



# CAYUGA COUNTY PLANNING BOARD

## MINUTES July 16, 2014

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### MEMBERS PRESENT

Chairman Keith Welch (Scipio); Vice-Chairman Patricia Bianconi (Aurora); Secretary Darrin Rooker (Port Byron); Tiffany Beebee (Auburn); John Berry (Genoa); Barbara Harvey (Summerhill); John R. Malenick (Montezuma); Paul Nelson (Village of Moravia); James Scanlon (Brutus); Darrell Uetz (Fair Haven); Lisa Wheeler (Meridian); Henry T. Wilde (Springport).

### OTHERS PRESENT

Gabriel Holbrow (County Planning staff); Kari Terwilliger (County Planning staff); Daniel Green (Ledyard); Dale Katovitch (Union Springs); Tom Lloyd (Town of Cato); Richard Talcott (Venice).

### CALL TO ORDER

Chairman Welch (Scipio) called the meeting to order at 6:05 pm in the Distance Learning Room (Room 201) 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 Meeting on March 19, 2014: Motion by Mr. Malenick (Montezuma) to approve the minutes as submitted. Seconded by Mr. Uetz (Fair Haven). All members vote AYE. Motion carried.

### ISSUES OF COUNTYWIDE IMPORTANCE

1. Subdivisions Filed with the County Clerk without Local Approval: The Board continued its discussion from March on the issue of illegal subdivisions filed with the Cayuga County Clerk without getting proper local approval from the Town, Village or City Planning Board.

Several members shared their municipalities' experiences with the problem. Mr. Malenick (Montezuma) reported that another illegal subdivision in the Town of

Montezuma has come to light since the Board's discussion in March; as with previous incidents the Town first became aware of the subdivision when the new owner of a subdivided part applied for a building permit. Ms. Beebee (Auburn) reported a similar experience that an illegal subdivision came to light in the City of Auburn when a new owner applied for a building permit. In this case, the subdivision was required to go through the full local process of review by the City Planning Board, which did approve the subdivision but not before making significant changes to the plat. Mr. Lloyd (Town of Cato) reported on a large parcel (originally 60 acres) in the Town of Cato where the owner subdivided off two house lots through the proper legal process then later subdivided off five additional house lots without going through the proper process. When the Town discovered the second, illegal subdivision, the Town formally voided the subdivision, which fused the five lots back to the parent lot. If the owner still wishes to subdivide, he must go through the proper local review and approval by the Town Planning Board.

Board members discussed using local laws and ordinances to address the issue of illegal subdivisions. Mr. Lloyd (Town of Cato) recommended that local codes clearly declare that any subdivision without proper local approval is null and void.

Board members discussed communication on this issue between all those involved, including the County Clerk, Town and Village clerks, Town and Village Planning Boards, Town and Village assessors, as well as real estate lawyers, surveyors, and real estate agents. Although the Cayuga County Department of Real Property Tax Services recently instituted a new policy of requiring the Town, Village, or City Assessor's signature indicating local approval before the County will process a property split or merger for tax purposes, Ms. Harvey (Summerhill) reported that her Town's assessor was not satisfied with this change and felt that this added review was not part of her job. Secretary Rooker (Port Byron) stressed the importance of communication between the County Clerk's office and the Town and Village offices, recommending that the local municipalities should get a copy of any filed subdivision or split/merger request form for properties within their municipality's jurisdiction. Mr. Wilde (Springport) stressed the importance of communication among local boards, including the Planning Board, Zoning Board of Appeals, and Town Board or Village Board of Trustees. Based on the Board members suggestions, Ms. Terwilliger (staff) said that County Planning staff will continue talking with the County Clerk and other county officials to address this issue and would look into preparing information and educational materials to distribute to real estate lawyers, surveyors, and realty agents.

2. Request to NYS DEC to Address Owasco Lake Watershed Issues: Chairman Welch (Scipio) introduced a draft resolution in response to several incidents this past winter of manure discharge entering tributaries of Owasco Lake. The Board discussed the incidents and the draft resolution. All Board members who spoke in the discussion expressed opinions that they do not want environmental degradation to the lake, and also all expressed opinions that farming is very important to the county's communities and local economy. However, some Board members additionally expressed concern that the proposed resolution could be, or could be perceived to be, anti-agriculture. Board members discussed outreach to farmers directly as another way to address the issue. Several board members encouraged more communication with farms. Ms. Beebee

(Auburn) reported that the farm where the manure spill of February 21 occurred is already making changes. Board members reported that many local farms hire consultants to prepare nutrient management plans and help with manure management, noting that these private consultants are also part of the solution. Ms. Beebee mentioned R & B Alternative Solutions as one local nutrient management firm that farmers or neighbors can contact for assistance, for information, or with concerns.

Motion by Chairman Welch (Scipio) to adopt the resolution as written. Second by Mr. Malenick (Montezuma). A vote was conducted by show of hands. There were nine votes in favor, no votes in opposition, and three Board members present who abstained. By a nine-to-zero vote, the motion passed and the resolution was adopted. (See attached Resolution No. 01-14.)

## **LOCAL STATUS REPORTS**

Village of Aurora: Vice-Chair Bianconi reported that students from Cornell Design Connect worked with the Village this spring to produce an Aurora Community Trail Concept Plan. The Village is now starting implementation of the trail plan, beginning with the sidewalk trail along Main Street.

Town of Brutus: Mr. Scanlon reported that the Town of Brutus and the Village of Weedsport are cooperating on a community trail project, similar to Aurora. The Town has applied to New York State for federal funding through the Transportation Alternatives Program (TAP) and is waiting to hear back.

Village of Port Byron: Secretary Rooker reported on the Old Erie Canal Heritage Park project at Lock 52 in the village. The project will have three phases. Phase I is the construction of ramps from the Thruway. The project is currently in Phase I. Phase II will be restoration of the Erie House and relocation of mule barns back to the site. Phase III will be the construction of access to the site from Route 31 and the village. The project is entirely a state project and entirely funded. All phases are scheduled to be completed by 2016.

Village of Moravia: Mr. Nelson reported that the Hamilton & Wilber Oil Company gas station (known as “Hammy’s”) on Route 38 at the west edge of the village has closed down. The only remaining gas station in the area is in the center of the village at the main four-corners intersection. There is concern about snowmobilers driving through the village to access the remaining gas station. The Village is working on two solutions. The reactive strategy is to draft an ordinance to ban snowmobile traffic on Village roads, using the Town of Webster code as a model. The proactive strategy is to search a developer to replace the closed gas station. Ms. Terwilliger (staff) recommended reaching out to snowmobile clubs to get their cooperation and work on solutions.

## **ADJOURNMENT**

Motion by Mr. Wilde (Springport) to adjourn the meeting. Seconded by Ms. Harvey (Summerhill). All approving. Adjourned at 6:59 pm.

Minutes submitted by Gabriel Holbrow (staff).