

The logo features the stylized lowercase letters 'ccpb' in a cursive font, overlaid on a vertical grey rectangular bar. To the right of this graphic, the words 'CAYUGA COUNTY' and 'PLANNING BOARD' are written in a large, black, serif, all-caps font, stacked vertically.

CAYUGA COUNTY PLANNING BOARD

MINUTES November 13, 2013

MEMBERS PRESENT

Chairman Keith Welch (Scipio); Vice-Chairman Patricia Bianconi (Aurora); John Berry (Genoa); William Carman (Niles); Slade Cox (Ira); Randall E. Frech (Village of Cato); Jay Moose (Mentz); David Morris (Sennett); June Ouellette (Sterling); Ron Podolak (Owasco); Darrin Rooker (Port Byron); James Scanlon (Brutus).

OTHERS PRESENT

Gabriel Holbrow (County Planning staff).

CALL TO ORDER

Chairman Welch (Scipio) called the meeting to order at 6:04 pm in the Conference Room at the Cayuga-Onondaga BOCES, 1879 West Genesee Street Road in Aurelius.

INTRODUCTIONS BY MEMBERS

Each person present introduced himself or herself.

INTERNAL BUSINESS

1. Approval of Minutes from Meetings on July 17, 2013: Motion by Mr. Cox (Ira) to approve the minutes as submitted. Seconded by Mr. Morris (Sennett). All members vote AYE. Motion carried.
2. Review of Minutes of the GML 239-L, M & N Committee: Mr. Holbrow (staff) provided the Board with approved minutes of meetings on June 20, August 15, and September 19, and draft minutes of the meeting on October 17, 2013 of the county's committee for intermunicipal review of local land use actions under GML §§239-l, m & n. Mr. Holbrow (staff) gave a short report on the activity of the committee at those meetings. In response to a question about why certain committee members are listed as "designee" in the minutes, Mr. Holbrow explained that County Legislature Resolution that established the committee authorizes the ex-officio committee members to send designees in their places.

The county Superintendent of Highways and the Director of Soil & Water Conservation usually send designees, and other members occasionally do.

3. Planning Board Activities in 2014: The Board meeting dates for 2014 are March 19, July 16, November 19, all at BOCES conference room. Each meeting date is to be followed by training sessions.

Mr. Holbrow gave advance notice of training session in late April training with local government training specialists from the New York State Department of State. Vice-Chairman Bianconi (Aurora) mentioned that she liked having the DOS speakers from Albany last year. Mr. Holbrow reported that he has not yet secured a location for the April training session. Mr. Podolak (Owasco) suggested the Natural Resource Center.

Chairman Welch (Scipio) recommended meetings of the Owasco Lake Watershed Management Council as another source of information similar to what is offered at training sessions. The Watershed Management Council often has presenters on relevant topics, such as erosion. The Council meets regularly on the third Tuesday of each month at 10 am at the Cayuga County Office Building in sixth floor Caucus Room 1.

Mr. Podolak (Owasco) said that a training on steep slope development would be helpful. Several board members noted that the most recent training on September 18 covered steep slopes. Mr. Holbrow (staff) offered that the planning department would be interested in doing the training again, and would be happy to give a presentation to Owasco in particular.

Mr. Holbrow reminded members that Supervisors and Mayors will have the opportunity to make new appointments in January. All new and continuing members will have to submit financial disclosure forms.

4. Nomination of Officers for 2014: Board members were provided with a one-page description of roles for the Board officers.

Mr. Podolak (Owasco) made a motion to recommend to the Cayuga County Legislature that the Legislature Chairman re-appoint Board Chairman Welch (Scipio). Second by Mr. Carman (Niles). All approving. Motion carried.

Mr. Carman (Niles) made a motion to recommend to the Cayuga County Legislature that the Legislature Chairman re-appoint Board Vice-Chairman Bianconi (Aurora). Second by Chairman Welch (Scipio). All approving. Motion carried.

Mr. Cox (Ira) made a motion to recommend to the Cayuga County Legislature that the Legislature Chairman appoint Mr. Rooker (Port Byron) as the Board Secretary. Second by Mr. Frech (Village of Cato). All approving. Motion carried.

ISSUES OF COUNTYWIDE IMPORTANCE

1. Training Requirements: Board members discussed training requirements for members of local planning boards and zoning boards of appeals. The requirements are in state law in the General City Law, the Town Law, and the Village Law. The state laws give Town and Village Boards some limited authority to modify the requirements for their municipalities.

Vice-Chairman Bianconi (Aurora) asked if lack of training can invalidate a decision if there is an Article 78 proceeding. Mr. Holbrow (staff) explained that state law specifically states that lack of training cannot invalidate a decision, although a member without the required training can become ineligible for re-appointment. Mr. Cox (Ira) asked what an Article 78 proceeding is. Several Board members explained that it is a court proceeding in county Supreme Court that allows someone to appeal a decision of a local board or officer, including local planning boards and zoning board of appeals. The name comes from Article 78 of the New York State Civil Practice Laws and Rules (CPLR) which establishes the appeals procedure.

2. County-Wide Agriculture and Farmland Protection Plan Public Meetings: Board members were provided with a flyer and encouraged to attend. The three public meetings are: tonight in this same room immediately following the Board meeting; November 14 in Moravia; and November 19 in Cato.
3. Agricultural District Consolidation: The new Cayuga County Consolidated Agricultural District Number 5 was approved by the county legislature on July 23 and certified by the state Department of Agriculture and Markets on October 9. Its boundaries and inclusions are now official.

Mr. Rooker (Port Byron) asked if property owners who were added or removed from the district receive confirmation that they are now in or out. Mr. Holbrow (staff) said he would look into the question and get back to the Board.

