

LIVINGSTON COUNTY PLANNING BOARD
Meeting Minutes
October 12, 2023

In attendance: APRILE MACK, Village of Geneseo; ALEX PIERCE, Town of Nunda; JOHN YUNKER, Alternate #1; CLARA MULLIGAN, Town of Avon; KAREN ROFFE, Village of Leicester; CATHIE GEHRIG, Town of Mt Morris; SCOTT HULBURT, Town of York; THERESA GLEASON, Village of Lima; JOHN VAN HEUSEN, Town of Ossian; JOANNE PALMER, Village of Livonia; DAWN ANDERSEN, Town of Livonia; DONALD WESTER, Town of Conesus; DON KANE, Town of Leicester; DONALD WILCOX, Village of Nunda; SARAH SANTORA, Village of Caledonia

Staff: ANGELA ELLIS, Deputy County Administrator; STEPHANIE JOHNSON, Administrative Secretary; TED GRISWOLD, Planner; VICTORIA FEARS, Planning Assistant

Members Excused: JACOB CALABRESE, Town of Sparta; DENNIS NEENAN, Town of Lima; KEITH STEIN, Town of Caledonia

Members Absent: TIM BRINDUSE, Village of Dansville; KEVIN FAHEY, Village of Mount Morris; ROBERT HAYES, Village of Avon; JARED RADESI, Town of Geneseo

Guests: STEVE FANTUZZO, Nixon Peabody

Chairman Pierce brought the October 12, 2023, meeting of the Livingston County Planning Board to order at 7:05 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-l, m, & n and reviewed the rules for member participation and voting.

- Mr. Hulburt abstained from Referral #2023-088 due to serving on the Town of York ZBA
- Mr. Wilcox abstained from Referral #2023-092 due to serving on the Village of Nunda Planning Board

Approval of Minutes from the September 14, 2023, County Planning Board Meeting

Chairman Pierce asked if there were any changes to the September 14, 2023, minutes.

A motion to approve the minutes from the September 14, 2023, County Planning Board Meeting was made by Ms. Mack and seconded by Mr. VanHeusen.

The motion carried. 15-0-0.

Zoning Referral #2023-088, Town of York, Area Variances for a Wall Sign and a Freestanding Sign on Main Street (Applicant: York Travel Center 1, LLC)

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

- Mr. Kane commented that 27 feet seems a bit excessive and the 24 feet allowed should be sufficient.
- Ms. Mulligan asked if the town has a certain amount of square footage allowed for signage for one building. Mr. Griswold responded that the town has a limit of 80 square feet per sign.
- Ms. Mack asked if the dollar signs on the gas sign are digital and if this allowable in the town code. Mr. Griswold responded stating the sign is digital and is allowed.

A motion to recommend disapproval of Zoning Referral #2023-088 based on the existing regulations being sufficient, with staff advisory comments and County Planning Board comments was made by Ms. Gehrig and seconded by Mr. VanHeusen.

The motion carried. 14-0-1. With Mr. Hulburt abstaining.

Zoning Referral #2023-079, Town of Nunda, Zoning Amendment to add uses and regulations to the Zoning Law of the Town and Village of Nunda (Applicant: Town of Nunda)

and

Zoning Referral #2023-092, Village of Nunda, Zoning Amendment to add uses and regulations to the Zoning Law of the Town and Village of Nunda (Applicant: Village of Nunda)

Ms. Fears presented the combined staff report for both referrals. Items discussed included:

- Mr. Pierce mentioned the Town of Nunda held their public hearing on Tuesday 10/10/23 with a few guests in attendance. There was open discussion and there were no further comments or concerns from the public or town board members. The Village of Nunda will be holding their public hearing on Friday 10/13/23.

A motion to recommend Approval of Zoning Referral #2023-079 with staff advisory comments was made by Mr. VanHeusen and seconded by Ms. Palmer.

The motion carried. 15-0-0.

A motion to recommend Approval of Zoning Referral #2023-092 with staff advisory comments was made by Mr. VanHeusen and seconded by Mr. Wester.

The motion carried. 14-0-1. With Mr. Wilcox abstaining.

