

Minutes
Cayuga County Committee for Review under NYS GML §§239-l, m & n
August 15, 2013

The meeting was called to order at 9:05 AM in 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:

Director of Planning and Development: **Steve Lynch**
Director of Environmental Health: **Eileen O'Connor**
Environmental Engineer: **Nick Colas** (designee)
Superintendent of Highways: **Steve Koon** (designee)
Director of Soil and Water Conservation: excused

A quorum was thereby established.

Others present: Gabriel Holbrow (staff).

MINUTES:

Approval of minutes from June 20 was postponed because there was not a quorum of members who had been present at that meeting.

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 Ira – Special Use Permit – Orr, 11993 State Route 34

The Committee carefully considered the materials provided by the Town related to the application for a special use permit to sell used farm equipment, sheds, and utility tractors. The Committee noted that the uses had been going on at a low intensity for some years already. Committee members agreed that the current intensity and scale of use would not have an intermunicipal impact, but could have traffic impacts in the future if the intensity of the use were dramatically expanded. Without limits on the intensity of use, a blanket special use permit could allow an intensity very similar to Carroll Equipment on Route 5 between Sennett and Elbridge, which might not be appropriate for this location in Ira.

MOTION BY NICK COLAS:

Approve with one change:

Change: Special use permit approval must be limited to the current intensity of use.

SECOND BY STEVE LYNCH: All vote AYE.

Motion Approved and Carried.

2. Town of Ira – Special Use Permit – Townsend, 12172 State Route 176

The Committee carefully considered the materials provided by the Town related to the application for a special use permit to operate an excavation business including equipment maintenance and repairs. The Committee discussed the type and intensity of current uses on the property related to the business. Committee members agreed that the current intensity and scale of use would not have an intermunicipal impact, but could have significant impacts in the future if the intensity of the use were expanded. Committee members were particularly concerned that the “purpose” section on the application for special use permit was left blank, since unless the permitted uses are specified, the blank section on the application could be used to justify any use.

MOTION BY STEVE LYNCH:

Approve with one change:

Change: The special use permit approval must provide detailed specifics of the type and intensity of uses to be allowed under the permit, the result of which will be to limit the permit to the current intensity of use.

SECOND BY EILEEN O’CONNOR: All vote AYE.

Motion Approved and Carried.

3. Town of Ira – Special Use Permit – 911 Communications Tower, 2189 Mott Road

The Committee carefully considered the materials provided by the Town related to the proposed 911 communications tower. The Committee discussed that the town planning board had made a determination that the town's 2002 local law regulating commercial telecommunications facilities does not apply to this project. The Committee discussed the environmental review for this project, noting that the Cayuga County Legislature had issued a generic Environmental Impact Statement for the entire tower project. The Committee discussed the future maintenance of the access road, noting that there had been some issues of who would plow and maintain access to other county emergency towers, although those issues have now largely been resolved. The Committee noted that the potential fall zone of the proposed tower would reach into neighborhood properties and into the Town of Victory, and discussed that it would be in the county's best interest to obtain easements and formal permissions from all property owners in the potential fall zone.

MOTION BY STEVE LYNCH: Approve without change.

SECOND BY EILEEN O'CONNOR: All vote AYE.

Motion Approved and Carried.

Motion to adjourn by Steve Lynch. Seconded by Steve Koon. All approving.
Adjourned at 9:53 AM.

Minutes submitted by Gabriel Holbrow (staff).

Minutes approved by the Committee on September 19, 2013.