

VILLAGE OF BUCHANAN  
PLANNING BOARD  
AUGUST 25, 2022

PRESENT: Jeffrey Faiella, Chairman  
Eileen Absenger  
Tracey Armisto  
Awilda Baez  
Marcus Serrano, Village Administrator  
Cindy Kempter, Village Clerk, Treasurer  
Sharon Murphy, Deputy Village Clerk  
Brian Cook, Building Inspector  
Peter Cook, Assistant Building Inspector

VIA ZOOM: Stephanie Porteus, Village Attorney  
George Pommer, Village Engineer

ABSENT: Jennifer Bakker

OTHERS: Mark Giordano, Contractor  
Jeff Gehrlein, Project Manager at Comprehensive Decommissioning  
International (CDI)

CALL TO ORDER:

Chairman Jeffrey Faiella called the meeting of the Planning Board to order at 7:00 P.M. and led the Pledge of Allegiance.

APPROVAL OF MINUTES:

Chairman Faiella called for a motion to accept the minutes of July 21, 2022 as written. A motion was made by Eileen Absenger, seconded by Tracey Armisto, with all in attendance in favor and Jennifer Bakker absent.

OLD BUSINESS:

CALENDAR NO. 3-22-PB: Public Hearing for ISFISI Pad Phase 4 Site Development Plan for 450 Broadway (Holtec)

A motion to open the public hearing was made by Tracey Armisto, seconded by Eileen Absenger, with all in attendance in favor and Jennifer Bakker absent.

Chairman Faiella asked Village Engineer Pommer if he received the information he requested from Mr. Giordano. Village Engineer Pommer replied that they covered all the comments and he sent three additional comments to the engineer. These were minor in nature and stated that this is Phase 4 and that the notice of termination doesn't end until the end of Phase 4; if there is a change in contractors they need a recertification and the sewer pump station has to conform with Chapter 155 of the Code. Assistant Building Inspector Peter Cook advised the mailing was complete and no one responded.

Mr. Giordano showed an overview of what is presently on the site. There is an existing ISFISI Pad that contains the radioactive material and the new ISFISI pad which has had a SAT test which satisfies all of the security requirements. He showed where the security

building will be and the fencing that will surround the ISFISI pads. There will be a vehicle barrier system. The new building is a security building that will manage all the security for the two ISFISI pads and control the cameras, microwaves zones and Electrical. Chairman Faiella asked where the closest fire hydrant will be. Mr. Giordano replied that it is outside the parameters of the building, but there is a fire system in place on site. Chairman Faiella asked if there was a sprinkler system in the building. Mr. Giordano replied no because it is just a one-story building, but whatever the regulations are they will abide by them. At this moment, this is just a site plan and the building construction plans need to be reviewed. Chairman Faiella questioned if the second containment for the generator has been updated in the plan. Mr. Giordano replied that the generator will have a secondary containment system in it. Eileen Absenger asked what the difference is between the security owner control area and the owner-controlled area. Mr. Giordano explained that it is called SOCA. If a person wanted to view the site, he would have his photograph taken and have his picture on the badge, but the badge does not allow him access into the protected area. This is just a level of security to enter the protected area. Holtec has their own security on site. There is a lot of protocol to get a badge. It is very stringent.

A motion to close the public hearing was made by Tracey Armisto, seconded by Awilda Baez, with all in attendance in favor and Jennifer Bakker absent.

A motion to approve the resolution was made by Chairman Faiella, seconded by Tracey Armisto, with all in attendance in favor and Jennifer Bakker absent.

## **RESOLUTION VILLAGE OF BUCHANAN PLANNING BOARD**

### **RE: ISFSI PAD PHASE 4 - RESOLUTION OF AMENDED SITE DEVELOPMENT PLAN APPROVAL**

At a regular meeting of the Village of Buchanan Planning Board held on the 25th day of August 2022 at 7:30 PM at the Municipal Building, 236 Tate Avenue, Buchanan, New York, or conducted virtually in accordance with New York State (NYS) Executive Order 202.1.

