathy and Paul Silzle, Jon Wood

**Correction to page 7 Zoning Board minutes:** the size of Mr. Wood's potato chip manufacturing facility should be corrected where it states the building will be 20' by 40' it should read 40' by 100'.

Mr. Rice asked Mr. Wood to explain to the board of his plans. Mr. Lawson interjected and said that Mr. Wood first came to him with his idea of an Agricultural-Tourism Potato Chip manufacturing facility and applied for a Special Use Permit for this facility that will be located on Wall Street. However, this type of business is not outlined in the Zoning Ordinance. Mr. Lawson said that a fruit processing plant is in the Zoning Ordinance and is allowed by right. Mr. Wood has been before the Zoning Board and they have referred it to this board for their review and recommendation. The Zoning Board of Appeals has asked for clarification from the Planning Board as to whether or not this application should be classified as a Special Permit or a Use Variance because it is similar to a Fruit Processing Plant which is already in the Zoning Ordinance.

Mr. Wood gave the board an example of what the bag for the potato chips will look like, a copy of contact information with everyone he has contacted and a letter from Gary Ryan, Highway Superintendent giving Mr. Wood permission to have delivery trucks bring supplies to his business once a week throughout the year. Mr. Wood said that the Town of North Harmony should have received a letter from Chuck Crantenze, the head of Permitting in Chautauqua County describing in detail the permitting process. Mr. Wood said that he has been approached by CCIDA for the loan package which he will begin if his project is approved at the town level. Mr. Wood stated that all of the contacts listed are willing to issue a permit should the project be approved.

Mr. Wood said the facility will be located on about 2 acres of a 26 acre lot adjacent to I-86. Mr. Wood stated that the State of New York borrowed the 26 acre lot and when they were finished they put a commercial septic system, water system, parking, power and storm water prevention and it is all on file at Chautauqua County.

Mr. Wood said in manufacturing potato chips he hopes to work with area farmers to produce the 4 varieties of potatoes which are suitable for potato chips and if there are none available locally Mr. Wood will use a broker to obtain the potatoes. Mr. Wood said the structure that the potato chips will be manufactured in will look like a farm and a small area will be designated to show a working potato farm for the tourist end of the business. Mr. Wood said tours will also include viewing the potato chips being made, taste test and purchases will be in a separate room and the lower back side of the building will be distribution. Mr. Wood said Farm Fresh Foods, Maplevale Farms, Quality Markets and Wegmans have already said they would market the potato chips.

Mr. Rice asked Mr. Wood how tall the building would be. Mr. Wood said the ceiling would be twelve feet and the roof would be a six-twelve pitch. Mr. Rice said he has visited the location and the only area adjacent to the building will be I-86.

Mr. Geist asked how many jobs would be created and Mr. Wood said six jobs would be created.

Mr. Rice asked what kind of waste product will be produced in the process of making potato chips. Mr. Wood said that a state engineered disposal system would be used for the (waste) solid water and that would create compost that could be piled and sold or it could be used as fertilizer for area farmers. He said this will all be regulated by the D.E.C. Mr. Lawson said the idea is not to compost on site but to contract to a compost facility. Mr. Wood said that the oil used for frying the potato chips will also be recycled into bio diesel fuel and this is also regulated by the D.E.C.

Mrs. Lescynski asked about emissions. Mr. Wood said emissions are minimal and based on similar potato chip manufacturing facilities the emissions are 92% moisture and from what he has been told there is no odor.

Mr. Geist asked if any of the neighbors had any objections to Mr. Wood's proposed project. Mr. Wood said Mr. and Mrs. Silzle are concerned that if this is approved many other types of manufacturing businesses may consider this area as well. Mr. Rice asked Mr. Lawson to address this question. Mr. Lawson reviewed SECTION 407 of the Zoning Ordinance and reminded Mr. Silzle if an application over 5000 square feet was submitted it would come before the board and a public hearing would be held.

Mrs. Silzle stated that her neighbor Mr. Winton who owns a farm was also concerned about manufacturing of this sort in this area because of the traffic. Mr. Lawson reminded Mr. and Mrs. Silzle that most manufacturing would need

infra- structure and it is not available. Mr. Silzle reminded the board that south of I-86 the road was built with planks and would not be suitable for heavy trucks. Mr. Wood said this would not be an issue because the trucks delivering potatoes would not be using that area of road. Mr. Geist asked how long the potatoes could be stored. Mr. Wood said they have the capability to store potatoes for up to two months.

Mr. Johnson stated that he was concerned with the handling of the waste; he did not want it to be sitting there and become a nuisance. Mr. Wood assured him that the D.E.C controls all of the waste and monthly reports are required. Mr. Johnson said that Mr. & Mrs. Silzle's concerns were legitimate and wondered if anything could be done to be sure this type of manufacturing did not set a precedent in that area. Mr. Lawson said that each individual application is taken on its own merits and addressed individually.

Mr. and Mrs. Silzle went on record stating that they had no objections to Mr. Woods's application; however, they don't want this to set an area precedent. Mrs. Carlson said that the D.E.C. has very strict guidelines for Mr. Wood's manufacturing facility and the guidelines would be the same for any kind of business.

MR. JOHNSON MADE A MOTION TO RECOMMEND TO THE ZONING BOARD OF APPEALS THAT MR. WOOD'S APPLICATION BE APPROVED BASED ON ITS SIMILARITY TO A FRUIT PROCESSING PLANT, WHICH IS A USE ALLOWED BY RIGHT. MR. MCNEILL SECONDED THE MOTION AND ALL WERE IN FAVOR.

Mr. McCord reviewed the agenda for the public informational meeting that will be held on August 22, 2009 at the North Harmony Senior Citizens building from 10:00 AM until 12 noon. Board members should arrive at 9:30 AM

The meeting concluded at 8:14 PM.

The next meeting will be 9/8/09 at 7:00 PM.

Respectfully Submitted,  
Penny Best