

**Minutes  
Cayuga County GML 239-l, m & n Review Committee  
January 16, 2014**

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 9:07 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:

|  |                               |
|--|-------------------------------|
| Director of Planning and Development:    | <b>Steve Lynch</b>            |
| Director of Environmental Health:        | excused                       |
| Environmental Engineer:                  | <b>Bruce Natale</b>           |
| Superintendent of Highways:              | <b>Steve Koon</b> (designee)  |
| Director of Soil and Water Conservation: | <b>John Fraser</b> (designee) |

A quorum was thereby established.

Others present: Gabriel Holbrow (staff)

**MINUTES:**

Minutes from October 17, 2013 and December 19, 2013:

**MOTION BY STEVE LYNCH:** Approve minutes as submitted for both meetings.

**SECOND BY JOHN FRASER:** All vote AYE.

**Motion Approved and Carried.**

No meeting in November, 2013. No minutes to review.

**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 Cayuga – Comprehensive Plan**

The Committee carefully considered the draft Comprehensive Plan and Waterfront Vision provided by the Village. Committee members praised the plan for its consideration for and protection of local and regional resources, including water quality, water access, wetlands, open space, safety (particularly related to the railroad crossing), and public water and sewer. Among the many good aspects of the plan, Committee members noted the recommendations for waterfront revitalization as showing particular insight, including considering relocating the Village Offices to make room for an active water-enhanced commercial use in the former train depot. Committee members noted similar insight in recognizing the opportunity for a new road connection from Genesee Street to Wheat Street to allow for clustered new development east and southeast of McIntosh Park. Overall, the Committee found that the plan will likely have positive intermunicipal impacts.

John Fraser offered that the Cayuga County Soil and Water Conservation District is available to help with technical assistance and advice on stormwater management for any development that grows out of the plan.

The Committee discussed the future of commercial and residential development in the Village, recognizing the challenges and the opportunities as reflected in the plan.

A Committee member spotted a misspelling in Figure 22, the Waterfront Concept Plan. The word “tressel” should be “trestle.”

**MOTION BY STEVE LYNCH:** Approve without change.

**SECOND BY JOHN FRASER:** All vote AYE.

**Motion Approved and Carried.**

**OTHER BUSINESS:**

The Committee reviewed a draft of a new intermunicipal agreement with the Village of Aurora to exempt certain actions from mandatory review. The Committee discussed whether rooming or boarding houses, multi-family housing, nursing homes, dormitories, and student housing should be required to be referred.

The Committee discussed different possible thresholds of dwelling units to require referral, eventually agreeing that all multi-family housing and rooming or boarding houses should be exempt from the referral requirement. The Committee based this determination on several factors, including that the review standards in other towns and villages mean that multi-family housing

would be less likely to require referral in a different municipality, that availability of public water and sewer and the land constraints on the scale of development effectively minimize the potential for negative intermunicipal impacts, that the Village's robust and active local review process can handle all potential local impacts, and that the Committee is always willing to review proposals at the Village's request even if referral is not required.

In discussing nursing homes, dormitories, and student housing, Committee members felt that these types of uses normally would not need to be referred. However, they recognized that some examples of these uses are of a large scale and intensity that makes them more accurately classified as commercial uses rather than residential uses. Committee members agreed that nursing homes or student housing at a commercial scale and intensity, rather than a residential scale or intensity, should be referred. Committee members agreed that language in the agreement exempting "non-commercial and non-industrial uses as defined by the Village of Aurora Zoning Law now or in the future" (noting that the current zoning law does not define these terms) would be adequate to exempt most nursing homes and student housing but allow mandatory referral when these uses reached a commercial scale or intensity.

**MOTION BY BRUCE NATALE:**

Approve the draft intermunicipal agreement with the following changes and give Steve Lynch authority to execute the agreement on behalf of the Committee:

- Change mentions of the name of the Committee to "the Cayuga County GML 239-l, m & n Review Committee" on first mention and "the 239 Committee" on subsequent mentions.
- Add exemptions for multi-family housing and for rooming and boarding houses.
- Amend exemption 8 (or as renumbered) to exempt approvals "for non-commercial and non-industrial uses as defined by the Village of Aurora Zoning Law now or in the future."
- Add language clarifying that the agreement does not preclude referrals for advisory opinions even when referral is not required.

**SECOND BY JOHN FRASER:**

All vote AYE.

**Motion Approved and Carried.**

**Motion to adjourn by John Fraser. Seconded by Steve Koon. All approving.**  
**Adjourned at 9:46 AM.**

Minutes submitted by Gabriel Holbrow (staff).

Minutes approved by the Committee on May 15, 2014.