

**AGENDA**  
TOWN OF GENEVA

**PUBLIC HEARING** for **proposed Local Law 3 of 2024** "A Local Law Recodifying Provisions of the Code of the Town of Geneva Contained in Chapter 75 (Erosion Control and Stormwater Management), Chapter 80 (Flood Damage Prevention), Chapter 129 (Soil Erosion) and Chapter 165 (Zoning)" and,

**REGULAR TOWN BOARD MONTHLY MEETING**  
**May 14, 2024**

Informal Discussion – 5:30 p.m. Informal discussion with Town Board, department heads and public.

1. **Call to order-** 6:00 pm. The public hearing for proposed Local Law 3-2024: "A Local Law Recodifying Provisions of the Code of the Town of Geneva Contained in Chapter 75 (Erosion Control and Stormwater Management), Chapter 80 (Flood Damage Prevention), Chapter 129 (Soil Erosion) and Chapter 165 (Zoning)" Legal Notice was published in the Finger Lakes Times on May 1, 2024, and notices were posted on the town's website and sign board.

Public Comments-

Written Comments:

Close Public Hearing- Time:\_\_\_\_\_ p.m.

2. **Call to order:** The Regular Town Board Meeting. Pledge of Allegiance/Opening – Councilmember Mitch Wilber

**3. Privilege of the floor:**

4. **Gratitudes:** Mattress recycling helpers: Dustin Hoffman, Mitch Wilber, Bob McCarthy, Jacob Fox, Ed Lavin, Mark Venuti;

Bike Park clean-up: Dennis Ferlito, Karen Miltner, Jim Hogan, Jacob Fox, Mark Venuti

Mission Zero and Fix It Clinic helpers Jennifer Grant, Keith Waldron, Mike Coleman, Jacob Fox, Rene Ryan, Bill Kovacs, Bob Madill, Mark Venuti

5. **Approval of the minutes:** Approval of the minutes of the Public Hearing for Local Law 2-2024 of the Town Board of April 9, 2024.

Motion \_\_\_\_\_ Second \_\_\_\_\_

**Approval of the minutes:** Approval of the minutes of the Regular Meeting of the Town Board of April 9, 2024.

Motion \_\_\_\_\_ Second \_\_\_\_\_

6. **Town Clerk's report**

Questions, comments.

The Board acknowledges receipt.

7. **Code Enforcement Officer's report.**

Questions, comments.

The Board acknowledges receipt.

8. **Highway Superintendent's Report:**

Questions, comments.

The Board acknowledges receipt.

9. **Water & Sewer Superintendent's Report:**

Questions, comments.

The Board acknowledges receipt.

10. **Supervisor's report of finances**

Questions, comments.

The Board acknowledges receipt.

- 11 **RESOLUTION NO. 51-2024-** Approving Abstract-005 May 2024 Bills for Payment and Prepaid Bills.

Motion \_\_\_\_\_ Second \_\_\_\_\_

**TOWN OF GENEVA, NEW YORK**  
**RESOLUTION OF THE TOWN BOARD**  
**RESOLUTION NO. 51-2024**

Whereas certain abstracts and bills for services and goods received or to be received by the town have been presented for payment or necessarily paid, Abstract-4, April 2024, and

Whereas those abstracts and bills have been reviewed by the town bookkeeper, the supervisor, and other members of the town board, and are in proper order for payment or approval, now therefore, it is

RESOLVED the pre-paid bills that are presented are approved and the supervisor is authorized to pay the unpaid bills.

12. For discussion. The head of Information Technology for Ontario County has recommended all municipalities obtain and use a .gov address for their web sites and email addresses, which the county went to a couple of years ago. It is more secure and harder to obtain than a .com. It has to be approved by the federal government. Ours would be townofgenevany.gov. Revize, our web site host, charges an extra \$400 per year to host a .gov site.

