

AGENDA
TOWN OF GENEVA
REGULAR TOWN BOARD MEETING
PUBLIC HEARING
January 8, 2019

1. Call to order the 2nd Public Hearing for the Seneca Turk PUD after the Organizational Meeting

Public Comments-
Written Comments-
Close Public Hearing-

2. Call to order the 2nd Public Hearing for the Geneva Crossing PUD

Public Comments-
Written Comments-
Close Public Hearing-

3. Call to order the Regular Meeting of 2019

4. Privilege of the floor.

5. Gratitudes.

6. Approval of the minutes of the Regular Town Board Meeting of December 27, 2018.

Motion _____ Second _____

7. Approval of the minutes of the 1st Public Hearing for the Seneca Turk PUD Meeting of December 27, 2018.

Motion _____ Second _____

8. Approval of the minutes of the 1st Public Hearing for the Geneva Crossing PUD Meeting of December 27, 2018.

Motion _____ Second _____

9. Town Clerk's report.

Questions, comments.
The Board acknowledges receipt.

10. Code Enforcement Officer's report.

Questions, comments.
The Board acknowledges receipt.

11. Highway Superintendent's Report:

Questions, comments.
The Board acknowledges receipt.

12. Water & Sewer Superintendent's Report:

Questions, comments.
The Board acknowledges receipt.

13. Supervisor's report of finances – not available due to need to close books on 2018 – will be presented at February meeting.

14. **2019 RESOLUTION NO. 16-2019**: - Approving Abstracts, Bills for Payment and Prepaid Bills.

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, 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.

Motion _____

Second _____

Taking up the following Res. 113-2018 requires passage of a Motion to remove it from the table.

15. **RESOLUTION NO. 113-2018** – Determination of No Significant Adverse Environmental Impact of Geneva Crossing PUD.

**TOWN OF GENEVA, NEW YORK
RESOLUTION OF THE TOWN BOARD
RESOLUTION NO. 113 -2018**

WHEREAS, the Geneva Town Board (hereinafter referred to as Town Board) has determined the proposed Planned Unit Development known as Geneva Crossing (located at the southeast corner of County Road 6 and Routes 5 & 20) to be an Type 1 Action pursuant to Part 617 of the State Environmental Quality Review (SEQR) Regulations; and

WHEREAS, the Town Board has reviewed and accepted the completed Full Environmental Assessment Form (EAF) Part 1, prepared by Passero Associates on behalf of the Applicant, County Road 6 Acquisitions (hereinafter referred to as Applicant) on November 13, 2018, on the above-referenced Geneva Crossing Planned Unit Development (hereinafter referred to as Action); and

WHEREAS, the Town Board has reviewed and accepted the completed Full Environmental Assessment Form Parts 2 and 3 on the Action prepared by the MRB Group (hereinafter referred to as Town Engineer); and

WHEREAS, the Town Board has completed the coordinated review and public comment period provided for under the SEQR Regulations; and

WHEREAS, the Town Board has designated itself as lead agency under the SEQR Regulations for making the determination of significance upon said action; and

WHEREAS, the Town Board has given consideration to the criteria for determining significance as set forth in Section 617.7(c) (1) of the SEQR Regulations and the information contained in Full Environmental Assessment Form Parts 1, 2, and 3;

NOW THEREFORE BE IT RESOLVED, that said Action will not result in any significant adverse environmental impacts based on the review of the Full Environmental Assessment Form; and

BE IT FURTHER RESOLVED that the Town Board does hereby make a Determination of Non-Significance on said Action, and the Town Supervisor is hereby directed to issue the Negative Declaration as evidence of the Town Board determination of environmental non-significance.

Motion _____,

Second _____.

Taking up the following Res. 115-2018 requires passage of a Motion to remove it from the table.

16. RESOLUTION NO. 115-2018 – Determination of No Significant Adverse Environmental Impact of Seneca Turk Resort PUD.

**TOWN OF GENEVA, NEW YORK
RESOLUTION OF THE TOWN BOARD
RESOLUTION NO. 115 -2018**

WHEREAS, the Town of Geneva Town Board (hereinafter referred to as Town Board) has determined the above referenced Action to be an Type 1 Action pursuant to Part 617 of the State Environmental Quality Review (SEQR) Regulations; and

WHEREAS, the Town Board has reviewed and accepted the completed Full Environmental Assessment Form (EAF) Part 1, prepared by Passero Associates on the behalf of the Applicant-Greg Missick (hereinafter referred to as Applicant) on November 13, 2018, on the above referenced Turk Seneca Resort Planned Unit Development (hereinafter referred to as Action); and

WHEREAS, the Town Board has reviewed and accepted the completed Full Environmental Assessment Form Parts 2 and 3 on the Action prepared by the MRB Group (hereinafter referred to as Town Engineer); and

WHEREAS, the Town Board has completed the coordinated review and public comment period provided for under the SEQR Regulations; and

WHEREAS, the Town Board has designated itself as lead agency under the SEQR Regulations for making the determination of significance upon said action; and

WHEREAS, the Town Board has given consideration to the criteria for determining significance as set forth in Section 617.7(c) (1) of the SEQR Regulations and the information contained in Full Environmental Assessment Form Parts 1, 2, and 3.

