



DEPARTMENT OF PLANNING & ECONOMIC DEVELOPMENT

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Draft Minutes

Cayuga County GML 239-1, m & n Review Committee

April 17, 2019

The Cayuga County GML 239-1, 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 239-1, 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 9:32 AM in the Conference Room on the 5th floor of the County Office Building at 160 Genesee Street in Auburn, New York.

The following committee members were present:

Planning Department:	Steve Lynch
Soil and Water Conservation:	Doug Kierst
Environmental Engineer:	Bruce Natale

A quorum was thereby established.

Others present: Kiva VanDerGeest (Planning Staff); David Nelson (Planning); Kari Terwilliger (Planning).

MINUTES:

Minutes from March 21, 2019:

<u>MOTION BY:</u> Steve Lynch	Approve minutes with no changes.
<u>SECOND BY:</u> Doug Kierst	All vote AYE.

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. Village of Union Springs – Local Law- Adoption of Waterfront Revitalization Plan; Waterfront Consistency Review Law; Zoning amendments; Historic Preservation Law; Dock and Mooring Law; and Stormwater Management & Erosion Control Law

The Committee carefully considered the materials provided by the Village related to the proposed Zoning Map Amendment. Based on the information submitted, the Committee recommends approving the proposed action without change.

MOTION BY: Steve Lynch

Recommends approving the proposed action without change.

SECOND BY: Bruce Natale

All vote Aye

Motion Approved and Carried.

2. Courtesy Review- Town of Skaneateles – Site Plan & Area Variance- 728 Reynolds Road

As a courtesy, the Committee received materials regarding a site plan and area variance in Skaneateles that borders Cayuga County. As the real property is located outside of Cayuga County, the Committee has no authority to take action on this site plan and area variance. The Committee appreciates the opportunity to review the application and has no comments.

3. Town of Niles – Site Plan- 3872 Carver Road

The Committee carefully considered the materials provided by the Town related to the proposed Site Plan at 3872 Carver Road. Based on the information submitted, the Committee recommends approving the proposed action without change. The Committee also submits the following comment for the Board's consideration:

1. An application for Approval of Plans for Public Water Supply must be filled with Cayuga County Health Department.

MOTION BY: Bruce Natale

Recommend approving the proposed action without change.

SECOND BY: Steve Lynch

All vote Aye

Motion Approved and Carried.

4. Town of Ledyard- Site Plan & Special Use Permit- 1891 State Rt 90 N

The Committee carefully considered the materials provided by the Town related to the proposed Site Plan and Special Use Permit at 1891 State Route 90 N. Based on the information submitted, the Committee recommends approving the proposed action without change. The Committee also submits the following comment for the Board’s consideration:

1. The site topography seems to direct water flow toward the existing structures. The proposed gravel driveway and parking area have potential to wash debris or mud toward the existing structures. The applicant may consider the use of a geotextile or other system of grass pave that would prevent such issues.

MOTION BY: Steve Lynch

Recommend approving the proposed action without change.

SECOND BY: Doug Kierst

All vote Aye

Motion Approved and Carried.

5. Village of Aurora- Local Law- Zoning Code Amendment: Definition and Regulation of Conference Centers

The Committee carefully considered the materials provided by the Village related to the proposed Zoning Code Amendment. Based on the information submitted, the Committee determines that the action appears to have no intermunicipal concerns and to be of local concern only. The Committee also submits the following comment for the Board’s consideration:

1. As per New York State Environmental Quality Review Act (SEQR) 617.4 Type I actions: *“the adoption of changes in the allowable uses within any zoning district, affecting 25 or more acres of the district”* is considered a Type I actions and requires the completion of a Full Environmental Assessment Form.
2. It appears the added use will alter the numbering sequence of both the current Use Table and its association to related special conditions. The Board may consider reviewing this codification and including any changes in the proposed amendment.
3. The current proposed amendment may provide opportunity to clarify the Special Condition procedure by describing its role in the application of (SP#) as a reference within the Use Table.
4. It appears the description defining Conference Center focuses on structure and lot area

rather than primarily on use. This has potential to create confusion as a facility outside of the described square footage, room style, and acreage has potential to circumvent the Conference Center requirements as intended.

MOTION BY: Steve Lynch

Determines that the action appears to have no intermunicipal concerns and to be of local concern only

SECOND BY: Doug Kierst

All vote Aye

Motion Approved and Carried.

6. Village of Aurora- Local Law- Temporary Moratorium on Fireworks Permits

The Committee carefully considered the materials provided by the Village related to the proposed Zoning Code Amendment. Based on the information submitted, the Committee determines that the action appears to have no intermunicipal concerns and to be of local concern only. The Committee also submits the following comment for the Board's consideration:

1. New York State provides permit authority over specific fireworks uses through Penal Law, Article 405. As such, it is typical that the use of that power be codified by a municipality in the Code of Ordinances. In an instance where an unpermitted use of fireworks takes place, this allows law enforcement to address the situation and immediately provide a cease and desist order. The proposed moratorium states that the time of the moratorium will be used to consider changes in the local Zoning Law. Currently, the Village's permitting authority over fireworks is not defined in its Zoning Law. As Zoning Law is enforced exclusively by the Code Enforcement Officer, an unpermitted use of fireworks could only be addressed and enforced by the Code Enforcement Officer. During the time of moratorium the Village may wish to consider enacting a Local Law rather than revising the Zoning Law. If the Village so chooses, The Cayuga County Department of Planning and Economic Development can provide technical assistance and sources of reference.

MOTION BY: Steve Lynch

Determines that the action appears to have no intermunicipal concerns and to be of local concern only

SECOND BY: Doug Kierst

All vote Aye

Motion Approved and Carried.

Motion to adjourn by Steve Lynch. Seconded by Doug Kierst. All approving. Adjourned at 10:34 AM.

Minutes submitted by Kiva VanDerGeest (staff).