Zoning Referral #2023-090, Town of Conesus, Site Plan Review, Conditional Use Permit and Area Variances for a Telecommunications Tower on Pucker Street (Applicant: Tarpon Towers III, LLC)

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

- Ms. Mack asked where the stream is located in comparison to the tower and expressed concern if they would have to go over the stream to get to the tower.
- Mr. Kane commented on the importance of this tower as the gap in service in this area is an issue for emergency communications, and appreciated the turn-around points at the tower site which will be easier for emergency response vehicles to access if necessary.
- Ms. Ellis mentioned the gap in cell service is a major issue for the County. The County Board of Supervisors has made it part of the strategic plan so cellular infrastructure could be improved. The Sheriff's Office filed a complaint with Verizon regarding the diminishing service in the County. This particular area being proposed is one of the areas that has been identified as problematic for our law enforcement and emergency responders.
- Mr. Wester asked how wide the service area will be from this tower. Mr. Fantuzzo responded that there are different levels of frequency and different frequencies will cover different surface areas.
- Mr. Kane also mentioned the Springwater Fire Department has issues with dropped calls and this should also help them with that issue.
- Ms. Palmer questioned the stream and how they will cross this during construction. Mr. Fantuzzo responded there will be a 12 foot wide gravel culvert. They are trying to create as minimal disturbance as possible. Mr. Pierce asked if this culvert will meet emergency response standards as far as weight capacity if emergency response vehicles need to cross this culvert. Mr. Fantuzzo this will be reviewed and make sure the criteria is met for access.
- Mr. Wester mentioned that the applicant has been working with MRB for the reviewing process. Mr. Fantuzzo commented that the applicant has submitted their response back to MRB.
- Ms. Mack stated some of the variances requested seem large and questioned if there is somewhere else on this lot that would be better to place the tower. Mr. Fantuzzo responded that there were studies done on the property and this area seems to be best for frequency and there will be less disturbance to the land.
- Ms. Andersen expressed concern over the increase in truck traffic from the main highway to the site during the construction phase.

A motion to recommend Approval of Zoning Referral #2023-090 with staff advisory comments and County Planning Board comments was made by Ms. Gehrig and seconded by Mr. VanHeusen. The motion carried. 15-0-0.

Local Announcements:

- Mr. Pierce announced he became a grandfather on September 23rd.
- Ms. Ellis provided a few updates
 - The County received a grant from Ag & Markets to update the Ag and Farmland Protection Plan. It is a 50/50 grant with the County receiving \$50,000 from Ag & Markets and the county matching with an additional \$50,000 for a total of \$100,000.00. The project will start sometime in 2024.
 - There is currently an RFP out now for bids on the Conesus Lake Watershed Management Plan update which is an \$80,000 project. This should start in the beginning of 2024.

- Work has been continuing with Empire Access and USDA on the implementation of the broadband grant. We did get word that our application for Reconnect round 4 did not get funded. We have been working with the federal government on a debrief regarding that. Reconnect round 5 should be open for applications in December so we are looking into that. In the meantime, Reconnect round 2 is in process and there should be more field work and connections later this year.
- We have received a grant for over \$650,000 for transportation/mobility management activities.
- The Land Bank Corporation has received a grant of \$550,000 to replace occupied single family mobile homes that are dilapidated. We are able to replace 3 mobile homes in the County. Land Bank is also working on an application for Brownfield Development and asked members if they are aware of any properties within their communities that may meet criteria for a Brownfield to please let us know. We are also looking for abandoned properties and candidates for demolitions to help improve communities and neighborhoods.
- A press release was posted today that the current County Administrator, Ian Coyle, has announced he will not be renewing his contract when it is up at the end of 2024 after 15 years of service with the County.
- Mr. Yunker and Mr. VanHeusen talked about the Solar Tour that took place last month. They mentioned it was nice to see different sites than last year's tour and to hear about the progress and work at the sites. The tour had roughly 48 people on the bus. Mr. Yunker mentioned the County is doing a great job on educating our members on solar because he was speaking with an attendee from another County and the knowledge and comments our board has on solar is very beneficial.
- Mr. Pierce commented that the County Planning Board Executive Committee met and conducted a new member orientation as well as they are looking into creating some additional advisory comments to address some the frequent comments often mentioned by this board.

Other Business / Communication

- Ms. Johnson reminded members of the upcoming Ag Tour being hosted by the Genesee Valley Conservancy on Friday October 27th from 8am-4pm. The G/FLRPC Fall workshop will be held on Thursday November 9th in Newark. Any members who did not attend the spring workshop and is interested in attending either of these to please let us know and the Planning Department will cover the cost.
- Next County Planning Board meeting will be Thursday, November 9, 2023, at 7:00 p.m.

Adjourn

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

The motion carried.

The meeting adjourned at 8:15 p.m.

Respectfully submitted, Clara Mulligan, Secretary

Recorded by Stephanie Johnson