

**AGENDA
TOWN OF GENEVA
April 12, 2022**

Public Hearing on Local Law 2-2022 for a proposal for a Planned Unit Development at State Route 14S. Tax map # 133.00-1-17.110 and 133.00-1-18.112.

Public Hearing on Local Law 3-2022 a proposal for "Amending Chapter 165 (Zoning) of the Code of the Town of Geneva". Definition of Agricultural Commerce.

REGULAR TOWN BOARD MONTHLY MEETING

1. Informal Discussion – 5:30 p.m. Informal discussion with Town Board, department heads and public.
2. **Call to order: Public Hearing on** Local Law 2-2022, a proposal for a Planned Unit Development at St. Rt.14S, Tax map # 133.00-1-17.110 and 133.00-1-18.112. Legal Notice was published in the Finger Lakes Times on March 31, 2022.

Public Comments:
Written Comments:
Close Public Hearing- Time: _____ p.m.

3. **Call to order: Public Hearing on** Local Law 3-2022, a proposal for "Amending Chapter 165 (Zoning) of the Code of the Town of Geneva". Definition of Agricultural Commerce. Legal Notice was published in the Finger Lakes Times on March 31, 2022.

Public Comments:
Written Comments:
Close Public Hearing- Time: _____ p.m.

4. **Call to order:** The Regular Town Board Meeting. Pledge of Allegiance/Opening – Councilmember Kimberly Aliperti

5. **Privilege of the floor:**

6. **Gratitudes:**

7. **Approval of the minutes:** Approval of the minutes of the Town Board on March 8, 2022.

Motion _____ Second _____

8. **Town Clerk's report.**

Questions, comments.
The Board acknowledges receipt.

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

Questions, comments.
The Board acknowledges receipt.

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

Questions, comments.
The Board acknowledges receipt.

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

Questions, comments.
The Board acknowledges receipt.

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

Questions, comments.
The Board acknowledges receipt.

13. **RESOLUTION NO. 38-2022-** Approving Abstract-004 April 2022, Bills for Payment and Prepaid Bills.

Motion _____ Second _____

**TOWN OF GENEVA, NEW YORK
RESOLUTION OF THE TOWN BOARD
RESOLUTION NO. 38-2022**

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-004 April 2022 and

Whereas those abstracts and bills have been reviewed by the supervisor's 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.

14. Review of Long Environmental Assessment Form for Local Law 2-2022.

15. **RESOLUTION NO. 39-2022-** Determination of Significance for Local Law 2-2022 Entitled, "A Local Law Rezoning Two R-1 Parcels of Land to (PUD) Planned Unit Development."

Motion _____ second _____

**RESOLUTION OF THE TOWN BOARD OF THE TOWN OF GENEVA, ONTARIO COUNTY, NEW YORK,
DETERMINATION OF SIGNIFICANCE
LOCAL LAW NO. 2 OF 2022
RESOLUTION NO. 39-2022**

WHEREAS, the Town of Geneva Town Board, hereinafter referred to as Town Board, has determined Local Law No. 2 of 2022 to be a Type 1 action under the State Environmental Quality Review (SEQR) Regulations, and,

WHEREAS, the Town Board has reviewed and accepted the Environmental Record prepared on said action, and

WHEREAS, the Town Board has considered the potential impacts associated with said action.

NOW, THEREFORE, BE IT RESOLVED THAT the Town Board makes this Determination of Non-Significance based upon: the Long Form Environmental Assessment Form, Parts 1 and 2, prepared for this action, Town Board Public Hearing Record on said action; and, the Environmental Record prepared on said action.

BE IT FURTHER RESOLVED THAT, the Town Board makes this Determination of Non-Significance based on the following reasons supporting this determination:

1. The Town Board considered the action as defined in subdivisions 617.2(b) and 617.3(g) of Part 617 of the SEQR Regulations; and,
2. The Town Board did review the EAF, the criteria contained in subdivision (c) of 617.7 and other supporting information to identify the relevant areas of environmental concern; and,
3. The Town Board did thoroughly analyze the identified relevant areas of environmental concern to determine if the action may have significant adverse impact on the environment; and
4. The Town Board did set forth its determination of significance in written form containing a reasoned elaboration and providing reference to all supporting documentation.

