

**Planning Board Minutes
May 7, 2020**

Planning Board Members Present: Fred Fink, Julie Pellett, Matt Rogers, Steve Lester, Michael Donohoe, Michael Woodruff

Absent: Daniel Compton

Others Present: Kimberly Rayburn (Secretary), James Kier (Building & Zoning) Mark & Sue Brassie (Applicant), Aric Lesperance (Applicant).

Fink opened the meeting at 7:30 pm.

I. Forward to the ZBA Review #TNC1-20 for an Expansion to a non-conforming structure, Owner Mark Brassie, property located at 7781 St Rts 5&20 tax map # 79.00-3-3.000 has applied to remove a 14 x 16 mud room, and add an 18 x 20 living Room with a second story bedroom.

Woodruff stated that the addition is on the rear of the home and it will not be adding to the non-conformity he feels this is request is pretty straight forward and he does not see any concerns. The Board agreed.

Woodruff made a motion and Rogers seconded the motion to forward the review onto the Zoning Board with no negative comments.

Whereas:

1. The placement of the addition will not add to the non-conformity.

Record of Vote:

**Fink Aye Rogers Aye Lester Aye Donohoe Aye Pellet Aye Woodruff Aye
All Board members present voted Aye, Vote was carried unanimously.**

II. Review SPL2-20 Site Plan for accessory structure that will be placed 284 +/- feet from the property line in the panhandle of a flag lot in the front line of the current and proposed house.

Forward to the ZBA Review #TV2-20 Area Variance for an accessory structure that will be placed 284 +/- feet from the property line in the panhandle of a flag lot, Owner Aric Lesperance, property located at 7600 St Rts 5&20 tax map # 67.00-1-60.100.

Woodruff stated that there is an existing barn in that area and you will not be able to see it clearly from 5&20. Fink stated that the existing structure is closer to the Eastern lot line than the proposed structure and no closer to the adjacent property to the West.

Woodruff made a motion and Lester seconded the motion to waive a public hearing as there is an existing structure in the proposed area now, it's set a good distance off the road and the residence on the parcel to the East is closer to the road with the back of their lot being wooded. Rogers agreed, Lester stated that this flag lot panhandle is wider than the required sixty (60) feet making this a unique property. **All Board members in attendance voted aye.**

Rogers made a motion to declare SEQR a type II action with no further action required, Donohoe seconded the motion. All Board members in attendance voted aye.

Lester made a motion and Pellett seconded the motion to approve SPL2-20 Site Plan for accessory structure that will be placed 284 +/- feet from the property line in the panhandle of a flag lot in the front line of the current and proposed house.

Whereas:

1. Contingent on Zoning Board approval to build in the panhandle of this flag lot

Record of Vote:

Fink Aye Rogers Aye Lester Aye Donohoe Aye Pellet Aye Woodruff Aye
All Board members present voted Aye, Vote was carried unanimously.

Forward to the ZBA Review #TV2-20 Area Variance for an accessory structure that will be placed 284 +/- feet from the property line in the panhandle of a flag lot, Owner Aric Lesperance, property located at 7600 St Rts 5&20 tax map # 67.00-1-60.100.

Rogers made a motion and Woodruff seconded the motion to forward the request to the Zoning Board of Appeals with comments in above review.

Record of Vote:

Fink Aye Rogers Aye Lester Aye Donohoe Aye Pellet Aye Woodruff Aye
All Board members present voted Aye, Vote was carried unanimously.

III. Review #SPL3-20 Site Plan for addition onto existing garage that will be in the front line of the existing SF home.

Forward to the ZBA Review #TV3-20, Area Variance for an addition onto existing garage that will be closer than the required 75-foot front setback. Owner John Johnsen, property located at 3066 Wheeler Station Rd tax map # 81.00-1-86.300.

Fink stated the addition would be on the front of an existing attached garage, Kier stated that the septic is in the rear. Lester stated that the addition is on the east side where currently there is a gravel pad that is being used for parking. Kier stated that the addition will look similar to the existing garage and is needed to accommodate a larger vehicle. Woodruff stated that the garage would sit fifty-nine (59) feet from the right-of-way instead of the seventy-five (75) that is required.

Rogers made a motion and Donohoe seconded the motion to waive a public hearing, All Board members in attendance voted aye.

Woodruff made a motion to declare SEQR a type II action with no further action required, Pellett seconded the motion. All Board members in attendance voted aye.

Lester made a motion and Pellett seconded the motion to approve #SPL3-20 Site Plan for addition onto existing garage that will be in the front line of the existing SF home.

Whereas:

1. Contingent on Zoning Board approval of the Area Variance

Record of Vote:

Fink Aye Rogers Aye Lester Aye Donohoe Aye Pellet Aye Woodruff Aye
All Board members present voted Aye, Vote was carried unanimously.

Forward to the ZBA Review #TV3-20, Area Variance for an addition onto existing garage that will be closer than the required 75-foot front setback. Owner John Johnson, property located at 3066 Wheeler Station Rd tax map # 81.00-1-86.300.

Donohoe made a motion and Woodruff seconded the motion to forward the request to the Zoning Board of Appeals with comments in above review.

Record of Vote:

Fink Aye Rogers Aye Lester Aye Donohoe Aye Pellet Aye Woodruff Aye
All Board members present voted Aye, Vote was carried unanimously.

II. Discussion:

Solar: Fink stated that he compared the Town of Seneca's code to our current code and he really likes theirs as it is more concise and clearer. Woodruff feels the same. Fink will re-do our current code for review at the next meeting. Kier will get with his contact at RG&E for further clarification on the process of the CESIR, and reasonable cost and feasibility of capacity for the Town that includes neighboring substations. Kier will again meet with Collins (Town Assessor) to try to obtain real data on agricultural acreage in the Town.

Woodruff asked both Pellett and Rogers their thoughts on using Agricultural land for large scale solar. Roger stated that he feels it should be left up to the land owner, however, he does feel that the project should be taxed as it should be a benefit to the Town or we shouldn't be doing it. He also mentioned that they have been approached to utilize land in Canandaigua that is on the town line, and he wonders how that would impact the Town of East Bloomfield and what substation would be utilized. Pellett stated that if you are a farmer you would put solar on poor land not prime agricultural land.

A brief discussion was held on the topic of a bond. Lester stated that it was discussed in the webinar on Solar that the bond can be used for litigation.

III. Minutes:

Minutes of March 19, 2020

**Rogers made a motion and Lester seconded the motion to approve the minutes 3/19/2020
All board members present at the 3/19/2020 meeting voted aye, Woodruff and Pellett abstained.
Vote was carried.**

Minutes of April 16, 2020

**Woodruff made a motion and Donohoe seconded the motion to approve the minutes 4/16/2020
All board members present voted aye, Vote was carried unanimously.**

IV. Meeting Adjourned:

**Woodruff made a motion and Pellett seconded the motion to close the meeting @ 8:30 pm.
All Board members present voted Aye, Vote was carried unanimously.**

Respectfully submitted,

Kimberly Rayburn
Planning & Zoning Board Secretary