



## DEPARTMENT OF PLANNING & ECONOMIC DEVELOPMENT

**Stephen F. Lynch, AICP**  
Director

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### Meeting Minutes

#### Cayuga County GML 239-l, m & n Review Committee

**April 15, 2021**

The Cayuga County GML 239-l, m & n Review Committee was established in 2005 by Cayuga County Legislature Resolution 413-05 as the agency to conduct mandatory reviews in Cayuga County under sections 239-l, 239-m, and 239-n of the General Municipal Law of New York State. The Committee meets monthly to review local actions for potential intermunicipal or countywide impacts.

The meeting was called to order at 9:00 AM via conference call using 8x8 software.

The following committee members were present:

Planning Department:	<b>Steve Lynch</b>
Planning Department:	<b>Kari Terwilliger</b>
Soil & Water Conservation District:	<b>Brian Hall</b>

A quorum was thereby established.

Others present: Greg Colucci (staff); Greg Diebold (staff)

**MINUTES:**

Minutes from March 18, 2021:

**MOTION BY:** Steve Lynch

Recommend approval

**SECOND BY:** Kari Terwilliger

All vote AYE with the following comment:

*Amend the decision of the Committee on the proposed amendment to the Town of Ira Zoning Ordinance to reflect that Kari Terwilliger abstained from the vote.*

**Motion Approved and Carried.**

**The following municipal matters were submitted to the Committee for consideration pursuant to New York State General Municipal Law §239-l, m, & n:**

**1. Town of Moravia – Local Law – Zoning Law Amendment**

The Committee carefully considered the materials provided by the Town related to the proposed Local Law. Based on the information submitted, the Committee determined that the proposal appears to have no intermunicipal concerns and is of local concern only, with comments.

**MOTION BY:** Steve Lynch

The proposal appears to have no intermunicipal concerns and is of local concern only, with the following comments:

*The proposed Local Law refers to a Town Planning Board, and authorizes it to review and approve site plans and special use permits. It is our understanding that there currently is no Planning Board for the Town, therefore the Town Board should either establish a Planning Board or remove all Planning Board references in the law and delegate the Site Plan and Special Use review power to the Town Board.*

*Section 1.02.7 (Consultant Review):*

- *References the Soil Conservation Service, however this agency no longer exists. The agency in its place is the Natural Resources Conservation Service.*
- *The Cayuga County Soil and Water Conservation District is another agency that could be referenced.*

**SECOND BY:** Kari Terwilliger

All vote AYE

**Motion Approved and Carried.**

## **2. Town of Moravia – Local Law – Solar Energy**

The Committee carefully considered the materials provided by the Town related to the proposed Local Law. Based on the information submitted, the Committee determined that the proposal appears to have no intermunicipal concerns and is of local concern only, with comments.

**MOTION BY:** Brian Hall

The proposal appears to have no intermunicipal concerns and is of local concern only, and with the following comments:

*Section 9 of the proposed Local Law, item D.6, states that “Each solar energy system or farm, site, and stormwater management plan shall be reviewed by the Cayuga County Soil and Water Conservation District prior to final site plan approval”. The word “shall” could be changed to “may” to allow flexibility at the discretion of the Town. The Town should have an agreement established with the Cayuga County Soil and Water Conservation District prior to adoption of the Local Law, or make this requirement optional. The Town should consider adding language that identifies other qualified consultants or agencies as additional options.*

*The Town should remove the reference in Section 9.A to the residential zoning district, which does not exist.*

*The proposed Local Law refers to a Town Planning Board, and authorizes it to review and approve site plans and special use permits related to solar energy facilities. It is our understanding that there currently is no Planning Board for the Town, therefore the Town Board should either establish a Planning Board or remove all Planning Board references in the law and delegate the Site Plan and Special Use review power to the Town Board.*

**SECOND BY:** Kari Terwilliger

All vote AYE

**Motion Approved and Carried**

## **3. Town of Sennett – Site Plan – National Maintenance Supply**

The Committee carefully considered the materials provided by the Town related to the proposed Site Plan. Based on the information submitted, the Committee determined that the proposal appears to have no intermunicipal concerns and is of local concern only, with comments.

**MOTION BY:** Brian Hall

The proposal appears to have no intermunicipal concerns and is of local concern only, and with the following comments:

*The site plan should be reviewed by the Army Corps of Engineers before proceeding to ensure that the stormwater outlet is in compliance with Federal Wetland requirements.*

*The Town Board should ensure that the Site Plan is reviewed against the newest NYS DEC Stormwater Pollutant Discharge Elimination System (SPDES) permit standards (GP-0-20-001 effective date: January 29,2020), which require pre- and post-construction stormwater controls to be established prior to Site Plan approval.*

**SECOND BY:** Kari Terwilliger

All vote AYE

**Motion Approved and Carried**

#### **4. Village of Union Springs – Local Law – Zoning Amendment**

The Committee carefully considered the materials provided by the Village related to the proposed Local Law. Based on the information submitted, the Committee determined that the proposal appears to have no intermunicipal concerns and is of local concern only, with comments.

**MOTION BY:** Steve Lynch

The proposal appears to have no intermunicipal concerns and is of local concern only, and with the following comments:

*Senate Bill S854A, legislation legalizing Adult-Use Cannabis in New York State, allows municipalities to adopt a municipal opt-out local law in order to ban retail dispensaries and on-site consumption licenses within a municipality. This local law must be passed at least 45 days after March 31, 2021, when Senate Bill S854A was signed, but no later than December 31<sup>st</sup>, 2021. In addition to adoption of the municipal opt-out local law, the opt-out decision appears to be subject to a permissive referendum governed by section twenty-four of municipal home rule. If this is so, the Village may want to review required procedures with their Village counsel to confirm any procedures required.*

**SECOND BY:** Kari Terwilliger

All vote AYE

**Motion Approved and Carried**