

Testimony of a Public Hearing of the Town of Union Planning Board held relative to a Special Permit for development in the 100-year floodplain by Riverhurst Memorial Association / Riverhurst Cemetery at 639 Scarborough Drive, on January 9, 2024, at 7:22 p.m.

PRESENT: Members present: L. Miller, Chairman
M. Jaros
C. Bullock
G. Ksenak
T. Crowley
N. Sarpolis

Others present: Marina Lane
Sandra Cragle
Tara Pittarelli
Dave Kudgus
Kyle Weeks
Greg Chianis
Robert Grannis
Ryleigh O'Connor
Rachel Blodgett
Aiden Huften
Aleandro Lopez
Leo Russell
Tim LaBarre
Jozy Breen
Jonah Conklin
Ally Stank

MS. MILLER: We will open the Public Hearing, and I will read the public hearing announcement.

The Town of Union Planning Board will conduct a Public Hearing relative to a Special Permit application for development in the 100-year floodplain by Riverhurst Memorial Association, Inc., for the construction of a crematory at the Riverhurst Cemetery. The project is located at 639 Scarborough Drive, Endwell (property tax map # 157.08-9-12). The project will disturb greater than 4,000 s.f. and is classified as an Unlisted Action under the State Environmental Quality Review Act (SEQRA).

The public hearing will take place on January 9, 2024, at 7:00 PM in the Town Board meeting room on the second floor of the Town of Union Office Building located at 3111 East Main Street, Endwell, New York. The application is available for review in the Town of Union Planning Department during normal business hours (8 AM to 4PM).

Individuals with special needs requiring accommodations should contact the Planning Department at (607) 786-2926 at least 24 hours prior to the scheduled public hearing.

Lisa B. Miller
Planning Board Chairperson

MS. MILLER: Does anyone have any questions?

MR. KSENAK: I have a few. I notice that you have three stacks. I'm assuming one for each chamber? Are those, if they are not permitted, have you applied for a permit for each one of those stacks, and if you have, have you given it an ID number?

MR. CHIANIS: From what I understand, because the cemetery is being given these three retorts, that's what they are referred to as, they come with the certification with them. They've already attached a serial number to that piece of equipment. So that's already been done. We don't have access to that information now, but we can certainly try to track it down.

MR. KSENAK: My other question, are the vents normally under negative pressure for general ventilation as the heat rises, or are they mechanical and will you actually have a blower?

MR. CHIANIS: I think there is going to be some kind of fan unit that is exhausting.

MR. KSENAK: Ok, so it will be a mechanical device.

MR. CHIANIS: I believe so, but we can verify that with the equipment.

MR. KSENAK: The other question is, how often do you plan on utilizing the chambers?

MR. CHIANIS: I think it's really a kind of a marketing thing with the cemetery. I think the numbers that Lisa, the current superintendent, had run, it may be like a twice a day frequency, like a Monday through Friday. Or it may be on demand.

- MR. KSENAK: Ok. Are you familiar with the HCOH, the chemical symbol? It's formaldehyde.
- MR. CHIANIS: Not in detail. I know it is enough to be dangerous, I guess.
- MR. KSENAK: You're right. Under Title IV, it's on the hit list as a hazardous constituent. Have there been any studies in your EIA assessment for the amount of formaldehyde coming in, and of course it would all volatilize under a mechanical pump, would connect to any particulate and rise into the atmosphere. Now, that being said...
- MS. LANE: That is going to be something you could get in contact with our building official who is responsible for that sort of thing. I'm sure that he would appreciate hearing from you about that, to be quite honest.
- MR. KSENAK: Ok.
- MS. LANE: But that's not something under the purview - I understand you saying, from an environmental standpoint, that you want to go over that, but if there are regulations that control that...
- MR. KSENAK: There are...
- MS. LANE: That will go with the construction and the building. At this point, they're architects. They are not responsible for the mechanics of that, as far as I know.
- MR. CHIANIS: That's correct.
- MS. LANE: They're not responsible for this. When we have a planning board meeting, just so everybody knows, we are looking at the exterior of buildings. But Gary is trying to point out that we have to do the environmental review, so what we are approving is going to be environmentally safe. I believe you brought up some questions at the previous meeting, and we did talk about all of that, the air registration, and so when it gets to whoever is going to be doing the...
- MR. CHIANIS: We have a mechanical engineer on the project. I guess my only overall project insurance, so to speak, is that these have been in place and working and were compliant before, and from what I understand, that certification goes with that piece of equipment. So, if it worked then, so to speak, it should work now. But you bring up good points.

MR. KSENAK: Well, I appreciate the input. This is not a functionality of the reliability; it's more of a how does it affect the environment.

MR. CHIANIS: Sure.

MR. KSENAK: And my other question, are these thermal or catalytic driven? What I mean by that, is it a direct flame?

MS. LANE: These are questions that are going to be more appropriate for the building side. I know you are trying to do your due diligence; we can't allow something – the planning board doesn't have, other than yourself, the expertise to do that type of evaluation. That has to be further down the road. That is going to be the mechanical engineer, building permit, to make sure that they are compliant. And I'm serious when I say that our new Building Official would probably appreciate hearing from you, and I'd be happy to help you with that.

