

LIVINGSTON COUNTY PLANNING BOARD
Meeting Minutes –
July 13, 2023

In attendance: DON KANE, Town of Leicester; APRILE MACK, Village of Geneseo; ALEX PIERCE, Town of Nunda; DONALD WESTER, Town of Conesus; JOHN YUNKER, Alternate #1; CLARA MULLIGAN, Town of Avon; KEITH STEIN, Town of Caledonia; 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; DENNIS NEENAN, Town of Lima; SCOTT HULBURT, Town of York

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

Members Excused: KEVIN FAHEY, Village of Mount Morris; JARED RADESI, Town of Geneseo; DAWN ANDERSEN, Town of Livonia; THERESA GLEASON, Village of Lima; JOHN VAN HEUSEN, Town of Ossian; SARAH SANTORA, Village of Caledonia

Members Absent: ROBERT HAYES, Village of Avon; TIM BRINDUSE, Village of Dansville

Guests: Tammy MacCullum, Nunda Town Clerk; Craig Chaffee, PPP; Judith Falzoi, Town of Avon

Chairman Pierce brought the July 13, 2023, meeting of the Livingston County Planning Board to order at 7:02 p.m.

Chairman Pierce led the group in the Pledge of Allegiance.

Chairman Pierce welcomed new member to the County Planning Board, Town of York representative, Scott Hulburt.

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.

- Mr. Pierce abstained from Referral # 2023-051, Town of Nunda due to serving on the Town of Nunda Planning Board.
- Ms. Palmer abstained from Referral # 2023-048, Town of Livonia due to serving on the Town of Livonia Zoning Board of Appeals.

Approval of Minutes from the May 11, 2023, County Planning Board Meeting

Chairman Pierce asked if there were any changes to the May 11, 2023, minutes.

A motion to approve the minutes from the May 11, 2023, County Planning Board Meeting was made by and Ms. Palmer seconded by Mr. Wester.

The motion carried.

Approval of Minutes from the June 8, 2023, County Planning Board Meeting

Chairman Pierce asked if there were any changes to the June 8, 2023, minutes.

A motion to approve the minutes from the June 8, 2023, County Planning Board Meeting was made by Mr. Kane and seconded by Ms. Palmer.

The motion carried.

Zoning Referral #2023-046, Town of Avon, Rezoning a Parcel at 2851 and 2861 Lakeville Road from Agricultural to Planned Development District (Applicant: Town of Avon)

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

- Ms. Mulligan suggested to add a comment regarding the traffic. It only mentions the truck and employee traffic but they should also look into the traffic from the Wellness Center as an increase in traffic flow.
- Mr. Kane commented on the left hand turn from Bruckel Drive onto Lakeville Road by Quicklee's. The Town should consider looking into the traffic pattern in this area.
- Mr. Calabrese mentioned an updated aerial view photo that shows the truck stop behind Quicklee's should be included.
- Ms. Mack suggested that Livingston County Office for Emergency Management should be contacted regarding emergency vehicle access along with the Town of Avon Fire Chief.
- Mr. Pierce questioned the southern parcel of this property and if it was currently all Ag Land. Ms. Mulligan mentioned to the best of her knowledge this parcel is not currently being farmed and has not been for a few years.
- Mr. Pierce also questioned the statement "non-specified alternative energy infrastructure". Mr. Griswold responded that per the Town of Avon Attorney, he suspects this means solar panels on the buildings but there is no certainty at this time. Any solar uses are subject to the Town regulations.
- Mr. Neenan asked how wide Bruckel Road is and if it is capable of handling the heavier traffic.
- Ms. Falzoi, guest from the Town of Avon spoke about the following:
 - The Town of Avon is currently reviewing their Comprehensive Plan that was created in 2016.
 - The Code Enforcement Officer has been looking at zoning issues in the Town.
 - Concerned there are no plans for businesses to come to this area and would like to see the Town have plans in place for when they do come.
- Ms. Ferrero provided a quick background on PDDs for the Board.

A motion to recommend Approval of Zoning Referral #2023-046 with staff advisory comments, and County Planning Board comments, was made by Mr. Kane and seconded by Ms. Roffe.

The motion carried. 14-0-0.