I, Lorrie S. Naegele, Town Clerk of the Town of Geneva do hereby certify that the Town Board of the Town of Geneva adopted the aforementioned resolution on April 12, 2022 by the following vote:

	<u>Aye</u>	<u>Nay</u>
Mark Venuti	_____	_____
Jeffrey Dunham	_____	_____
Robert McCarthy	_____	_____
Mitchell Wilber	_____	_____
Kimberly Aliperti	_____	_____

Dated: _____ 2022 _____
Lorrie S. Naegele, Town Clerk

16. Review of Short Environmental Assessment Form for Local Law 3-2022.

17. **RESOLUTION NO. 40-2022-** Determination of Significance for Local Law 3-2022 Entitled, " Local Law which would amend the Zoning Code of the Town of Geneva by amending the definition of "Agricultural Commerce."

Motion _____ second _____

**RESOLUTION OF THE TOWN BOARD OF THE TOWN OF GENEVA, ONTARIO COUNTY, NEW YORK,
DETERMINATION OF SIGNIFICANCE
LOCAL LAW NO. 3 OF 2022
RESOLUTION NO. 40-2022**

WHEREAS, the Town of Geneva Town Board, hereinafter referred to as Town Board, has determined Local Law No. 3 of 2022 to be an Unlisted action under the State Environmental Quality Review (SEQR) Regulations, and,

WHEREAS, the Town Board has reviewed and accepted the Environmental Record prepared on said action, and

WHEREAS, the Town Board has considered the potential impacts associated with said action.

NOW, THEREFORE, BE IT RESOLVED THAT the Town Board makes this Determination of Non-Significance based upon: the Short Form Environmental Assessment Form, Parts 1 and 2, prepared for this action, Town Board Public Hearing Record on said action; and, the Environmental Record prepared on said action.

BE IT FURTHER RESOLVED THAT, the Town Board makes this Determination of Non-Significance based on the following reasons supporting this determination:

1. The Town Board considered the action as defined in subdivisions 617.2(b) and 617.3(g) of Part 617 of the SEQR Regulations; and,
2. The Town Board did review the EAF, the criteria contained in subdivision (c) of 617.7 and other supporting information to identify the relevant areas of environmental concern; and,
3. The Town Board did thoroughly analyze the identified relevant areas of environmental concern to determine if the action may have significant adverse impact on the environment; and
4. The Town Board did set forth its determination of significance in written form containing a reasoned elaboration and providing reference to all supporting documentation.

I, Lorrie S. Naegele, Town Clerk of the Town of Geneva do hereby certify that the Town Board of the Town of Geneva adopted the aforementioned resolution on April 12, 2022 by the following vote:

	<u>Aye</u>	<u>Nay</u>
Mark Venuti	_____	_____
Jeffrey Dunham	_____	_____
Robert McCarthy	_____	_____
Mitchell Wilber	_____	_____
Kimberly Aliperti	_____	_____

Dated: _____ 2022

Lorrie S. Naegele, Town Clerk

18. RESOLUTION NO. 41-2022: Authorizing Adoption of Local Law 2-2022 "A Local Law Rezoning Two R-1 Parcels of Land to (PUD) Planned Unit Development," and to Amend a Portion of the Town of Geneva Zoning Map".

Motion _____ Second _____

**TOWN OF GENEVA, NEW YORK
RESOLUTION OF THE TOWN BOARD
LOCAL LAW 2-2022
RESOLUTION NO. 41-2022**

WHEREAS, a resolution was duly adopted by the Town Board of the Town of Geneva for a public hearing to be held by said Town Board on April 12, 2022, at 6:00 p.m. at the Geneva Town Hall, 3750 County Road 6, Geneva, New York, to hear all interested parties on a proposed Local Law Approving with Conditions the Rezoning of Two Parcels of Land to PUD Planned Unit Development and Amending the Official Zoning Map of the Town of Geneva in accordance with such approval; and

WHEREAS, notice of said public hearing was duly advertised in the official newspaper of the Town of Geneva, on March 31, 2022 and all other notices required by law to be given were properly served, posted or given; and

WHEREAS, said public hearing was duly held on April 12, 2022, at 6:00 p.m. at the Geneva Town Hall, 3750 County Road 6, Geneva, New York, and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said Proposed Local Law, or any part thereof; and

WHEREAS, pursuant to part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law it has been determined by the Town Board that adoption of said Local Law would not have a significant effect upon the environment and could be processed by other applicable governmental agencies without further regard to SEQR; and