MR. KSENAK: I'll have to give him a buzz.

MS. LANE: We have to take on faith, and it's fine to bring it up and it's great, but we can't say "well you can't answer that question, so we can't give you a negative dec". What we do say is "it's going to have to be compliant" and then we leave it to the people who are the experts in that field, which are not the Planning Board and that aspect of it is not what we're here for. Just like in here, on the last page of Part 3, when we write the second from the last paragraph, "the property in the floodplain will be constructed in a manner to not affect the floodplain...and will be anchored and floodproofed as appropriate." It is not the Planning Board's job to look at how they are going to anchor it and floodproof it. That is the Building Official's job to look at how they are going to anchor it and floodproof it; but when we get to writing the report about it, we're going to say, "it must be anchored and floodproofed," and they are going sign off and say "yes". Well, not them actually, the head of the Riverhurst Cemetery Association, will sign and say "yes, it's going to be," and then it goes to the Building Official to enforce that that has to happen. So, they are good points, and I don't want to deter you, but we can't belabor them – it's not their area of expertise. They are here for the basic site plan. We're given the floor plans as a courtesy. We are not evaluating the floor plans. We're evaluating only the site plan.

- MR. KSENAK: Well, I appreciate that. I know there is a learning curve, but I do have one more question. She will just tell me again. She tells me this every meeting.
- MS. LANE: I'm sure they're taking notes. You can see that Kyle is taking notes.
- MR. KSENAK: What is the temperature at which these will operate during peak maximum time? Usually that's the limit. It might be 1,000 degrees F, it may be 1,200 degrees F, ok, is it natural gas?
- MR. CHIANIS: It's natural gas. That much I can answer, yes.
- MR. KSENAK: Ok, you probably wouldn't have cubic feet or anything like that?
- MR. CHIANIS: No, but as part of this we are getting from Lisa from the cemetery and from the state, we will get cutsheets on all this equipment because the mechanical engineer needs that. So, we will have all of that.
- MR. KSENAK: Well, right now, the EPA has designated with the agreement of New York State for any type of new installation utilizing natural gas, you know, you're going to have to cross that. I'm not up to date totally on those regs, but I did read about it, and they brought in air emissions on that where they are looking at everything. Even homes, which I think is ludicrous, but that is just my humble opinion. Does it have a backup source of energy, like oil or electric?
- MR. CHIANIS: I don't think so. I think it's just natural gas. But, again, we've been trying to get the cutsheets and Lisa has been working to try to get that.
- MR. KSENAK: Ok.
- MR. CHIANIS: As part of our design package, we will have those.
- MS. LANE: First, they want to know they can get approval before you invest a lot of time and money and energy into it.
- MR. KSENAK: Yeah, I'd hate to see you guys get into something.
- MS. LANE: Seriously Gary, I'm going to connect you with the Building Official and you can talk with him about it. I'm sure he will appreciate it because that is his area of responsibility and authority.
- MR. JAROS: If I could ask a question just so I can better understand what you're saying. So, let's imagine that Chianis and Anderson are building a

hospital. We could talk to them about the design of the building, but when it comes to the inside workings of the hospital, that would be a separate issue like the inside workings of this.

MS. LANE: Exactly. This is just what we did when I was still working with JC on UHS. That huge project. We had to do an aquifer permit because they were storing whatever it was, I can't remember the chemical anymore, but they had a huge tank outside they were storing. We went through the aquifer permit...

MR. JAROS: But, when someone else, like the chemical company that's going in on Wayne Street, the chemicals that they had in there, we were able to ask them about those chemicals and discuss those chemicals.

MS. LANE: That was their area of expertise.

MR. JAROS: Ok, so if the person that is... who would be doing it on your end?

MR. CHIANIS: That would be our consulting mechanical engineer.

MR. JAROS: Ok, so the mechanical/chemical engineer would be able to answer all of these questions if he was here. Is that correct?

MS. LANE: Correct, yes. And it's also like the NYSEG project. Where Gary was asking questions where the engineer didn't have the expertise because he worked for LaBella. He didn't work for NYSEG. We are just doing site plan approval, and we have to do an environmental review. And the main thing we do for the environmental review, the same with the Wayne Street chemical project, is ask "do you have secondary containment?" You have to notify the fire department, or whatever.

MR. JAROS: Is there secondary containment for the crematory?

MS. LANE: Kyle and I talked today about something like that.

MR. JAROS: Ok, I understand.

MS. LANE: Good questions, just try and make sure that we understand the distinction between the Planning Board's role versus the Building Official's role.

MR. JAROS: Thank you.

MS. MILLER: On that note, we will close the public hearing.

Public Hearing concluded: 7:27 p.m.

I, SANDRA E. CRAGLE, do hereby certify that the foregoing transcript of a Public Hearing of the Town of Union Planning Board is a true, accurate, and complete transcript of my stenographic notes/tape taken at the above time and place.

SANDRA E. CRAGLE