Zoning Referral #2023-051, Town of Nunda, Site Plan Review and Special Use Permit for a campground at 8793 State Route 408 (Applicant: PPP Future Development)

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

- Ms. Gehrig commented that the Greenway is a State Park and wanted to make sure the applicant has notified NYS. Mr. Chaffee responded that they have notified the State and are seeking crossings in two areas mainly for sewer and water. Mr. Chaffee commented that they have received permission from the municipalities for sewer and water hook up. They will tap into the water district and for sewer they will connect to the manhole on Route 408 and Halstead Road.
- Ms. Gehrig asked Mr. Chaffee about the cabin because the cabin that is currently displayed on the roadside of the property is not what was shown in the presentation. Mr. Chaffee responded that the cabin that is roadside currently is not a cabin that is included in phase 1A. The next few phases have the higher standard cabin, phase 1A is basic with just electric and basic 2 rooms. Ms. Mulligan asked if the applicant plans to insulate the cabins since they have mentioned possible winter use. Mr. Chaffee mentioned that at this time he does not believe they are/will be insulated initially.
- Ms. Gehrig questioned the landscaping and if they plan on placing berms along Route 408, and if so will they have time to do this. Mr. Chaffee responded that they are working on plans for light and noise protection but there are no finalized plans for berms verses tress yet. They plan to assess the area for landscaping that best fits the area and offers the best protection for the guests as well as for a buffer for the roadway.
- Ms. Mulligan suggested to the use of native and noninvasive plants/trees in the landscape plan.
- Mr. Kane asked for clarification on the driveways. Mr. Chaffee responded stating phase 2 will include an exit onto Halstead Road and future plans include an exit on Pentegass Road. There will also be a check out time of before 11 A.M. and a check in time of after 3 P.M. so this will help reduce traffic in and out to the campground at the same time.
- There was discussion amongst the Board regarding potential wetlands according to the Natural Resources Inventory.
- Mr. Chaffee commented that their hope for this project is to bring a positive contribution to the area and help support other local businesses.

A motion to recommend Approval of Zoning Referral #2023-051 with staff advisory comments, and County Planning Board comments, was made by Ms. Gehrig and seconded by Mr. Calabrese.

The motion failed to carry due to lack of quorum. 13-0-1. With Mr. Pierce abstaining.

Zoning Referral #2023-048, Town of Livonia, Site Plan Review and Conditional Use Permit for a Telecommunications Tower on Niver Road (Applicant: Bell Atlantic Mobile Systems LLC d/b/a Verizon Wireless c/o Nixon Peabody LLP)

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

- Ms. Mack made a comment regarding the 12 foot wide gravel driveway seeming narrow and questioned if the Town of Livonia has guidelines as to how wide driveways should be and expressed concerns for emergency vehicles being able to access the site during construction of the tower. Ms. Fears noted the Town regulations state driveways must be

at least 20 feet wide and not to exceed 30 feet wide so this may need an additional area variance.

- Mr. Wester asked if there were any studies done to show which areas will benefit from this tower. Ms. Ferrero mentioned typically there are propagation studies done to determine how high a tower would need to be, what coverage would be, and show gaps in the existing network. Mr. Griswold mentioned there was a study included in the referral materials.

A motion to recommend Approval of Zoning Referral #2023-048 with staff advisory comments and County Planning Board comments, was made by Mr. Neenan and seconded by Mr. Wester.

The motion failed to carry due to lack of quorum. 13-0-1. With Ms. Palmer abstaining.

Zoning Referral #2023-052, Town of Nunda, Review of a 12-month Moratorium Prohibiting Commercial Development (Applicant: Town of Nunda)

Mr. Griswold presented the staff report. There were no additional questions or discussion amongst the Board.

A motion to recommend Approval of Zoning Referral #2023-052 with staff advisory comments and County Planning Board comments, was made by Mr. Pierce and seconded by Mr. Kane.

The motion carried. 14-0-0.

Local Announcements:

- Mr. Pierce mentioned there was a training on recycling of solar panels. Ms. Ferrero mentioned the training went well and was very informative. Once this training is available to us it will be forwarded to Board members. If members complete the online training they will be eligible for training credits.
- Mr. Pierce mentioned the Livingston County Environmental Management Council is hosting a nature walk at Letchworth State Park on Wednesday 7/26/23 meeting at St. Helena at 6 P.M.
- Ms. Ferrero mentioned the Geneseo Community Players will be doing a musical on Friday 7/14, and Saturday 7/15 performing songs from previous shows over the last 30 years. 7/20-7/22, Avon Community Players will be performing Moana Junior. There will be a Shakespeare performance on Saturday 7/15 at Linwood Gardens, although this show is currently sold out, there will be more performances throughout the County.
- Mr. Wester mentioned the Town of Conesus has adopted their Solar Law and thanked the Board and Planning Department for their assistance.

Other Business / Communication

- Next County Planning Board meeting will be Thursday August 10, 2023, at 7:00 p.m.

Adjourn

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

The motion carried.

The meeting adjourned at 8:35 p.m.

Respectfully submitted, Clara Mulligan, Secretary

Recorded by Stephanie Johnson