13. Discussion of proposed local law number 3. Hotel was left off Table 1 of Section 165-55, and has been added at 1 per occupant room, the customary standard. Other comments, issues, suggestions for amendment.

14. **RESOLUTION NO. 52-2024**.- Approving New System for Contacting Town Residents.

Motion \_\_\_\_\_ Second \_\_\_\_\_

**TOWN OF GENEVA, NEW YORK  
RESOLUTION OF THE TOWN BOARD  
RESOLUTION NO. 52-2024**

Whereas the Town Communication Committee has identified a need for improved communication regarding town business, events, emergency information and other general information, and has researched and determined that this service can be provided by the town's current website provider, Revize, which will integrate an e-notification system using both text and email options that people can sign up for and be removed from at any time; and

Whereas Revize's charge for adding this service is a \$500 one-time set-up fee and an annual charge of \$1200 (\$100/month), and this amount is available in the 2024 town budget; and

Whereas the town's Communication Committee will prepare materials and a campaign to publicize this service to town residents and businesses, with communications coming from the supervisor; now therefore, it is

RESOLVED the town may contract for this service with Revize and institute it when necessary procedures are in place.

15. **Reports of Standing Committees**

Economic Development –

Sustainability – Attended Mission Zero on April 27 and did a Fix-it Clinic

Kashong Conservation Area

Communication –

Parks and Recreation

16. **Supervisor's Report:**

Using the gateways installed in the town and city by Cornell U to receive data using the "Internet of Things" technology, the city has agreed to allow the installation of sensors on the three meters that record flow from the town to the city's waste water treatment plant, which will allow us to see in real time if flows are abnormal, indicating a problem with a meter.

We have two proposals to install solar panels on town property to be paid for by the \$175,000.00 grant from NYSERDA under the Clean Energy Community program. We are seeking more information on those proposals and another one, and checking into the requirements of the grant and the town's procurement policy. The application for the grant is due by June 26.

**Selected Meetings and Events**

April 10 – Traffic Safety Board meeting

County Ways & Means Committee meeting

April 12 – Geneva Greenway meeting with Cornell AgriTech officials

Geneva Reuse Business Plan and Fundraising Work Group meeting

April 17 – Ontario County Soil and Water Conservation District Board meeting

April 18 – Ontario County Board of Supervisors meeting

April 23 – Town Parks & Recreation Committee meeting

April 24 – Geneva Reuse meeting

April 29 – County Planning & Environmental Quality Committee meeting

Geneva Reuse work group meeting

Seneca Watershed Intermunicipal Organization meeting

April 30 – County Ways & Means Committee meeting

May 2 – Mediation in Stephen Fox v. Town of Geneva, etc.

May 3 – Meeting with engineer, contractor and water & sewer superintendent regarding issues with town water plant expansion project

May 9 – Ontario County Board of Supervisors meeting

**17. Old Business.**

Request a motion to go into executive session to discuss the settlement of pending litigation against the town, Stephen Fox v. the Town of Geneva and others in their official capacities.

**18. New Business.**

7:00 p.m. call from Scott Cresswell, (585) 750-6996 to present on the request of Star Geneva, LLC for modification of the Planned Unit Development at 3635 Berry Fields Road from construction of a mixed-use building to outdoor vehicle storage.

**19. Privilege of the floor.**

**20. Adjourn:** Motion \_\_\_\_\_ Second \_\_\_\_\_ Time \_\_\_\_\_

**(Use this form to file a local law with the Secretary of State)**

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

County

City

**Town of Geneva**

Village

Local Law No. 3 of the year **2024**.

**A Local Law Recodifying Provisions of the Code of the Town of Geneva Contained in Chapter 75 (Erosion Control and Stormwater Management), Chapter 80 (Flood Damage Prevention), Chapter 129 (Soil Erosion) and Chapter 165 (Zoning)**

(Insert Title)

Be it enacted by the **Town Board** (Name of Legislative Body)

County

City

**Town of Geneva**

as follows:

Village

Section 1. This local law, containing amendments, deletions, repeals, alterations or new provisions in the Code of the Town of Geneva, is adopted pursuant to the authority contained in §20 3. of the Municipal Home Rule Law.

