

LIVINGSTON COUNTY PLANNING BOARD
Meeting Minutes –
June 10, 2021

In attendance: DON KANE, Town of Leicester; APRILE MACK, Village of Geneseo; JOANNE PALMER, Village of Livonia; JARED RADESI, Town of Geneseo; KAREN ROFFE, Village of Leicester; C. JOAN CRUNDEN, Town of Caledonia; KEVIN FAHEY, Village of Mount Morris; CATHIE GEHRIG, Town of Mt. Morris; MARY ELLYN MERLE CALABRESE, Town of Sparta; ANITA MARTUCIO, Town of Conesus; ALEX PIERCE, Town of Nunda, Chairman; JILL KALMAR, Town of West Sparta

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

Members Excused: WILLIAM GRAHAM, Town of Groveland; ROBERT HAYES, Village of Avon; DAVID LUCE, Town of North Dansville; CLARA MULLIGAN, Town of Avon; SARAH SANTORA, Village of Caledonia; JOHN YUNKER, Alternate #1

Members Absent: JOHN VAN HEUSEN, Town of Ossian; TIMOTHY BRINDUSE, Village of Dansville; DENNIS NEENAN, Town of Lima; BARRY INGALSBE, Village of Lima

Guests: GENO CASTIGNETTI; JOE BORKOWSKI; ANDY MELKA, NYSOLAR03 LLC/Horizon Solar Power RONALD ROSSBOROUGH; DIANE MCMULLAN and ROBERT HARRIS, Geneseo Planning Board.

Chairman Pierce brought the June 10, 2021, meeting of the Livingston County Planning Board to order at 7:03 p.m.

Chairman Pierce led the group in the Pledge of Allegiance.

Chairman Pierce provided an overview of New York State General Municipal Law, Section 239-1, m, & n and reviewed the rules for member participation and voting.

- Abstentions: Mr. Radesi will be abstaining from Zoning Referral #2021-046 from NYSOLAR03, LLC because he is on the Town of Geneseo Planning Board.

Quorum was not met.

Approval of Minutes from the May 13, 2021, County Planning Board Meeting

Chairman Pierce asked if there were any comments regarding the Minutes from the May 13, 2021, County Planning Board meeting. No motion was made to approve the minutes due to no quorum being present. A motion for approval will be taken at the next County Planning Board meeting.

Zoning Referral #2021-046, Town of Geneseo, Site Plan Review and Special Use Permit for a 5 MW AC solar array with associated access road, fencing and electrical equipment at 5476 Lima Road/West Lake Road (Applicant: NYSOLAR03, LLC)

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

- Mr. Fahey asked if the County Planning Board should be thinking about potential future owners and the need for buffering of the existing residence on the lot when the current owner states that they do not want any buffering?
 - Mr. Castignetti commented that his entire family is on board with this project.
- Ms. Mack commented that it appears to be a lot of solar panels on the lot.
- Mr. Pierce asked for clarification regarding the number of acres of prime farmland being covered?
 - Mr. Melka commented that the total leased area is 27 acres. The area covered by the solar panels is about 8.5 acres of prime farmland. Through discussion with Ms. Kalmar, Mr. Melka confirmed that the proposed involves greater than 50% of prime and farmland of statewide importance. He also stated that the proposed avoids some of the most productive lands on site.
- Mr. Pierce asked if the area that was not considered productive or worth classifying as prime farmland, was that considered by volume to be adequate for this solar project?
 - Mr. Melka replied to Mr. Pierce's question. He stated that in order to make projects viable, there are economy of scales for solar projects. The area that has no classification of prime farmland or farmland of state-wide importance is a relatively small area that could only fit about 1.5 to 2MW project. It is believed that would not be sufficient to make it an economically viable project.
- Ms. Mack commented that the tributary that drains to the Conesus Creek would have some runoff from the project because of the slope of the project.
 - Mr. Melka replied to Ms. Mack's comment. He stated, that with the way the land slopes, from south to north, the runoff already drains through that drainage channel that's on site. This project would not increase or really effect the overall flow rates. It was felt it was important to minimize the runoff and the effect of the project on the overall drainage, hence the decision on permeable access roads.
- Ms. Underhill asked if there is standard that sets the distance between the solar panels that determine the density? And what is the density of this project?
 - Mr. Melka replied to Ms. Underhill's question. He stated that fixed tilt solar projects are quite a bit denser than this proposed project. For single axis tracker you want around 14-18 feet between rows, which results in about 10 or 12 feet between the edge of the panels depending on their orientation.