WHEREAS, the Town Board of the Town of Geneva, after due deliberation, finds it in the best interest of the Town of Geneva to adopt said Local Law.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Geneva hereby adopts said Local Law No. 2 of 2022, entitled, "A Local Law Approving with Conditions the Rezoning of Two Parcels of Land to PUD Planned Unit Development and Amending the Official Zoning Map of the Town of Geneva in Accordance with Such Approval", a copy of which is attached hereto and made a part hereof, and be it further

RESOLVED, that the Town Clerk be and she hereby is directed to enter said Local Law in the minutes of this meeting and in the Local Law Book of the Town of Geneva, to give due notice of the adoption of said local law to the Secretary of State of New York, to publish an abstract of this local law in the Town's official newspaper and to post a copy of this local law on the Town of Geneva sign board.

I, Lorrie S. Naegele, Town Clerk of the Town of Geneva do hereby certify that the aforementioned resolution was adopted by the Town

Board of the Town of Geneva on April 12, 2022 by the following vote:

	<u>Aye</u>	<u>Nay</u>
Mark Venuti	_____	_____
Jeffrey Dunham	_____	_____
Robert McCarthy	_____	_____
Mitchell Wilber	_____	_____
Kimberly Aliperti	_____	_____

Date: _____, 2022

Lorrie S. Naegele, Town Clerk

19. RESOLUTION NO. 42-2022: Authorizing Adoption of Local Law 3-2022 "A Local Law which would amend the Zoning Code of the Town of Geneva by amending the definition of "Agricultural Commerce."

Motion _____ Second _____

TOWN OF GENEVA, NEW YORK RESOLUTION OF THE TOWN BOARD
 AUTHORIZING ADOPTION OF A LOCAL LAW AMENDING CHAPTER 165 (ZONING) OF THE CODE OF THE TOWN OF GENEVA
LOCAL LAW 3-2022
RESOLUTION NO. 42-2022

WHEREAS, a resolution was duly adopted by the Town Board of the Town of Geneva for a public hearing to be held by said Town Board on April 12, 2022, at 6:00 p.m. at the Geneva Town Hall, 3750 County Road 6, Geneva, New York, to hear all interested parties on a proposed Local Law Amending Chapter 165 (Zoning) of the Town of Geneva; and

WHEREAS, notice of said public hearing was duly advertised in the official newspaper of the Town of Geneva, on March 31, 2022 and all other notices required by law to be given were properly served, posted or given; and

WHEREAS, said public hearing was duly held on April 12, 2022, at 6:00 p.m. at the Geneva Town Hall, 3750 County Road 6, Geneva, New York, and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said Proposed Local Law, or any part thereof; and

WHEREAS, pursuant to part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law it has been determined by the Town Board that adoption of said Local Law would not have a significant effect upon the environment and could be processed by other applicable governmental agencies without further regard to SEQR; and

WHEREAS, the Town Board of the Town of Geneva, after due deliberation, finds it in the best interest of the Town of Geneva to adopt said Local Law.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Geneva hereby adopts said Local Law No. 3 of 2022, entitled, "A Local Law Amending Chapter 165 (Zoning) of the Town of Geneva", a copy of which is attached hereto and made a part hereof, and be it further

RESOLVED, that the Town Clerk be and she hereby is directed to enter said Local Law in the minutes of this meeting and in the Local Law Book of the Town of Geneva, to give due notice of the adoption of said local law to the Secretary of State of New York, to publish an abstract of this local law in the Town's official newspaper and to post a copy of this local law on the Town of Geneva sign board.

I, Lorrie S. Naegele, Town Clerk of the Town of Geneva do hereby certify that the Town Board of the Town of Geneva adopted the aforementioned resolution on April 12, 2022 by the following vote:

	<u>Aye</u>	<u>Nay</u>
Mark Venuti	_____	_____
Jeffrey Dunham	_____	_____
Robert McCarthy	_____	_____
Mitchell Wilber	_____	_____
Kimberly Aliperti	_____	_____

Dated: _____ 2022

Lorrie S. Naegele, Town Clerk

20. Reports of Standing Committees

Economic Development –

Sustainability –

Kashong Conservation Area -

Communication –

Parks and Recreation –

Agricultural Enhancement –

21. Supervisor's Report:

The NYS Department of Transportation turned down the Town's request to lower the speed limit on State Route 14 from Turk Road to the town-city line by letter dated March 23, 2022. "In consideration of the roadway characteristics, radar data, and the review by the State Police, we determined that a reduction of the speed limit is not warranted at this time."