Section 2. Paragraph C of §75-8 (Purpose of plan; contents; structure) of the Stormwater Management and Erosion Control Law contained in Chapter 75 of the Code of the Town of Geneva is hereby repealed and a new paragraph C is hereby inserted in its place to read as follows:

- C. The structure and content of the stormwater management and erosion control plan shall be as follows: The structure and content shall be as specified in the New York State Stormwater Management Design Manual, dated October 2001 or as later revised, and shall contain such other information as shall be required by the Code Enforcement Officer and Planning Board of the Town of Geneva.

Section 3. Paragraphs A and B of §80-6 (Basis for establishing areas of special flood hazard) of Chapter 80 (Flood Damage Prevention) of the Code of the Town of Geneva are hereby repealed and new paragraphs A and B are hereby inserted in their places to read as follows:

- A. The areas of special flood hazard are identified by the Federal Emergency Management Agency in a scientific and engineering report entitled National Flood Insurance Map 2024, Town of Geneva, dated 7/14/23."
- B. The above documents are hereby adopted and declared to be a part of this chapter. The Flood Insurance Study and/or maps are on file at the Town Clerk's office, 3750 County Road 6, Geneva, New York.

Section 4. Chapter 129 (Soil Erosion) of the Code of the Town of Geneva is hereby amended as follows:

A. Paragraphs F and G of §129-7 (Activities requiring a permit) are hereby repealed and new paragraphs F and G are hereby inserted in their places to read as follows:

- F. Stripping or grading which affects more than 5,000 square feet of ground surface within any parcel or any contiguous area.
- G. Excavation or filling which exceeds a total of 10 cubic yards of material within any parcel or contiguous area.

B. Paragraph C of §129-8 (Exempted activities) is hereby repealed in its entirety and Paragraphs D, E and F are hereby re-lettered as Paragraphs C, D and E, respectively.

Section 5. Chapter 165 (Zoning) of the Code of the Town of Geneva is hereby amended as follows:

A. Paragraph D (Permitted with site plan approval) of §165-15 (AG Agricultural District) is hereby amended with the insertion of new subsections (13) and (14) to read as follows:

- (13) Food service establishment;
- (14) Entertainment and sports venue.

B. Subsection (9) of paragraph F (Permitted accessory uses) of §165-15 (AG Agricultural District) is hereby repealed and a new subsection (9) is hereby inserted in its place to read as follows:

- (9) Solar energy system, major or solar farm, only north of White Springs Lane and/or west of County Road 6, subject to provisions of Chapter 130;

C. Subsection (3) of paragraph I (Additional requirements for agricultural commerce and agricultural tourism) of §165-15 (AG Agricultural District) is hereby repealed and a new subsection (3) is hereby inserted in its place to read as follows:

- (3) Where the property on which agricultural commerce or agricultural tourism events will take place abuts a residential parcel or a residence, there shall be a vegetated buffer area, screening the area in which the agricultural commerce or agricultural tourism events will take place, conforming to the standards set forth in § 165-40, not less than 15 feet in width, planted with trees and shrubs spaced in a manner that will result in a continuous visual screen along the property boundary abutting the residential parcel or residence.

D. Paragraph G (Buffer requirement) of §165-16 (B General Business District) is hereby amended with the insertion of the following sentence at the end of the existing wording:

“See Town of Geneva’s Site Design and Development Criteria adopted by the Town Board on July 9, 2019, as amended, Appendix H-12.0 through 12.5, incorporated herein.”