A motion to recommend approval of Zoning Referral #2021-046 with staff advisory comments, and County Planning Board comments, was made by Mr. Fahey and seconded by Ms. Palmer. Ms. Mack and Ms. Martucio opposed the motion. Mr. Radesi abstained. The motion did not carry. 9-2-1

Comments by the board will go back to the Town of Geneseo for their consideration.

Zoning Referral #2021-039, Town of York, Use Variance and Area Variance for an outdoor flea market at 2727 Genesee Street (Applicant: Ronald Rossborough)

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

- Ms. Roffe commented that the intersection where the proposed project is located happens to be a very busy intersection.
- Mr. Fahey commented that use variances are very difficult.
- Ms. Kalmar questioned if the effected property owner has put any input in towards the project?
 - Mr. Rossborough stated that he has met the property owner a few times. He stated the property owner has not been opposed to the project. He even stated that he may be one of the most frequent customers and that the area needs more places for people to shop.
- Mr. Radesi commented that there are really no designated parking spots on the black top parking lot and was curious what the plan is to fit multiple vendors, bringing in multiple vehicles?
 - Mr. Rossborough commented that the area where the vendors will be is all the way to the left of the building. It is the old area where the bank employees used to park and the bank drive thru. People coming to the flea market will have a separate parking lot to park. He stated he has talked to one of the owners about the possibility of marking out specific parking spots in that parking lot. The owner stated he will talk to his partner and give him an answer. Mr. Rossborough has not gotten a definite answer as of yet. Mr. Rossborough commented that there will be temporary barriers and signs to protect the vendor area so no vehicles go in there.
 - Mr. Radesi commented that he believes it is very important and necessary to have organization with entering and exiting and the number of parking etc.
 - Mr. Rossborough commented that the flea market will be Saturdays from 8 am-5 pm with a maximum number of 20 vendors.
- Ms. Kalmar questions where the vendors will be parking?
 - Mr. Rossborough stated that one of the reasons he cut down the number of vendors from 30 to 20 in order for the vendors to bring their vehicles to where they will be setting up.
- Ms. Kalmar brought up the point of the fact that even though items will be sold, due to the fact that there will be multiple vendors sub-leasing a space, it falls under the category as a festival and not retail. She questions if any thought has been put in for restrooms?
 - Mr. Rossborough stated that his business has a back door entry with male and female restrooms which will be open and available during flea market hours.
- Ms. Kalmar asked if the flea market is going to be going on rain or shine? The concern is for vehicles and trailers getting stuck in the mud.
 - Mr. Rossborough stated that there is a large black top area where people can park if needed.

A motion to recommend a determination of No Significant Countywide Impact of Zoning Referral #2021-039, was made by Ms. Roffe and seconded by Mr. Radesi. Ms. Mack abstained. The motion did not carry. 11-0-1

Commented by the board will go back to the Town of York for their consideration.

Zoning Referral 2021-043, Town of York, Review of a proposed Local Law to establish a six-month moratorium on Large Scale Solar Installations within the Town of York (Applicant: York Town Board)

Mr. Rooney presented the staff report. There were no questions or comments brought up by the board.

A motion to recommend approval of Zoning Referral #2021-043 with staff advisory comments, was made by Ms. Crunden and seconded by Mr. Fahey. The motion did not carry. 12-0-0

Comments by the board will go back to the Town of York for their consideration.

Zoning Referral 2021-045, Town of York, Review of a proposed Local Law to establish a six-month moratorium on Large Scale Battery Energy Storage Installations within the Town of York (Applicant: York Town Board)

Mr. Rooney presented the staff report. There were no questions or comments brought up by the board.

A motion to recommend approval of Zoning Referral #2021-045 with staff advisory comments, was made by Ms. Crunden and seconded by Mr. Radesi. The motion did not carry. 12-0-0

Comments by the board will go back to the Town of York for their consideration.

Local Announcements

- Ms. Roffe announced that the Village of Leicester summer concert series is starting again. They will be held on Wednesday at 6 pm.
- Ms. Ferrero mentioned that as of now, it looks like the Town of Geneseo Festival and Teddy Bear Parade are both on for July 10, 2021.
- Avon Corn Fest and Mount Morris Italian Days are both cancelled.

Other Business / Communication

- Upcoming training sessions (<https://www.livingstoncounty.us/673/Training>)
- Next Executive Committee Meeting is June 22, 2021.

The next County Planning Board meeting will be held on July 8, 2021.

Adjourn

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

The meeting adjourned at 9:04 p.m.

Respectfully submitted, C. Joan Crunden, Secretary

Recorded by Jocelyn Bishop