Code Enforcement Officer Floyd Kofahl completed a day long training on Energy Code Enforcement which was a "High Impact Action" for the town's Clean Energy Community rating. Floyd has also completed and filed with the state an annual report of the activities of his office.

Troy & Banks, the company consulting with the town on utility use and auditing what the town pays for utilities, obtained bids for a fixed price for electricity supply and the town took the low bid for 24 months from Constellation NewEnergy, Inc., which was 0.06295 per kilowatt hour. Incidentally, the town's Community Choice Aggregation fixed two-year price obtained last year for town residents who did not opt out is lower for all classes, 0.0474, 0.0547 and 0.0579 (this last from 100% renewable sources).

The draft Seneca-Keuka 9-Element Watershed Plan will be presented April 25 at 6:00 p.m. at the Yates County Office Building in Penn Yan; refreshments and materials to peruse at 5:00. The public will have the opportunity to ask questions and comment. The draft plan will be posted at <https://senecawatershedio.wordpress.com/9e/>.

With the town's population increase in the last census the supervisor's weighted vote on the Ontario County Board of Supervisors went up a little.

The Town water system improvement project with the Town of Seneca is proceeding, and we've received our first reimbursement toward expenses from the state Environmental Facilities Corporation of \$377,310.43. The expense of the project is shared with the Town of Seneca based on the percentage of water usage, which for this project has been set at 66% Town of Seneca and 34% Town of Geneva.

Finger Lakes Health's surgery center on PreEmption Road next to the town hall is closed, and the expansion project the town recently approved a zoning change for has been pulled.

Saturday, April 23 is Hobart & William Smith Colleges Day of Service. We will have a group of students from 11:30-2:30, removing the sand bags and tarps at the bike park and filling cracks and such that opened up over the winter. Jacob Fox can help supervise some of the time but needs help due to another commitment. Let the supervisor know if you have some time that day.

The Town's Fix-It Clinic, where we have volunteers repair household items people bring in, will be held at the Earth Day Event the City Green Committee, with the Town's Sustainability Committee, is putting on at the Geneva Community Center on April 30, from 10-2. Let the supervisor know if you are handy and can help as a volunteer fixer. And if you have an item in need of repair, bring it in that morning and our crew will try to put it back in service. We work on furniture, appliances, clothing and the like.

We are looking at planting a couple of rows of evergreens just west of the bike park and turf field to create a wind break and reduce what flows over from the cultivated field during the planting and growing seasons.

Selected Meetings and Events

March 9 – Finger Lakes 1 session with Ted Baker on town topics

March 10 – Ontario County Board of Supervisors meeting

March 11 – Telephone conference with Ken Schlather re the Internet of Things and possible town participation in Cornell pilot

March 14 – Search team meeting for Ontario County Director of the Economic Development Department

March 16 – Ontario County Soil and Water Conservation District Board of Directors meeting

March 17 – Executive Board of Geneva 2030 meeting

March 21 – Search team meeting for Ontario County Director of Economic Development Department

County Planning and Environmental Quality Committee meeting

March 22 – Search team meeting for Ontario County Director of Economic Development Department

Meeting with Cornell representative on the Internet of Things

Search team meeting for Ontario County Director of Economic Development Department

March 23 – Search team meeting for Ontario County Director of Economic Development Department

County Public Safety Committee meeting

March 31 – Ontario County Board of Supervisors meeting

April 7 – Seneca-Keuka 9-Element Watershed Plan executive board meeting

April 11 – County Planning and Environmental Quality Committee meeting

22. Old Business.

23. New Business.

24. Privilege of the floor.

25. Adjourn: Motion _____ Second _____ Time _____

FILING LOCAL LAW

New York State Department of State
Division of Corporations, State Records and Uniform Commercial Code
One Commerce Plaza, 99 Washington Avenue, Albany, NY 12231-0001

(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. 2 of the year **2022**

A local law **"Approving with Conditions the Rezoning of a Parcel of Land to PUD Planned Unit Development and Amending the Official Zoning Map of the Town of Geneva in Accordance with Such Approval"**

(Insert Title)

