

LIVINGSTON COUNTY PLANNING BOARD
Meeting Minutes – May 14, 2020

In attendance TIM BRINDUSE, Village of Dansville; C. JOAN CRUNDEN, Town of Caledonia; CATHIE GEHRIG, Town of Mt. Morris; WILLIAM GRAHAM, Town of Groveland; ROBERT HAYES, Village of Avon; DON KANE, Town of Leicester; STEWART LEFFLER, Village of Geneseo, Chairman; APRILE MACK, Alternate #1; JARED RADESI, Town of Geneseo; JACK SPARLING, Town of Livonia; CLARA MULLIGAN, Town of Avon; JILL KALMAR, Town of West Sparta; ALEX PIERCE, Town of Nunda; KAREN ROFFE, Village of Leicester; SARAH SANTORA, Village of Caledonia; JOANNE PALMER, Village of Livonia; JOHN VAN HEUSEN, Town of Ossian

Staff: HEATHER FERRERO, Deputy Planning Director; SHAWN ROONEY, Planning Assistant; MARY UNDERHILL, Planner

Members Excused: DENNIS NEENAN, Town of Lima;

Members Absent: KEVIN FAHEY, Village of Mt. Morris; BARRY INGALSBE, Village of Lima; DAVID LUCE, Town of North Dansville; ANITA MARTUCIO, Town of Conesus; KYLE MOTT, Town of Springwater; KATE WILCOX, Town of York

Chairman Leffler brought the May 14, 2020, meeting of the Livingston County Planning Board to order at 7:06 p.m.

Chairman Leffler introduced and welcomed guests.

Heather Ferrero led the group in the Pledge of Allegiance.

Chairman Leffler provided an overview of New York State General Municipal Law, Section 239-1, m, & n and reviewed the rules for member participation and voting. For Declarations of Conflicts of Interest, Mr. Leffler declared that he is on the Village of Geneseo Planning Board and cannot vote on the referral from the Village. Mr. Radesi declared that he has to abstain from the Town of Geneseo solar project.

Approval of Minutes from the April 9, 2020, County Planning Board Meeting

Chairman Leffler asked for a motion regarding the Minutes from the April 9, 2020, County Planning Board meeting.

A motion to approve the meeting minutes from April 9, 2020, was made by Ms. Palmer and seconded by Joan Crunden. Ms. Gehrig and Ms. Roffe abstained. The motion carried.

Zoning Referral #2020-028, Town of Geneseo, Site Plan Review and Special Use Permit for construction of 5MW Solar Array (Applicant: HELIOS Energy NY)

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

- The request that pollinator-friendly vegetation be planted below the panels.
- There were concerns on the wetlands.
- The height of the structures.
- There number of driveways to the facility.

A motion to recommend approval of Zoning Referral #2020-028 with staff comments and the comment that pollinator-friendly species should be planted below the panels was made by Mr. Brinduse and seconded by Ms. Palmer. Mr. Radesi abstained. Vote: 13-3-1

Vote Tally

IN FAVOR OF MOTION		NOT IN FAVOR OF MOTION
Brinduse	Mulligan	Hayes
Crunden	Palmer	Kane
Gehrig	Roffe	Pierce
Graham	Santora	
Kalmar	Sparling	
Leffler	Van Huesen	
Mack		

The motion failed to pass. There were no additional motions; this referral will be returned to the Town of Geneseo with a letter of No Action. The staff report will be included with the correspondence.

Zoning Referral #2020-023, Town of Groveland, Temporary Moratorium Prohibiting Battery Energy Storage Systems (Applicant: Town of Groveland)

Ms. Underhill presented the staff report. There were no questions or comments.

A motion to recommend approval of Zoning Referral #2020-023 with staff comments was made by Ms. Crunden and seconded by Mr. Sparling. The motion carried unanimously.

Zoning Referral #2020-029, Town of York, Site Plan Review and Special Use Permit for a 5 MW solar installation at 2763 Chandler Road (Applicant: SolarPark SSI York)

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

- Extension of the treeline barrier on the northwestern corner of the parcel to screen the house to the north.
- Concern regarding only one access to the facility proposed on the west. There should be an access for the eastern acreage.
- Pollinator-friendly plantings should be placed under the panels.
- Concern on the disturbance of wetlands on the property.
- Concern for potential chemical treatment beneath the panels.

A motion to recommend approval of Zoning Referral #2020-029 with staff and board member comments was made by Mr. Sparling and seconded by Mr. Graham. The motion carried.

Zoning Referral #2020-031, Town of Mount Morris, Review of the Town of Mount Morris Battery Energy Storage System Law (Applicant: Town of Mount Morris)

Ms, Underhill presented the staff report. Items discussed included:

- Any input from the Town Attorney, Engineer or Planning Board? Not directly.
- The County Planning Board is interested in getting copies of the final law.
- Discussion on the definition of “dedicated building”.
- Size of battery energy storage facilities.
- Need to define ‘pre-existing condition’ for soils and clarify who makes the determination.
- Discussion on the large size of potential buildings with regards to the fire code.

A motion to recommend approval of Zoning Referral #2020-031 with staff and board member comments was made by Mr. Leffler and seconded by Mr. Radesi. Vote: 14-3-0. The motion carried.

IN FAVOR OF MOTION		NOT IN FAVOR OF MOTION
Brinduse	Mulligan	Graham
Crunden	Palmer	Kalmar
Gehrig	Radesi	Mack
Hayes	Roffe	
Kane	Santora	
Leffler	Sparling	
Pierce	Van Huesen	

Chairman Leffler recused himself from discussions and deliberations for the following referral. He turned the meeting over to Vice Chairman Pierce.

Zoning Referral #2020-030, Village of Geneseo, Site Plan Review and Special Use Permit for demolition and construction of a restaurant at 75 East South Street (Applicant: Robert Blood, Lauer-Manguso & Assoc. for Carrols. LLC (Burger King))

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

- Discussion on design considerations – the County Planning Board felt that the gabled roof design better fit the character of the Village.
- Discussion on the extension of the sidewalk along Megan Drive. The land east of the Burger King is owned by the Village.
- Opportunity to encourage more plantings.
- Bicycle parking should be considered.
- Is lighting dark sky compliant? If it is not, that should be a consideration.

A motion to recommend approval of Zoning Referral #2020-030 with staff and board member comments was made by Mr. Radesi and seconded by Ms. Kalmar. The motion carried.

Local Announcements

Mr. Leffler let the board know that the National Warplane Museum Fly-over event was scheduled for May 16.

Other Business

- The 2020 US Census is ongoing. Shawn gave an update on the County's Census activities.
- Livingston County in coordination with Foodlink of Rochester is doing drive-thru food giveaways to Livingston County families who could benefit from these food giveaways due to COVID 19. These events are hands-free events. Foodlink of Rochester is donating 600 boxes to Livingston County to be distributed on two different dates. One at the Dansville High School and one at the Geneseo Central School. Pre-registration is required in order to receive a food box. Directions and the link for pre-registration will be posted on the Livingston County social media pages when available.

The next County Planning Board meeting will be held on June 11, 2020.

Adjourn

A motion to adjourn was made by Ms Palmer and seconded by Ms. Roffe. Motion carried unanimously.

The meeting adjourned at 10:30 p.m.

Respectfully submitted, C. Joan Crunden, Secretary

Recorded by Heather Ferrero