

# Draft

YATES COUNTY PLANNING BOARD MEETING February 25, 2021

**PRESENT:** Moberg, Vestal, Sutterby, Gilman, Carman, Strickland, Danielson, Degner, Sisson, Hullings, Schiesser, Granzin

**EXCUSED:** Yonts

**ABSENT:** Cook

**Also Present:** Carlie Chilson (Legislator), Anthony Validzic (Milo CEO), Dick Harper (Legislator), Jonathan Zimmerman (Applicant), Christie Speciale (Potential Property Owner), Curvin Burkholder (Applicant), Tim Cutler (Legislator), John Christensen (Chronicle-Express), Nathaniel Curtis (Representing Applicant), (607) 738-7711 (Unknown Attendee), Dan Long (Yates County Planner), and Emilee Miller (Recording Secretary)

**CALL TO ORDER:** Schiesser called the meeting at 7:08 p.m. with the Pledge of Allegiance via Zoom

**APPROVAL OF MINUTES:**

A motion was made to approve the minutes from the January 28, meeting by Moberg, seconded by Schiesser. All in favor. Motion approved.

**CONSIDERATION OF GML 239 REFERRALS**

**2021-07 Town of Starkey.** Applicant, Jonathan Zimmerman. 625 Rock Stream Rd., Rock Stream, NY 14878. *Special Use Permit.* Applicant requests a kennel license for 8 to 10 dogs for re-sale (not a breeding kennel).

*The dogs will be coming from local breeders. The waste from the dogs will be mixed with livestock waste and spread over the fields as manure. This manure will be spread however far away from waterways that Ag & Markets requires. Most dogs will be under 16 weeks and should not result in accidental pregnancy because they are so young. According to a study published by the Humane Society Starkey has some of the worst puppy mills in Yates County. The town of Starkey has highly regulated their kennel laws.*

Moberg made a motion to the Board: That under GML 239 the application as presented has no countywide impact. Granzin seconded. 9 in favor. Motion approved.

**2021-08 Town of Middlesex.** Applicant, Town of Middlesex Town Board. 1216 Main St., Middlesex, NY 14507. *Text Amendment/Local Law.* Applicant proposes a Local Law that would amend the Town of Middlesex Zoning Law by adding a new definition of "Pole Barn-None Agricultural" and by amending the schedule of Land uses or Activities to add it as new Land use or Activity to designate what is required for such a use in each zoning district & to indicate that site plan approval is required for "Pole Barn-Non Agricultural Use" and for "Camping unit".

*This is specifically for Pole Barns. Pole Barns need to be subject to site plan review and used for what they are approved to be used for. Garages are well covered in the Zoning Law, but there had been loopholes for Pole Barns.*

Sisson made a motion to the Board: That under GML 239 the application as presented has no countywide impact. Danielson seconded. All in favor. Motion approved.

**2021-09 Town of Benton.** Applicant, Jason Shoff. 2312 Havens Corners Rd., Penn Yan, NY 14527 Site address: 1968 Bellona Station Rd., Penn Yan, NY. *Site Plan.* Applicant proposes 12+ Acres, 1 MW ground mounted solar farm for community solar.

*Nathaniel Curtis represented the applicant. Page 40 of the application, the Preliminary Decommissioning*

*Bond Letter, should state, "firmly bound unto the town of Benton" not town of Torrey. The size of the project has actually shrunk to about 4.5 acres while trying to work with NYSEG. They are open to different approaches, but went with the first success approach used in the past. They did not realize there was so much shale in the ground. The application has not been submitted prematurely, but there is a chance they may run into an issue last minute and will not be able to move forward.*

Vestal made a motion to the Board: That under GML 239 the application as presented is recommended for approval. Moberg seconded. All in favor. Motion approved.

**2021-10 Town of Potter.** Applicant, Curvin Burkholder. 3332 Havens Corners Rd., Penn Yan, NY 14527. *Special Use Permit.* Applicant proposes a kennel for 12 dogs.

*The dogs will be wholesale, direct to the owners. It will be for 12 adult dogs. The dogs will need to be over 4 months old for them to be considered adult. The dogs will have access to a run area from their den. Waste solids will go to a compost pile. They plan to have 3-5 larger breeds (lab, golden retriever, etc.) and the rest smaller (mini poodle, etc.). The plan to use East View Vet Clinic for vet checks, shots, and deworming. The puppies will be brought into the house to play with the children to help familiarize them with people. If the puppies do not sell, they keep lowering the price until they do sell. They will register with Ag & Markets and follow all state requirements. The town of Potter's kennel laws were last updated in 2013. Data about puppy mills in Yates County from the Humane Society's study was mentioned.*

Moberg made a motion to the Board: That under GML 239 the application as presented has no countywide impact. Vestal seconded. 9 in favor. Motion approved.

**2021-11 Town of Milo.** Applicant, Town of Milo. 137 Main St., Penn Yan, NY 14527. *Text Amendment & Map Amendment.* Applicant proposes Amendments to the Zoning Map and Law of the Town of Milo. Note: Amendments to Zoning Law are highlighted in yellow and are written in a red font.

*Better and more complete definitions have been added/amended. They will have no effect on Yates County airport properties. Midwifery and marijuana/cannabis are some of the major topics added/amended. Another zoning district was added known as Lakefront Recreational. The town will not restrict lands and/or uses of lands used or owned by Yates County that is exempt from zoning regulations. It is better to get ahead of the cannabis/marijuana regulations and be prepared.*

Strickland made a motion to the Board: That under GML 239 the application as presented has a positive countywide impact. Sisson seconded. All in favor. Motion approved.

COMMUNICATIONS: None

OLD BUSINESS: None

MEMBER REPORTS: None

NEW BUSINESS: Resolution 73-21 passed, extending Moberg's membership for another term. Resolution 74-21 passed, extending Vestal's membership for another term. Resolution 75-21 passed, extending Hullings's membership for another term. Resolution 76-21 passed, appointing Edward Carman, representing the Town of Middlesex, to the Planning Board. Resolution 77-21 passed, appointing Deborah Cook, representing the Town of Italy, to the Planning Board. Resolution 78-21 passed, appointing Chandra Gilman, representing the Village of Rushville, to the Planning Board.

**ADJOURNMENT:** Schiesser made the motion to adjourn the meeting at 8:12 p.m. Sisson seconded. All in favor. Meeting was adjourned.