

LIVINGSTON COUNTY PLANNING BOARD
Meeting Minutes –
May 11, 2023

In attendance: KEVIN FAHEY, Village of Mount Morris; DON KANE, Town of Leicester; APRILE MACK, Village of Geneseo; ALEX PIERCE, Town of Nunda; JARED RADESI, Town of Geneseo; DONALD WESTER, Town of Conesus; JOHN YUNKER, Alternate #1; CLARA MULLIGAN, Town of Avon; DAWN ANDERSEN, Town of Livonia; KEITH STEIN, Town of Caledonia; THERESA GLEASON, Village of Lima; KAREN ROFFE, Village of Leicester; CATHIE GEHRIG, Town of Mt Morris; JOANNE PALMER, Village of Livonia; JACOB CALABRESE, Town of Sparta; DONALD WILCOX, Village of Nunda; SARAH SANTORA, Village of Caledonia

Staff: HEATHER FERRERO, Deputy Planning Director; STEPHANIE JOHNSON, Administrative Secretary; TED GRISWOLD, Planner

Members Excused: TIM BRINDUSE, Village of Dansville; JOHN VAN HEUSEN, Town of Ossian; DENNIS NEENAN, Town of Lima

Members Absent: ROBERT HAYES, Village of Avon

Guests: PAUL SCHRANEL, Village of Geneseo resident; SCOTT HULBURT, Town of York ZBA; BOB HARRIS, Town of Geneseo resident; JOANNE HARRIS, Town of Geneseo resident

Chairman Pierce brought the May 11, 2023, meeting of the Livingston County Planning Board to order at 7:00 p.m.

Chairman Pierce led the group in the Pledge of Allegiance.

Chairman Pierce welcomed new member to the County Planning Board, Village of Nunda representative, Donald Wilcox.

Chairman Pierce provided an overview of New York State General Municipal Law, Section 239-l, m, & n and reviewed the rules for member participation and voting.

- There were no abstentions

Approval of Minutes from the April 13, 2023, County Planning Board Meeting

Chairman Pierce asked if there were any changes to the April 13, 2023, minutes.

A motion to approve the minutes from the April 13, 2023, County Planning Board Meeting was made by Mr. Wester and seconded by Mr. Fahey.

The motion carried.

Zoning Referral #2023-033, Town of Geneseo, Review of the Town of Geneseo Local Law Addressing Short-Term Rental Properties (Applicant: Town of Geneseo Town Board)

Mr. Griswold presented the staff report. Items discussed included:

- Ms. Gehrig asked if it was customary for local laws to require insurance, as this law is mandating at least \$1 million in insurance coverage. Ms. Ferrero responded that it is not necessarily customary but it is allowable.
- Mr. Radesi expressed concern over the allowed number of vehicles, this seems like an excessive number of vehicles.
- Mr. Radesi also commented on the fines listed. Suggestion was made to list a minimum fine rather than a maximum fine amount.
- Mr. Radesi also mentioned that the Safety Inspection Standards seem unclear and the Town should clarify their complaint process in their law.
- Ms. Mack expressed concern over day parking along major highways/main roads.
- Ms. Mack also commented that zoning districts were unclear, and the Town should clarify which zoning districts were allowed to have short-term rental properties.
- Ms. Palmer commented on the terms “obscenity” and “excessive noise” may be subjective. Suggestion was made for the Town to reference the noise ordinance in the law.
- Guest, Mr. Harris made comment that the Town did not take action at their meeting last night as they were waiting for response from the County Planning Board after tonight’s meeting.

A motion to recommend Approval of Zoning Referral #2023-033 with staff advisory comments, and County Planning Board comments, was made by Mr. Pierce and seconded by Ms. Palmer.

The motion carried. 15-2-0. With Mr. Fahey and Ms. Gehrig opposing.

Zoning Referral #2023-031, Town of Sparta, Review of the Town of Sparta Solar Moratorium Extension (Applicant: Town of Sparta)

Mr. Griswold presented the staff report. Items discussed included:

- Mr. Fahey asked if there was a limit on the amount of times a moratoria can be extended, as this has already been extended. Ms. Ferrero responded stating there is not a limit, as long as the Town can prove they are actively working on their law.

A motion to recommend Approval of Zoning Referral #2023-031 with staff advisory comments, and County Planning Board comments, was made by Mr. Fahey and seconded by Mr. Radesi.

The motion carried. 17-0-0.

Zoning Referral #2023-035, Town of West Sparta, Review of a 9-month Moratorium on Commercial Solar Energy Systems, Battery Storage Systems and Wind Turbines (Applicant: Town of West Sparta)

Mr. Griswold presented the staff report. Items discussed included:

- Ms. Mack commented that there is some contradiction within the proposal it originally stated no applications may be processed and no approvals, variances, etc. may be issued or granted but another section stated use variances are allowed.
- Mr. Fahey questioned if “use variance” applies to residential/private use? Mr. Griswold responded that the moratorium states “use variances may be applied for” but does not specify what those would be, and the moratorium applies to large scale projects.
- Mr. Yunker commented that the Town should look at their emergency response plan with local and county emergency agencies, specifically with the wind turbines.
- Mr. Radesi commented that emergency response is important to consider for all types of projects, and mentioned the importance of burying the lines within solar projects so emergency response vehicles can access the property.
- Ms. Mulligan expressed concern that a 9-month moratorium may not be long enough due to all 3 projects being included. Suggestion was made to possibly consider a 12-month moratorium.

A motion to recommend Approval of Zoning Referral #2023-035 with staff advisory comments and County Planning Board comments, was made by Ms. Gehrig and seconded by Ms. Roffe. The motion carried. 17-0-0.

Local Announcements:

- Mr. Radesi mentioned Camp Hard Hat that he started 9 years ago is now up to 7 camps and is open for kid’s ages 12-15 years old and can register at www.camphardhat.org.
- Mr. Pierce reminded members of the upcoming walk at Indian Fort Nature Reserve on June 7, 2023, from 5:30 p.m. to 7:30 p.m. to discuss invasive species and identifying and removing them. Will meet at the Jones Bridge Rd. entrance.
- Ms. Ferrero reminded the Board that the Geneseo Air Show is June 3rd and 4th.
- Ms. Palmer mentioned the Town of Livonia is close to beginning updates on their Comprehensive Plan.
- Mr. Pierce mentioned the Town of Nunda is discussing a possible moratorium for commercial development while they continue work on their Comprehensive Plan and Zoning Code updates.
- Mr. Fahey reminded the Board the GFLRPC Spring training is next Thursday at Batavia Downs.

Other Business / Communication

- Ms. Ferrero provided two updates:
 - Conesus Lake Watershed Management Plan is being updated. The current plan is 20 years old and is one of the most implemented plans in the State. There will be a green infrastructure piece incorporated into the plan where a consultant will look at each of our municipalities zoning laws to see how green infrastructure can be incorporated.
 - The Agriculture and Farmland Protection Board is looking to update the Ag Plan. The current plan was last updated in 2006. They are currently applying for funding to complete this. Will be looking into some of the newest issues in

agriculture such as solar, climate resiliency act, cannabis, and other emerging issues.

- Next County Planning Board meeting will be Thursday June 8, 2023, at 7:00 p.m.

Adjourn

A motion to adjourn was made by Mr. Fahey and seconded by Ms. Palmer.

The motion carried.

The meeting adjourned at 8:10 p.m.

Respectfully submitted, Clara Mulligan, Secretary

Recorded by Stephanie Johnson