NOW THEREFORE BE IT RESOLVED, that said action will not result in any significant adverse environmental impacts based on the review of the Full Environmental Assessment Form; and

BE IT FURTHER RESOLVED that the Town Board does hereby make a Determination of Non-Significance on said Action, and the Town Supervisor is hereby directed to issue the Negative Declaration as evidence of the Town Board determination of environmental non-significance.

Motion _____,

Second _____.

17. 2019 RESOLUTION NO. 17-2019: – Appointing Sandra Ansley to the Board of Assessment Review.

Whereas Town Board of Assessment Review member Kalman Dolgos, who term expires on September 30, 2020, has resigned from the Board and a replacement is needed; and

Whereas Town resident Sandra Ansley has been a NYS registered real estate agent for many years, is knowledgeable about the value of real estate in the town and how it is determined, and is willing to serve on the Board; now therefore, it is

RESOLVED that Sandra Ansley is appointed to the Board of Assessment Review of the Town of Geneva to serve out the unexpired term of Kalman Dolgos, which will be until September 30, 2020.

Motion _____,

Second _____.

18. 2019 RESOLUTION NO. 18-2019: Scheduling a Public Hearing for a Proposed Local Law

WHEREAS, the Town Board of the Town of Geneva, after due deliberation, finds it in the best interests of the Town to schedule a public hearing to solicit public comment upon the proposed Local Law attached hereto as Exhibit 1; and

WHEREAS, the Town Board of the Town of Geneva has reviewed the draft of the aforementioned proposed Local Law and deems it in the best interests of the Town of Geneva to proceed in accordance with the Code of the Town of Geneva and the Laws of the State of New York in adopting said Local Law,

NOW, THEREFORE, BE IT RESOLVED, that the Town Clerk be, and she hereby is, directed to schedule a public hearing to be held on February 12, 2019, at 6:00 p.m. at the Geneva Town Hall, 3750 County Road 6, Geneva, New York; and be it further

RESOLVED, that the Town Clerk, be and hereby is, authorized to forward to the official newspapers of the Town a Notice of Public Hearing in the form substantially the same as that attached hereto as Exhibit "2"; and be it further

RESOLVED, that the Town Clerk be, and she hereby is, directed to post a copy of the proposed Local Law on the Town of Geneva sign board and take any and all other necessary actions to properly bring the aforementioned Local Law before the Town Board of the Town of Geneva for its consideration; and be it further

RESOLVED, that the Town Clerk be, and hereby is, authorized to provide all other notices as required by law for the adoption of this local law.

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 January 8, 2019 by the following vote:

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

Dated: _____, 2019

Lorrie S. Naegele, Town Clerk

SEAL

Motion _____,

Second _____.

Send the proposed local law to the county and town planning boards for review.

19. Reports of Standing Committees

- Comprehensive Plan –
- Economic Development –
- Sustainability –
- Kashong Conservation Area -
- Communication –
- Town Hall Park and Playground –
- Agricultural Enhancement –

20. Supervisor's Report.

Highlights of funding for projects in 2018:

Water District 13 is near completion and the cost to residents will be less than was anticipated when the petition for the water district was approved by property owners thanks to federal and state funding that is being applied to the project.

A \$200,000 grant from the state was approved to fund two years of salary and benefits for a Seneca Lake Watershed Steward who will soon be hired and have an office at the Finger Lakes Institute of Hobart & Williams Smith Colleges; the steward will assist the Seneca Watershed Intermunicipal Organization (chaired by the town supervisor) with efforts to better control stormwater and improve the water quality of Seneca Lake.

A \$2,862,236 state grant was approved to help fund improvements to the water treatment system in the Town of Geneva and Town of Seneca that serves those two towns and the Town of Benton.

A \$240,000 state grant was approved to help fund a Nine-Element Watershed Plan for the Seneca Lake Watershed, which includes Keuka Lake.

The supervisor has been reappointed to the following committees of the Ontario County Board of Supervisors: Planning and Environmental Quality; and Public Safety; and to the Board of Directors of the Ontario County Soil and Water Conservation District.

