

## **TOWN OF SCHUYLER PLANNING BOARD**

### **MEETING MINUTES – MARCH 3, 2010**

Chairman Paul Thomas called the meeting to order at 7:08 PM in the Board Room of the Schuyler Town Offices, 2090 State Route 5, Utica, NY. Other Planning Board members present were Vice Chair Donna Salamone, James Digristina, Eleanor Dodge, David Fusillo and Victor Costanza. Absent was Michael Ritter.

Also present was Codes/Zoning Officer Philip Green, Ron Aldrich, Central Boiler Dealership representative, and Bette Szesny, who served as the Recording Secretary.

#### **MINUTES**

Motion by Eleanor Dodge, seconded by David Fusillo to approve the minutes of the February 3, 2010 meeting, as presented; all in favor. Motion carried.

#### **PRESENTATION BY RON ALDRICH, CENTRAL BOILER – RE: WOOD FIRED OUTDOOR FURNACES**

Mr. Aldrich was invited to answer the Board's questions with regard to EPA HH (Hydronic Heater) Phase 1 and Phase 2 outdoor furnaces. Mr. Aldrich explained Phase 1 units, which represents an earlier version of EPA standards, burn 70% cleaner than average, while the Phase 2 standardization, initiated in 2008, provides a 90% cleaner burn. Phase 2 units can burn wood pellets and corn, fuel types that have the ability to produce minimal amounts of emissions and therefore create no significant impact on the environment or complaints from neighbors.

Mr. Aldrich said the Central Boiler E-Classic is an example of an outdoor unit that is designed to burn wood materials, while the "Maxim" can also burn wood and corn pellets. While outdoor wood burning furnaces are not UL approved for installation in the basement of a residence, the "Maxim" can be installed in an uninhabited building (i.e.: an unattached garage). He said it is important that the unit be sized correctly to the area it is located, allowing it to become active enough to eliminate the possibility of smoke emissions.

There are 6 models manufactured by various companies that are rated Phase 2, and Central Boiler manufactures two of these - the "Maxim" 1400 & 2400 series.

Mr. Aldrich said government rebate programs are available for installation of units that burn at a 70% or greater efficiency.

Mr. Aldrich continued his presentation by answering several questions posed by Board members, as follows:

Mr. Fusillo: Chimney height. Mr. Aldrich stated the height of the chimney would be dependent upon the proximity of the unit to the neighboring properties.

Mr. Thomas: Allowable lot size / setbacks. Mr. Aldrich said this could be decided on a case by case basis, dependent upon the configuration of the neighborhood, and using common sense; he said in

some cases he has had to turn away prospective customers due to the close proximity of the neighboring residence. However, in some cases, simply adding height to the chimney stack, thereby creating a cleaner burn, will remediate the situation.

A question was raised by Victor Costanza with regard to pre-existing units not meeting new standards or in compliance with ordinance. Mr. Green said unless there are complaints, no action would be taken.

Mr. Thomas thanked Mr. Aldrich for his presentation, and the Board continued its work on the Outdoor Wood Burning Ordinance in a workshop session.

### **OUTDOOR WOOD FURNACE ORDINANCE**

The Board reviewed the revised draft of the Outdoor Wood Furnace Ordinance which has been updated to include the recommendations offered by Attorney of the Town, John Kenealy, Esq. After much discussion and recommendations by Mr. Green, the following additional revisions were incorporated:

#### **§ 2 - Regulations for Outdoor Wood Furnaces - Add:**

- G. Regulations for installation of a used stove will require installation in accordance with the manufacturer's recommendations, or, if unavailable, in accordance with the codes officer's recommendations.*

#### **§ 3 - Substantive Requirements - Change:**

- C. (1) – The Outdoor Wood Furnace shall be located at least *25 (changed from 50)* feet from the property line.
  - a. (2) – The Outdoor Wood Furnace shall be located at least *50 (changed from 100)* feet from any residence that is not served by the Outdoor Wood Furnace.
- D. (1) – The chimney of any new Outdoor Wood Furnace shall *be installed in compliance with manufacturer's recommendations and or testing and listing requirements for clearance to combustible materials. (changed from..."extend at least 2 feet above the peak of any residence not served by the Outdoor Wood Furnace located within 300 feet of such Outdoor Wood Furnace.")*
- E. (2) – The Outdoor Wood Furnace shall be located at least *50 (changed from 100)* feet from any residence that is not served by the Outdoor Wood Furnace.
  - a. (1) – The chimney of any new Outdoor Wood Furnace shall *be installed at least two feet higher than the eve of the residence served. (changed from: extend at least 2 feet above the peak of any residence not served by the Outdoor Wood Furnace located within 300 feet of such outdoor Wood Furnace.)*
- F. *Add:*
  - (1) *The Outdoor Wood Furnace shall be located at least 25 feet from the property line.*

*(2) The Outdoor Wood Furnace shall be located at least 50 feet from any residence that is not served by the Outdoor Wood Furnace.*

*(3) (#1 becomes #3)*

*G. Remove:*

*(2) If located within 100 feet to any residence not served by the furnace, the chimney must be 2 feet higher than the peak of the residence served or not served, whichever is higher.*

The Board concluded its discussion and will resume its review of the revised ordinance incorporating all the above changes at the April meeting.

#### **WIND ENERGY FACILITIES ORDINANCE**

The Board is awaiting Attorney John Kenealy's completion of his review of the final draft ordinance; therefore, the item has been tabled.

#### **ANNUAL REGIONAL PLANNING / ZONING TRAINING EVENT**

Mrs. Szesny reported Training Topic Surveys have been E-mailed or mailed to all Schuyler Planning Board and ZBA members and E-mailed or faxed to all other participating Herkimer and Oneida County municipalities and/or officers who have attended in the past. Received feedback was reviewed.

It was noted past training events have not included any significant topics of interest to ZBA officials. Mr. Thomas suggested focusing on both ZBA and Planning Board training topics; Mrs. Dodge agreed.

Mrs. Szesny suggested incorporating wind power, perhaps covering issues of concern regarding the siting of wind farms, since this seems to be a controversial issue for many communities and involves a number of municipal officerships, including Planning, Zoning, Codes, Highway and the Town Board.

Other suggested topics include legal issues facing ZBA members, meeting protocol for new members, benefits of separate legal counsel for planning and zoning boards, Brownsfield clean-up grants, grant writing assistance, LED lighting technologies and their application in municipal zoning, and a report on the 2010 Census.

Mrs. Dodge suggested contacting Greg Eisenhut for ZBA training suggestions and possible assistance.

Ms. Salamone suggested having several guest speakers on a variety of topics for short discussions following the main topics selected for this year's event.

Mrs. Szesny reported she has been in contact with an engineering firm who would provide training as well as serve as facilitator, as well as Chris Carrick, NYSERDA, who can provide a presentation on small wind power. She will continue to seek prospective speakers and will be assisted by Ms. Salamone, who will research available speakers on topics such as new municipal board members' training, LED lighting, and the 2010 census.

The board will continue its discussion at the April meeting.

No date has been set for this year's training.

**ADJOURNMENT**

Since there was no further business to come before the Planning Board, Chairman Thomas adjourned the meeting at 9:04 PM, upon a motion by David Fusillo, seconded by Victor Costanza.

Next Meeting Date: Wednesday, April 7, 2010, at 7:00 PM.

— *Bette Szesny, Recording Secretary*