4. Hazard Mitigation Plan: Cayuga County's multi-jurisdictional all-hazards mitigation plan has been approved by the state emergency management office and is now awaiting approval by FEMA. FEMA approval was expected by late October, but may have been delayed by the federal government shutdown in early October. Once approved by FEMA, the plan will need to be adopted by the county legislature, the City of Auburn, and the 31 towns and villages covered by plan. All of the towns and villages in the county are covered by the plan except the Town of Cato.
5. Economic Development Activities: The Cayuga Milk ingredients project continues. Steel tanks are visible behind the BOCES. Management of the Cayuga County Industrial Development Agency (CCIDA) was transferred from the county planning department to the Cayuga Economic Development Agency (CEDA) as of September 1, 2013. CEDA is now a "one-stop" center for business development. CEDA's resources include the Cayuga County small business loan program, which has money available for local small businesses.
6. Other County Planning Activities: The county planning department is assisting the Village of Meridian and members of the community with looking into what do with the former fire station in Meridian, now that the Meridian Fire Department has officially dissolved. The community is looking for a non-profit to take over the property, and may be public meetings in the coming months.

Mr. Cox (Ira) left the meeting.

The county planning department is currently working with the county Parks Commission to scope an update to the Emerson Park Plan. Scoping the project includes deciding whether it will be a minor internal update, or a major update with significant public

involvement. If the Parks Commission undertakes a major update, there will be public meetings later on in 2014. Mr. Podolak (Owasco) reported that many area residents would like to see the Emerson Park Pavilion available again for more use by people of the county and not just the designated vendor.

County Planning just received an executed a state grant contract to update the Owasco Lake Watershed Management Plan. The Owasco Lake Watershed Management Council will serve as the steering committee for the plan and will start work in December or January. There will be public outreach to municipalities and residents in the watershed throughout the process. Mr. Morris (Sennett) expressed that there should be more notification to lakeside residents when the water level changes. Some residents have been caught by surprise when the lake was lowered to its winter level earlier than usual. Chairman Welch (Scipio) reported county officials were able to get a meeting with the United States Army Corps of Engineers and the NYS Department of Environmental Conservation about revising the “rule curve” that establishes the target lake level throughout the year. The county officials were told the county would have to pay for a study of the lake levels then pay Army Corps approximately \$100,000 to review the study, which puts this out of the budget of the county.

7. Trainings and Events: Board members were provided with flyers for an electronics recycling event on November 16, 2013 and a land use training session on March 19, 2014.

LOCAL STATUS REPORTS

Town of Fleming: Mr. Holbrow (staff) reported that he received an email from George Hiza (Fleming), who was not able to attend the meeting tonight. Mr. Hiza reported that the planning board is working on a special use permit for a digester. Because this would be the first permitted digester in the Town, they want to get it right.

Town of Sennett: Mr. Morris reported that there have been a few unremarkable projects before the planning board, including some apartments. In the November 5 election for Town Supervisor and two seats on the Town Board, all three incumbents were defeated by their challengers. Mr. Morris also noted that his own appointment to the town planning board expires at the end of 2013, although he does not know how changes on the Town Board may affect his likelihood of reappointment.

Town of Brutus: Mr. Scanlon reported that the planning board is considering two cases of two-lot subdivisions, currently in the preliminary stage. The town’s joint comprehensive plan with the Village of Weedsport is nearly complete. A draft is available online and there will be a public hearing on the draft on December 4.

Town of Scipio: Mr. Welch reported that the Town continues to work on revising its zoning. Noting that the Emily Howland School in Sherwood closed and may be taken over by a private school or other entity, he wondered what this means for property taxes and if the property will come back on the Town tax rolls. Mr. Holbrow (staff) said he would look into the question and get back to the Board.

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Town of Sterling: Ms. Ouellette reported that the planning board recently reviewed a minor subdivision. The zoning commission is still working on revisions to the zoning law, but is close to finishing.

Town of Niles: Mr. Carman reported that the planning board recently reviewed a few minor subdivisions but has otherwise been quiet.

Town of Owasco: Mr. Podolak reported that the planning board is working on two small but controversial subdivisions. One is close to Owasco Lake and in one of the Town's Environmental Protection Overlay Districts (EPOD) because the slope is over 15 percent. The other is in a more developed area but has faced neighbor opposition and difficulty because the developer is seen as not holding up his end of the bargain.

Village of Cato: Mr. Frech reported that the recently reformed planning board is still finding itself. They are working on the language to set up the board and have not yet appointed officers.

Village of Aurora: Ms. Bianconi reported that the Village continues to work on revising its zoning. At the most recent planning board meeting, they started talking about revising the village's comprehensive plan. A major issue for the village are short-term rental properties. Although advertised as bed and breakfast inns, they do not meet the definition of a bed and breakfast in the village zoning code because they are not owner-occupied. They also not meet the building code requirements for hotels. The village is considering how to permit or restrict these short-term rentals.

Village of Port Byron: Mr. Rooker reported that the Village is working on small revisions to the zoning code that would allow residential uses in the commercial district.

Town of Mentz: Mr. Moose reported that Town recently passed a law regulating telecommunications towers. The Town is categorizing and organizing their old laws to better administer them and to prepare for making revisions. The water line project with the Village of Port Byron and the Town of Montezuma is moving ahead.

Town of Genoa: Mr. Berry reported that nothing major has happened recently.

ADJOURNMENT

Motion by Mr. Frech (Village of Cato) to adjourn the meeting. Seconded by Mr. Morris (Sennett). Adjourned at 6:56 pm.

Minutes submitted by Gabriel Holbrow (staff).

Minutes approved by the Board on March 19, 2014.