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

County
City
Town of Geneva, as follows:
Village

Section 1: The Official Zoning Map of the Town of Geneva, adopted pursuant to Section 165-5 of the Zoning Law of the Town of Geneva, is hereby amended as follows:

Tax Account No. 133.00-1-18.112, containing 4.98 acres of land and currently zoned R-1 Residential, and Tax Account No. 133.00-1-17.110, containing 54.87 acres and currently zoned R-1 Residential, both parcels also in the Lakeview Overlay District, on the west side of New York State Route 14, for combined total acreage of 59.85, is rezoned in its entirety to PUD Planned Unit Development District subject to the following conditions:

1. Design of stormwater management and treatment facilities to maximize use of green infrastructure and onsite infiltration of stormwater, and where practicable incorporation of stormwater treatment facilities as amenities into any proposed open space and recreation areas.
2. Adherence to the standards for outdoor lighting set forth in Section 165-36 of the Town of Geneva Zoning Code, and wherever practicable incorporate use of LED and other low energy consumption lighting technology into the site design.
3. Integrate wherever practicable renewable energy sources and/or energy conservation facilities and equipment into the project design.
4. Fire hydrants shall be placed in accordance with the approval of the fire department and Town Code Enforcement Officer.

5. Final site plan review shall be completed with both the Town Planning Board, for compliance with the Town's Planned Unit Development regulations and Town of Geneva Zoning Code Section 165, Article VIII, Site Plan Review.
6. Only the uses and layout, including, but not limited to, setbacks and acreage of open space, set forth on the Geneva Fox Ranch Site Plan, Overview and Setbacks, and Plan View & Drainage Plan, by Wilson Engineering, dated March 23, 2022, and the Planned Unit Development application narrative that is on file with the Town shall be part of any final site plan approval.
7. Adherence to any requirements of the Ontario County Soil and Water Conservation District and/or Seneca Watershed Intermunicipal Organization on the proposed stormwater management facilities to ensure preservation of Seneca Lake water quality. For any comments or recommendations provided by Ontario County Soil and Water Conservation District and/or Seneca Watershed Intermunicipal Organization, the Planning Board shall consider them in determining whether to approve, approve with modifications or conditions or deny the final site plan on the project associated with this property and this rezoning.

Section 2: The Town Clerk, in accordance with the provisions contained in Section 165-5 of the Zoning Law of the Town of Geneva, and upon final site plan approval by the Planning Board in accordance with Article V of the Zoning Law of the Town of Geneva, shall affix a note to the Town's Official Zoning Map that the development of the above referenced site was approved under the Town's PUD, Planned Unit Development, zoning provisions, including a reference date to the date such action was taken by the Planning Board and cause the Official Zoning Map of the Town of Geneva to be amended to show Tax Account Nos 133-00-1-17.110 and 133.00-1-18.112 to now be zoned PUD, Planned Unit Development.

Section 3: 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 4: This local law shall take effect immediately upon filing with the Secretary of State.

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only.),

I hereby certify that the local law annexed hereto, designated as Local Law No. 2 of 2022 of the **Town of Geneva** was duly passed by the Geneva Town Board on _____, 2022, in accordance with the applicable provisions of law.

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph 1, above.

Clerk of the Town of Geneva

(Seal)

Date: _____

FILING LOCAL LAW

New York State Department of State
Division of Corporations, State Records and Uniform Commercial Code
One Commerce Plaza, 99 Washington Avenue
Albany, NY 12231-0001

(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 **2022**.

A local law **"Amending Chapter 165 (Zoning) of the Code of the Town of Geneva"**
(Insert Title)

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

County
City
Town of Geneva as follows:
Village

Section 1. The definition of "Agricultural Commerce" in Section 165-3 of the Zoning Code of the Town of Geneva is hereby amended with the insertion of the following at the end of the existing definition:

"Additionally, these enterprises may bring together tourism and agriculture for the education and enjoyment of the public and, therefore, agricultural commerce shall include special events, farm tours, agriculture-themed festivals, outdoor music, and other public or private events associated with such previously identified retail or wholesale enterprises."

Section 2. 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 3. This local law shall take effect immediately upon filing with the Secretary of State.

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only.),

I hereby certify that the local law annexed hereto, designated as Local Law No. ___ of 2022 of the **Town of Geneva** was duly passed by the Geneva Town Board on _____, 2022, in accordance with the applicable provisions of law.

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph 1, above.

Town Clerk

(Seal)

Date: _____