

TOWN OF GAINES PLANNING/ZONING BOARD MEETING
April 23, 2014 7:00PM

Present: Chairperson Michael Grabowski, Vice Chairperson Marilynn Miller,
Members: George Fleshman, Curtis Strickland, Raymond Burke

Absent: Member Dave Thom

Guests: James Theodorakos, Jerry Culhane, Amy Delbassa, Dirk Biemans, Michael
Delbassa, Carol Engle, Bob Engle, Connie Mosher, Roger Beam, Matt
Kludt, Mary Neilans

Chairperson Grabowski called the meeting to order at 7:00PM with the Pledge of
Allegiance to the Flag.

Approval of April 7, 2014 Minutes

On a motion of Member Strickland, seconded by Vice Chairperson Miller, the following
was

Carried Ayes 5 Grabowski, Miller, Burke, Strickland, Fleshman
Nays 0

The April 7, 2014 minutes are approved as is.

New Business

**Public Hearing for Blue Ridge Greenhouses, Inc (Intergrow) Special Use permit and
Site Plan Review**

Chairman Grabowski opened the public hearing at 7:03pm by reading the following legal
notice:

LEGAL NOTICE

PLEASE TAKE NOTICE that the Town of Gaines Zoning Board of Appeals will conduct a Public
Hearing to review the application for a Special Use permit and a Site Plan review for Intergrow
2434 Oak Orchard Rd Albion, New York. The Public Hearing will be held on Wednesday April 23rd,
2014 at 7pm. at the Gaines Town Hall 14087 Ridge Road Albion, New York 14411. All persons
attending will be heard for or against the application.

Dated April 16, 2014

Carol L. Claus
Secretary
Zoning Board of Appeals

Chairman Grabowski stated the process of granting/denying a special use permit and site plan
review: Public Hearing is held, the ZBA holds a meeting to discuss the proposal, it goes to county
for review and suggestions, the ZBA reviews all for final discussion/decision.
Connie Mosher asked what the public hearing was in regards to. Chairman Grabowski stated
Intergrow is requesting Phase 4 of their plan, a 7 ½ acre addition to be located in the SW corner of

the existing greenhouse. CEO Kopas stated the greenhouse construction will be the same as the Phase 3 building but smaller. This greenhouse will be used for tomatoes only. They would also like to add a 1000 sq foot building for storage in between Phase 2 & 3, and a broiler room. Jerry Culhane asked if anything would be done with drainage ditch on the south side. Mr. Biemans stated that there would not be. There was then a discussion on the creeks and water surrounding the area and in which way the flow went. Chairman Grabowski stated the town engineer is reviewing the plans and will give his comments at the next meeting. Chairman Grabowski asked CEO Kopas to ask the town engineer about the flow of the water. Bob Engle stated that Intergrow has been great neighbors, the people are nice and have been helpful, and the trucks are not an issue. As well as they employ many people. Connie Mosher asked what their tax situation would be – will it increase as the building is becoming bigger. Mr. Biemans stated he believed it would increase, but we will have to investigate the actual tax increase amount. Mrs. Mosher also asked about their record of complying with town zoning laws. CEO Kopas reviewed issues – fuel tanks and vehicle protection has been corrected, rubbish in the rear of the building has been removed, hazmat plan we are waiting to receive certified documentation from a licensed engineer or architect (once received it will be cleared), Handicap parking (NYS law says parking lots with 31 spots must have 2 handicap spots 8' wide) there are 2 spots with signs but the parking lot has not been painted as of yet. Storage space with 80" head room is being addressed by the state for a variance. Chairman Grabowski stated that these findings are preliminary and the final findings will be discussed at the next meeting. Member Burke asked if this Phase 4 will be the last Phase and Mr. Biemans stated that it would be. We have received the revised plans that were requested at the last meeting and they will be sent to the town engineers. Vice-chairperson Miller asked how far the retention pond was from the wetlands, and if the retention pond can handle the new 7 ½ acres building run off. Mr. Biemans stated that it can handle the run off of the new building and the pond is compliant with the wetlands. The water that is used inside the building with fertilizer is recycled in the building and reused. Chairman Grabowski read a letter that was received from a concerned citizen. The following was addressed from the letter: the sale of tomatoes from the front office. Mr. Biemans stated that Monday, Wednesday, and Fridays from 11:00am until 12:00pm they will sell a minimum of five boxes to the public. Truck traffic issues again Bob Engle stated he does not see an issue with the trucks and he lives right there. When the discussion of why they did not put in an in and out for the trucks, Mr. Biemans stated the DOT would not allow it. Water overflow from the retention pond will go to the creek. Burning of the vines has not been done in five years. Mr. Biemans stated that once a year they remove all the tomato plants and replant, it use to be the discarded plants were burned but now they are taken off site. With no more discussion the public meeting was closed at 7:44pm.

Chairman Grabowski stated that this is the first step in the process and the next meeting on May 5th, 2014 at 7:30 pm there will be more discussion.

With no further business on a motion from Member Burke, seconded by Vice Chairperson Miller the meeting was adjourned at 7:45PM.

Respectfully Submitted,
Carol Claus
Zoning Board of Appeals Secretary