The meeting was called to order by Chairman Jeff Faiella and the following resolution was moved by Tracey Armisto and seconded by Eileen Absenger.

WHEREAS, the Planning Board received the application of Indian Point Energy Center, Holtec Decommissioning International, 450 Broadway, Buchanan, New York (the "Applicant") for ISFSI Pad Phase 4 Site Development Plan Approval for construction of a central alarm station (CAS) and barrier systems for an existing spent fuel storage facility (the "Project" or "Proposed Action") on property located at 450 Broadway, Buchanan, New York, and more particularly described as Section 43.10, Block 2, Lot 1 on the tax maps (the "Subject Property" or "Site"); and

WHEREAS, the Project, known as the Independent Spent Fuel Storage Installation (ISFSI), Phase 4, Indian Point Energy Center (IPEC) project, is part of the overall Decommissioning Plan for Indian Point and includes the construction of a CAS building, vehicle barriers, fence, grading, and utility connections; and

WHEREAS, the Applicant has submitted application materials for review including a Full Environmental Assessment Form (Part 1) dated July 11, 2022; and a three (3) sheet drawing set prepared by Cronin Engineering, PE, PC entitled "ISFSI Pad Phase 4, Site Development Plan, Location: Indian Point Energy Center, Buchanan, New York," originally dated July 11, 2022 with latest revisions dated August 15, 2022; and

WHEREAS, a Stormwater Pollution Prevention Plan was prepared by Cronin Engineering, PE, PC entitled, "Entergy Nuclear Indian Point 2 & 3, Village of Buchanan, Westchester County, New York" and dated December 7, 2020 with latest revisions dated February 19, 2021; and

WHEREAS, a duly advertised public hearing on the Project was held on August 25, 2022 at which time all those wishing to be heard were given the opportunity to be heard; and

WHEREAS, in accordance with Section 211-40.E of the Village Zoning Law, the Planning Board provided 10 days' notice to the Cortlandt Town Clerk of said public hearing; and

WHEREAS, in accordance with Sections 239-l and m of the NYS General Municipal Law, the Planning Board referred the subject application to the Westchester County Department of Planning (WCDP); and

WHEREAS, the Planning Board determined that the Proposed Action is an Unlisted action with respect to the New York State Environmental Quality Review Act (SEQRA); and

WHEREAS, the Planning Board is familiar with the Site and all aspects of the Project and is satisfied that the Project will comply with the Village's Zoning Law including the provisions relating to Site Development Plan review and approval in Article VII of the Zoning Law as well as other applicable laws and regulations subject to the conditions below.

**NOW, THEREFORE, BE IT RESOLVED, AS FOLLOWS:**

1. The Planning Board hereby adopts and incorporates as findings and determinations the recitations and statements set forth above as if fully set forth and resolved herein.
2. Pursuant to the State Environmental Quality Review Act regulations, the Planning Board hereby adopts the attached Negative Declaration for the reasons provided therein.
3. The Planning Board hereby adopts this Resolution of Amended Site Development Approval to the proposed Project, as described above and as shown on the above listed application materials, in accordance with the provisions of Article VII of the Zoning Law, subject to the following conditions being fulfilled prior to the Planning Board Chairman endorsing the Amended Site Development Plan drawing:
  - a. The Planning Board Chairman shall endorse a copy of this resolution certifying its correctness. After it has been initially endorsed by the Chairman, the Applicant shall

also sign a copy of this resolution acknowledging receipt of the resolution, and shall submit the signed copy to the Planning Board Secretary for filing.

- b. The Applicant shall submit a statement signed by the Village tax collecting office that all taxes due on the Subject Property have been paid in full.
- c. The Stormwater Pollution Prevention Plan shall be such that it meets the satisfaction of the Village Engineer, including the fulfillment of the comments in his memorandum dated August 23, 2022, and any subsequent memorandum(s).
- d. The Environmental Assessment Form for the Project shall be revised so that in Section C.4, the fire protection service applicable to the Project is identified as the Verplanck Fire Protection Association and Section D.1.b. is revised to indicate the acreage of disturbance as 1.6 acres.
- e. Receipt from Westchester County regarding required GML referral.