Selected Meetings and Events

December 12 – County Public Safety Committee meeting

Sustainability Forum – Launch of Geneva Community Power at the town hall

December 13 – Meeting with engineers from Towns of Geneva and Seneca regarding water system upgrades

December 18 – Breakfast meeting with department heads and town engineer

Meeting of Executive Committee regarding Nine-Element Watershed Plan at the Finger Lakes Institute

December 19 – Meeting of the Ontario County Soil and Water Conservation District Board of Directors

December 20 – Ontario County Board of Supervisors meeting

December 21 – Ted Baker radio show on town topics

January 3 – Ontario County Board of Supervisors meeting

January 7 - Meeting of Executive Committee regarding Nine-Element Watershed Plan at the Finger Lakes Institute

21. Old Business.

22. New Business.

23. Privilege of the floor.

24. Adjourn: Motion _____ Second _____

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. ____ of the year **2019**

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. 104.00-1-4.200, with an address of 3615 County Road 6, currently zoned R-5 Residential High Density District is rezoned to PUD Planned Unit Development District subject to the following conditions:

1. Adherence to the National Association of City Transportation Officials urban street design principles that streets are public spaces for people as well as arteries for traffic and transportation, and that street design should meet the needs of people walking, driving, cycling, and taking transit.
2. Adherence to the National Association of City Transportation Officials green streets principles that street design should promote safety and mobility, sustainable stormwater management and treatment, ecosystem health and urban resilience.
3. 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.
4. Coordination with NYS Department of Transportation and Ontario County Department of Public Works to design and construct safe pedestrian crossings on Route 5 & 20 and County Road 6.
5. Incorporation into the site plan north to south bicycle and pedestrian route(s) linking residents to the intersection of Route 5 & 20 and County Road 6, and a future town greenway or path to the south.

6. 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.
7. Incorporation of a vegetated buffer conforming to the standards set forth in Section 165-40 of the Town of Geneva Zoning Code and not less than 15 feet in width, between the commercial development in the western portions of the development and the residential portions of the development.
8. Integrate wherever practicable renewable energy sources and/or energy conservation facilities and equipment into the project design.
9. Letter of Credit for the benefit of the Town of Geneva to cover construction and, if needed, removal of each phase of the project and restoration, to include all dedicated utilities and/or roads.
10. A two-year maintenance bond or guaranty is required for all landscaping upon completion of its installation.
11. Emergency access lanes to be installed around the 2 three-story, 90 unit, residential apartment buildings.
12. An Emergency access road to be installed on the east side of the property to connect to the access drive to the ball parks.
13. Fire hydrant locations to be approved by the fire department and Town Code Enforcement Officer.
14. Internal water system to be looped through the project to prevent dead-end lines.
15. Remove the right-in, right-out access on County Road 6 and add a second entrance further to the south across from the entrance to the plaza on the west side of County Road 6.
16. Final Site Plan review to be completed by the Town of Geneva Planning Board in compliance with Town of Geneva Zoning Code Section 165, Article VIII, Site Plan Review.
17. All signage must comply with Town of Geneva sign regulations, Section 165, Article VII.
18. Only the uses and layout, including, but not limited to, setbacks and acreage of open space, set forth on the Re-Zoning Plans of Passero Associates dated September 2018 that are on file with the Town shall be part of any final site plan approval.
19. A sidewalk shall be constructed along the full frontage on County Road 6 along with any and all connections as set out on the Re-Zoning Plans of Passero Associates dated September 2018 that are on file with the Town.

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 No. 104.00-1-4.200 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. ___ of 2019 of the **Town of Geneva** was duly passed by the Geneva Town Board on _____, 2019, in accordance with the applicable provisions of law.

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer¹.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20__ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____, 20__, and was (approved)(not approved)(repassed after disapproval) by the _____ and was deemed duly adopted on _____, 20__ in accordance with the applicable provisions of law.

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20__ of the (County)(City)(Town)(Village) of _____ was duly passed by the on 20__, and was (approved)(not approved)(repassed after disapproval) by the _____ on _____, 20__. Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on _____, 20__, in accordance with the applicable provisions of law.

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20__ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____, 20__, and was (approved)(not approved)(repassed after disapproval) by the _____ on _____, 20__. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____, 20__, in accordance with the applicable provisions of law.

5. (City local law concerning Charter revision proposed by petition.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 2005 of the City of _____ of having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on _____, 20__, became operative.

6. (County local law concerning adoption of Charter.)

¹ Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county- wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or Village, or the supervisor of a Town where such officer is vested with the power to approve or veto local laws or ordinances.

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20__ of the County of _____, State of New York, having been submitted to the electors at the General Election of November ____, 20__, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the Towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

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

(Seal)

Date: _____

TOWN OF GENEVA
NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE, that a public hearing will be held by the Town Board of the Town of Geneva on the 12th day of February, 2019, at 6:00 p.m., at the Geneva Town Hall, 3750 County Road 6, Geneva, New York, regarding the adoption of a Local Law which would, subject to conditions, change the zoning district classification of a parcel of land in the Town of Geneva identified as Tax Map No. 104.00-1-4.200 with an address of 3615 County Road 6 from R-5 Residential High Density District to PUD Planned Unit Development District and order the amendment of the Official Town Zoning Map to show such change upon the project receiving final site plan approval.

Any resident of the Town of Geneva shall be entitled to be heard upon said proposed Local Law at such public hearing. Copies of said proposed Local Law are available for review at the Town of Geneva Town Hall, 3750 County Road 6, Geneva, New York 14532.

This by Resolution of the Town Board of the Town of Geneva.

Lorrie S. Naegele, Town Clerk