

MINUTES OF THE PLANNING BOARD OF THE TOWN OF KINGSBURY

Minutes of March 19, 2014

MEMBERS PRESENT:

Robert Dingman, Chairman
Dave Gauci
Randy Getty
Karen LaRose
Ian Miller
Randy Weaver

MEMBERS ABSENT:

Michele Abbenante - Excused
Cheryl Hogan – Alternate - Excused

CODE ENFORCEMENT OFFICER:

Ross Cortese

TOWN ATTORNEY

Jeff Meyer, ESQ.

Chairman Dingman called the meeting to order at 7:00 P.M.

Roll call of all Members and Officials.

Chairman Dingman entertained a Motion to Approve the Minutes of February 19, 2014.

ON A MOTION BY MR. GETTY, seconded by Ms. LaRose, the minutes of the February 19, 2014 meeting were approved.

AYES: 6

NAYES:0

ABSTAIN:0

MOTION CARRIED

RWS MANUFACTURING, INC, lessee of tax map #137.-2-1.14 commonly known as 22 Ferguson Lane, Lots #13, 14, & 23 Warren-Washington Counties Industrial Park is submitting a Final as Built Site Plan application for the operation of an @ 20,000 sq ft manufacturing building and a change in hours of operation at this location. This action is pursuant to Section 280-25 G of The Code of the Town of Kingsbury.

Chairman Dingman introduced Mr. Student, Plant Manager for RWS. Mr. Student introduced his attorney, Dan Tuczinski Esq. of Tuczinski, Cavalier, Gilchrist & Collura, P.C. of Albany, NY. and Dave Alexander, Managing Principal, Air Resources Group LLC. Mr. Alexander is the noise and air consultant for RWS.

Mr. Student gave a brief update of where they left off. They had some issues that they needed to explore and began to speak about sound. Chairman Dingman asked if Mr. Alexander was prepared to address the issue. Mr. Student indicated that the studies had not yet been done but Mr. Alexander could address what he had seen so far and his plan for the future.

Mr. Student did state they had decided the fan building and the shaker building will need to be reconstructed and plans will be submitted. The reconstructed building will be more air tight and sound proof. He is also looking at different quotes for a variety of sound barriers. Before they do any of this they would like to replace the log wall alongside the fence that is already there. At one time there was a log wall boarding Mr. Underwood's property and hopefully this would make an improvement for his property. He further indicated that Mr. Alexander will be answering question regarding the stack and improvements.

Mr. Alexander gave a history of his career and where he is at now. Mr. Alexander stated Mr. Donald Weekes, Partner, Air Resources Group LLC will also be involved on this project.

Mr. Alexander stated they have been looking at the plant issues and are trying to offer some constructive, cost effective solutions. Mr. Alexander stated he does not think approaching noise control can be done by simply throwing more money at the problem. You need to find what the issues are and isolate those issues if possible. You can change the process, which could be very difficult and expensive to do, you have operating practices that allow you to improve what you are doing or you can mitigate like adding sound barriers and things like that. They will be looking at a combination of those things.

Mr. Alexander stated he has tried to reach out to the neighbors. He has spoken with Mr. Colomb and has tried to reach out to Mr. Kelly. Mr. Alexander stated the barrier wall that is there now is basically slats. These are fine for in an environment where you don't have a continuous sound. For a situation like this he would probably modify what is there. One possibly would be with noise cushions like NYSDOT uses. By doing judicious reductions like putting a log pile back in. Log piles are very effective in controlling sound. Trees are very absorbent and break up the sound waves, which is very important. There are things that can be done in the loading area that Mr. Student and Mr. Alexander have discussed. The rotary dryer can be lubricated at a much higher level so the when the dryer turns there is less friction and less noise.

Mr. Alexander feels there are a lot basic things that can be done to help with the noise. Mr. Alexander also spoke about the smoke stack. They will be working on that as well.

Mr. Alexander stated they will be doing sound testing with capable monitors. Mr. Student and Mr. Alexander will be doing more sound testing. They will be taking readings and doing reports. They would like to wait to do more testing after getting rid of the snow. They will have to sit with the monitor all night long and write down what noises they hear and have documentation as to what the sounds are.

Chairman Dingman stated RWS need to notify the Town of Kingsbury Planning Department if they are coming to the schedule planning board meeting before the night of the meeting so that the Board has time to review their submissions.

Mr. Tuczinski had concerns with the log sound barrier. It was his understanding the Board did not want the log barrier. They are asking tonight if the Board would allow RWS to construct the log sound barrier wall. This would be a permanent noise dampening noise system. This would absorb sounds and frequency. The slat wall that is there will stay there and the log wall a long it. Mr. Getty asked if RWS had to get permission to handle the material on the sound fence. Chairman Dingman stated that this had been offered as a solution in the past and it would not be necessary to get permission again. He did indicate that the log wall would need further discussion. Mr. Student said that he is not going to do both.

He feels he will be throwing money away by doing the sound blankets and the log wall. Mr. Getty asked if the sound barrier would work as well as the log wall. Mr. Alexander felt that the blankets would work but the log wall would result in increased sound reduction. Discussion ensued concerning the sound levels and Chairman Dingman asked that the sound blankets be tried first and if they were unsuccessful then the planning board would look at placement of the log wall. Mr. Getty asked that the gap be closed from the log yard to the sound fence.

It was the consensus of the Planning Board that, while adjustments were being made and until the sound tests were completed, that RWS would continue with the additional production shift until the next meeting.

Mr. Tuczinski asked the Board if they would consider talking to the Town Board to study the decibels standards in the Industrial Park if the Planning Board is going to impose a specific decibel limit and impose it across the board.

Chairman Dingman opened the public hearing.

Dennis Kelly, 672 County Line Road, had concerns with the meter is borrowed from RWS and his meter getting different readings. The meter from RWS was 5 decibels lower than his. Also, he had concerns with the smoke coming back.

Mr. Alexander explained the difference in the meter and stated there is going to be some difference between 2 units.

Mr. Student stated he has been having problems with an update to his computer which regulates the smoke. At this time of the year with the weather changing from cold to warm it is very difficult to get the burner regulated.

Chairman Dingman stated it is his understanding so that everybody is clear, when RWS comes back next month they will have given recommendations and mitigation, inside and outside the perimeter, you will have some kind of a schedule to take the monitoring, you will be asking this Board for permission to make those changes, and at that point you can start to monitor the sound at that point.

Mr. Student stated they are planning on taking a one week shut down between now and the end of April. They will be installing new supports under the dryer. They have a rubber element to it that will sit between the drum itself and the ground to give it some deadening.

Discussion ensued among the Board with questions addressed by the Applicant and the Applicants Representatives.

The meeting was recessed to confer with Counsel.

ON A MOTION BY MR. GETTY, and seconded by Mr. Gauci all in favor, the meeting was adjourned at 8:30p.m.

Michelle Radliff
Secretary