



MINUTES
July 15, 2015

MEMBERS PRESENT

Chairman Keith Welch (Aurora); Secretary Darrin Rooker (Port Byron); Gerald Scouten (Aurelius); Derek Ostrowski (Brutus); Randall E. Frech (Village of Cato); Cynthia Stephenson (Town of Cato); Lisa Wheeler (Meridian); John Malenick (Montezuma); Paul Nelson (Village of Moravia); Robert Edmunds (T.Sennet); June Ouellette (Sterling); Steve Heltzer (T.Throop); Harvey Mills (Victory); and John Abraham (Weedsport).

OTHERS PRESENT

John Zepko (County Planning staff); David Nelson (County Planning Staff);

1. CALL TO ORDER

Chairman Keith Welch (Scipio) called the meeting to order at 6:00 pm in the Conference Room at the Cayuga-Onondaga BOCES, 1879 West Genesee Street Road in Aurelius.

2. INTRODUCTIONS BY MEMBERS

Each person present introduced himself or herself.

3. INTERNAL BUSINESS

- a. Approval of Minutes from Meeting on March 18th, 2015: Motion by Mr. Carman (Niles) to approve the minutes as submitted. Seconded by Mr. Frech (Village of Cato). All members vote AYE. Motion carried.

4. ISSUES OF COUNTYWIDE IMPORTANCE

- a. Questions or comments on county planning updates provided: Mr. Zepko asked the Board if anyone had any questions on the handout of the project and countywide planning activities that he provided the members. No one spoke. Mr. Zepko very briefly mentioned each item in the handout.
- b. Review of Minutes of the GML 239-1, m & n Committee: Mr. Zepko informed the Board that they all received copies of the Committee's minutes from March 2015 through June

2015; and asked if anyone had any questions or comments regarding the GML 239-1, m & n Committee. No questions or comments were received.

5. ADDITIONAL BUSINESS

- a) Keith Welch, Chairman, spoke the Board regarding his intentions not to seek or accept nominations to any board or committee with the Town of Scipio. As such, he will not be eligible to serve as Chairman of the Cayuga County Planning Board. Mr. Welch encouraged the board members to consider the November 18, 2015 nominations for Count Planning Board officers.

Mr. Welch also addressed the Board regarding the definition of “*agriculture*” as is defined by the NY State Department of Agriculture and Markets. Mr. Welch desired to form a committee, to discuss and evaluate the use of a singular definition of “*agriculture*”. Under the current single definition, all forms of agriculture are treated equally in terms of sociological, economical, and environmental affect. Mr. Welch believes that the many diverse forms of agriculture, and their respective scales and intensity, should be carefully considered in terms of sociological, economic, and environmental impacts. Ultimately, the committee would seek to make recommendations to the Cayuga County Legislature.

Mr. Melenick supported Mr. Welch’s idea, stating that the laws regulating agricultural operations were outdated. Mr. Melenick cited his personal experiences with a neighbor’s poultry which were permitted to roam free and damage his property. He then went on to discuss the Fence Viewer Laws, which were intended to protect and compensate land owners from the damages caused by unconstrained animals.

Mr. Melenick stated that he had contacted Senator Nozollio, the Dept. of Agriculture and Markets, and the NYS Association of Towns, all of whom supported a change in regulations to protect land owners. Mr. Melenick then stated that the issue with regulating through a local law is that the burden of enforcement is placed upon the locality. A local code enforcement officer may have limited hours, making the law difficult to enforce, and the fiscal costs are bore the town. If agricultural regulations were made at the State level, the burden would be placed on the State to enforce them, via environmental conservation officers, which would save the Town money.

Mr. Welch asked the Board members to consider his proposition, and requested anyone interested in serving on the committee to express their interest to John Zepko.

6. LOCAL STATUS REPORTS

Town of Montezuma: Mr. Melenick reported that the Town’s Zoning Board of Appeals, constituting of 3 members heard a request for an area variance for a subdivision that did not meet the road frontage requirements. One member of the ZBA stated his opposition to

granting the variance, and the meeting was closed before a vote was taken. Mr. Melenick stated that earlier guidance from the Cayuga County Planning Department stated that a unanimous vote was required to carry a motion of a 3 member Zoning Board. However, the Town's attorney had a conflicting opinion, asserting that a simple majority vote was required. John Zepko stated that he believed a majority vote was all that was required to carry a motion for an appeal, but that he would research the topic and report his findings to the Town and County Planning Board.

Village of Moravia: Paul Nelson shared with the Board that the gas station proposal was denied at the 239 committee, and also denied a variance by the Zoning Board of Appeals.

Town of Aurelius: Gerald Scouten shared with the Board the progress of the Grober project, which intends to utilize by-products of the Cayuga Milk plant for animal feed. The project is ongoing and plans to break ground in the fall of 2015.

Village of Cato: Mr. French informed the Board of the progress of a 9,300 square foot retail project, proposed at 250 West Main St, currently under review by the Cato Land Use Board.

7. ADJOURNMENT

Adjourned at 6:45 pm.

Minutes submitted by John Zepko (staff).