E. Paragraph I (Buffer requirement) of §165-17 (I-1 General Industrial District) is hereby amended with the insertion of the following sentence at the end of the existing wording:

“See Town of Geneva’s Site Design and Development Criteria adopted by the Town Board on July 9, 2019, as amended, Appendix H-12.0 through 12.5, incorporated herein.”

F. Paragraph G (Buffer requirement) of §165-18 (I-2 Light Industrial District) is hereby amended with the insertion of the following sentence at the end of the existing wording:

“See Town of Geneva’s Site Design and Development Criteria adopted by the Town Board on July 9, 2019, as amended, Appendix H-12.0 through 12.5, incorporated herein.”

G. §165-51 (Limitations on approvals) is hereby amended with the insertion of new paragraph C to read as follows:

- C. For a failure to commence construction as set forth above, the Town Board may, by local law, remove the PUD district designation and return the property to its former or another zoning designation.

H. Paragraph A (Required off-street automobile parking spaces) of §165-55 (Off-street parking spaces) is hereby amended with the insertion of the following sentence at the end of the existing wording:

“Notwithstanding the above, during site plan review by the Planning Board, the Planning Board may substitute a banked parking area for some of the required parking spaces if appropriate for the expected customary use and property.”

I. Table 1. Required Off-Street Parking Spaces, contained in §165-55 (Off-street parking spaces) and referred to in paragraph A of §165-55, is hereby amended by changing the Minimum Number of Spaces as follows for the Land Uses identified below (those Land Uses not set forth below shall remain on Table 1 with the Minimum Number of Spaces currently identified):

Land Use	Minimum Number of Spaces
Detached 1-family dwelling	1 per dwelling
Semidetached 1-family dwelling	
Townhome dwelling	
1-family cottage court dwelling	
2-family dwelling	
Manufactured home park	
Multifamily dwelling	

Land Use	Minimum Number of Spaces
Assisted living dwelling	0.25 per dwelling or bed
Congregate care facility	
Short-term rental	0.25 per permitted occupant
Retail sales, retail services, financial services	1 per 500 square feet of net space
Food service establishments	0.5 space per occupant based on maximum occupant load
General and professional office	3 per 1000 square feet of net space
Indoor retail shopping mall	1 per 500 square feet of net space
Child-care center	3 per 1,000 square feet of net space
Conference or convention center	0.75 per maximum occupant load
Entertainment and sports venue	0.5 per maximum occupant load
Funeral home	0.5 per maximum occupant load
Hospital, clinic	1 per employee and exam and occupant room
Hotel	1 per occupant room
Library, museum, other cultural facilities	1 per 500 square feet of net space
Membership club	5 per 1,000 square feet of net space
Public or private school, including higher education	1 per 6 students of driving age; otherwise to accommodate employees
Theater or concert hall	0.5 per occupant load
Automobile salvaging or dismantling	1 per 1,000 square feet of net area
Equipment rental or sales yard	
Food processing, packaging and shipping	1 per 1,000 square feet of net area
Light industry	
Manufacturing, fabrication and assembly	
Structural steel fabricating, metalworking	
Brewing or distilling of liquors, wines, beer	1 per 1,000 square feet of net area or 0.5 per occupant load
Research laboratories	1 per 1,000 square feet of net area
Self-storage facility	1 per 500 square feet of net area

J. Paragraph D (Location of parking required spaces) of §165-55 (Off-street parking spaces) is hereby repealed and a new paragraph D is hereby inserted in its place to read as follows:

- D. In any residential district, required automobile parking spaces shall be provided on the same lot, or, for any lot that is unable to provide such required automobile parking spaces on the same lot, required automobile parking spaces may be provided on one other lot, over which the same owner or owners have a written, legal right to use as parking for such lot and provided that such other lot is located no more than 200 feet from the lot requiring the parking.

Section 6. If any clause, sentence, paragraph, section or part of this local law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section or part thereof directly involved in the controversy in which such judgment shall have been ordered.

Section 7. This local law shall take effect immediately upon filing with the Secretary of State.