When all of the sub-conditions set forth in Condition 3 above have been satisfied, six (6) copies of the above referenced plan, revised as necessary, shall be submitted for endorsement by the Planning Board Chairman, certifying that the plan complies with said sub-conditions, at which time the Chairman shall also endorse this resolution in the space provided below, certifying that the Applicant has complied with said sub-conditions and that the issuance of a Building Permit is authorized for the improvements included in this Project subject to the Applicant supplying the Building Inspector with a complete and proper Building Permit application.

One (1) copy of the endorsed plan will be returned to the Applicant, one (1) copy will be retained by the Planning Board, and one (1) copy each will be provided to the Village Building Inspector, Village Engineer, Village Highway Superintendent and Village Fire Inspector.

- 4. In accordance with the Village's Schedule of Fees, the Applicant shall be responsible for the payment of all application review fees incurred by the Planning Board in the review of this Project which are in excess of the application review fees paid by the Applicant to-date. Such fees shall be paid within thirty (30) days of the notification to the Applicant that such fees are due. If such fees are not paid within this thirty (30) day period and an extension therefore has not been granted by the Planning Board, this Resolution may be rendered null and void.
- 5. In accordance with Section 211-29.C(3) of the Buchanan Zoning Law, this Resolution of Amended Site Development Plan Approval shall become null and void unless a Building Permit is obtained within one (1) year of the date of the adoption of this resolution. Further, this resolution shall also become null and void unless the Applicant completes construction

pursuant to the approved site plan within three (3) years of the date of the adoption of this resolution.

6. In accordance with Section 211-29.C(4) of the Buchanan Zoning Law, if the Planning Board Chairman has not signed the final site development plan within six (6) months of the date of the adoption of this resolution due to the failure of the Applicant to meet the requirements and conditions established herein, this approval shall become null and void. The Planning Board, at its discretion, may grant one (1) additional period of time, not exceeding six (6) months, for the Applicant to meet said requirements and conditions.
7. No Building Permit shall be issued for the Project except in accordance with the approved amended site development plan. No further modifications to the Site shall be made without prior approval of the Planning Board. The Applicant must return for approval from the Planning Board if any changes to the endorsed plan and/or this resolution of approval are desired. Prior to the issuance of a Certificate of Occupancy, an as built survey shall be provided to the Village Building Department, any material change to the site plan from that approved by the Planning Board will require the Applicant to present the revised plan to the Planning Board for a site plan amendment.
8. The continued validity of any Building Permit or Certificate of Compliance issued in accordance with this Resolution of Amended Site Development Plan Approval shall be subject to continued conformance with such Amended Site Development Plan Approval.
9. Except as specifically modified herein, any prior resolutions of approval and any amendments thereto for the Subject Property previously adopted by the Planning Board shall remain valid and in full force and effect.

The question of adoption of the foregoing resolution was duly put to a roll call vote.

The resolution is hereby duly declared adopted.

Dated: August 25, 2022  
Buchanan, New York

\_\_\_\_\_  
Jeff Faiella, Chairman  
Village of Buchanan Planning Board

08-25-2022  
Date

\_\_\_\_\_  
\_\_\_\_\_  
Holtec Decommissioning International

\_\_\_\_\_  
Date

The following endorsement hereby confirms that the Applicant has fulfilled all of the sub-conditions in Condition 3 of this resolution and that the above-mentioned drawing may be endorsed by the Planning Board Chairman.

\_\_\_\_\_  
Jeff Faiella, Chairman  
Village of Buchanan Planning Board

\_\_\_\_\_  
Date

ADJOURNMENT:

The meeting was adjourned at 7:14 P.M. on a motion by Tracey Armisto, seconded by Eileen Absenger, with all in attendance in favor and Jennifer Bakker absent. The next meeting will be on Thursday, September 22, 2022.