

**Town of Groveland
4955 Aten Rd.
Planning Board Minutes
July 27, 2020
7:30 to 9:35 PM**

Members Present:

Seth Burnette, Chair
Mitje Raschi
Frederick Ingalls, Jr.
Randy Clymo
Kathleen Gurak
Roxanne Adamson, Alternate

Code Enforcement Officer:

Ron Maxwell

Others:

Greg Utberg (subdivision)
Dianna Utberg (subdivision)

1. CALL TO ORDER:

Chair Burnette opened the regularly scheduled July Planning Board meeting with the Public Hearing at 7:30 PM. He said CEO Maxwell might be late. All Planning Board members were present for a quorum. (Roxanne Adamson, alternate, was also present.)

2. PUBLIC HEARING for the DONALD B. MUNGER, 3-LOT SUBDIVISION, 7283 Groveland Hill Rd., Groveland, tax map #136.-1-2.1.

Chair Burnette opened the hearing by reading the legal notice aloud. Gregory and Dianne Utberg were present representing Eric Munger, POA for his father, Donald. (Eric Munger lives out of town.) Chair Burnette asked if there were any updates. Dianne Utberg said the homestead sale of 8.5 acres will hopefully close in October. That is lot #2. Lot #1 is across the road and #3 touches the Utberg property.

Chair Burnette requested that Planning Board members consider the June minutes while the hearing was open in order to allow for anyone from the public to attend.

3. REVIEW OF JUNE 22, 2020, UNAPPROVED MINUTES.

Chair Burnette asked members for corrections/comments. He noted a spelling correction to be made to "Ambuscade" in item #7.

Kathleen Gurak made the MOTION to APPROVE the June 22, 2020 Planning Board minutes as presented with the "Ambuscade" spelling correction.

Frederick Ingalls, Jr. seconded the Motion.

AYES in favor: Seth Burnette, Mitje Raschi, Randy Clymo, Kathleen Gurak, and Frederick Ingalls, Jr.

Opposed: None.

Abstained: None.

MOTION CARRIED.

(2.) Chair Burnette continued with the Munger Public Hearing. There were no comments. A motion to close the hearing was requested.

Kathleen Gurak made a motion to close the Munger 3-Lot Subdivision Public Hearing at 7:55 PM.

Mitje Raschi seconded the motion.

AYES in favor: Seth Burnette, Mitje Raschi, Randy Clymo, Kathleen Gurak, and Frederick Ingalls, Jr.

Opposed: None.

Abstained: None.

MOTION CARRIED.

CEO Maxwell reported no calls regarding the subdivision. One person had stopped in the Town Office but there were no negative comments. County Planning considered this project "local option." The Planning Board Secretary had done the necessary notifications to nearby farms and the Livingston County News.

SEQR Short Form was then done by Planning Board members. All answers were "no."

Kathleen Gurak made the SEQR motion for negative declaration. Based upon information and analysis, and supporting documentation, the proposed action will not result in any potentially large or significant adverse impacts.

Frederick Ingalls, Jr. seconded the Motion.

AYES in favor: Seth Burnette, Mitje Raschi, Randy Clymo, Kathleen Gurak, and Frederick Ingalls, Jr.

Opposed: None.

Abstained: None.

MOTION CARRIED.

Chair Burnette asked members to consider a final approval motion.

Kathleen Gurak made the motion for Final Approval of the Donald B. Munger, 3-Lot Subdivision, 7283 Groveland Hill Rd., Groveland, tax map #136.-1-2.1.

Randy Clymo seconded the Motion.

AYES in favor: Seth Burnette, Mitje Raschi, Randy Clymo, Kathleen Gurak, and Frederick Ingalls, Jr.

Opposed: None.

Abstained: None.

MOTION CARRIED.

Chair Burnette signed the subdivision maps and CEO Maxwell explained the County Clerk filing procedure to the Utbergs. The Utbergs then left the meeting after thanking everyone.

4. LARGE SCALE SOLAR BATTERY STORAGE – CONTINUED.

Chair Burnette continued this discussion from the June meeting. The Groveland Town Board passed the battery storage moratorium on May 14. Within six months the Planning Board is tasked with developing a battery storage law.

Similar actions by area towns were discussed. Mt. Morris, for example, made battery storage a part of their solar law. Groveland had received a fill-in draft for such a law from their Town Attorney. CEO Maxwell said whatever the Planning Board develops and is approved by the Town Board will have to be enforced by the Code Office. The Planning Board will need to determine battery storage building setbacks, screenings, etc. from nearby agricultural property. A key for a knox box can be requested from the Fire Department. However, the Fire Chief had said a knox box is “not needed.” The Fire Department will have the plans for the battery storage building as will the Town Engineer. Should someone on staff not be familiar with battery storage, it will be referred to someone who is. Whether the Planning Board should have a public hearing was discussed. Battery storage law is now in the State Fire Code. It will be a part of the green energy law and could be included as a section of town law.

Planning Board members and CEO Maxwell continued to discuss whether to have a separate law or whether to make it part of the existing Town Solar Law. Members were not in favor of making it separate. Chair Burnette suggested that board members review the current solar law before deciding or proceeding further.

Kathleen Gurak made a motion to table this agenda item until the August meeting to allow for review of the Town Solar Law.

Frederick Ingalls, Jr. seconded the Motion.

AYES in favor: Seth Burnette, Mitje Raschi, Randy Clymo, Kathleen Gurak, and Frederick Ingalls, Jr.

Opposed: None.

Abstained: None.

MOTION CARRIED.

The Secretary will email the current Groveland Solar Law to members in preparation for the August 24 meeting.

5. TOWN ZONING and MASTER PLAN and FARMLAND PROTECTION PLAN.

This agenda item was continued from last month’s meeting. K. Gurak asked about the existence of the Agricultural and Farmland Protection Board. Chair Burnette said he, Courtney Burnette, and another member from the community had been a part of it. However, he did not think it had met in several years. Members should be appointed by the Town Board.

Conversation about the effect of the Conservancy continued. CEO Maxwell said a farm is posted as part of the Conservancy once the funds for development rights are received by the farmer. Town tax income remains the same as the ag assessment does not change. Mitje Raschi brought up the involvement of the Conservancy in the Town Master Plan and how it affects future land planning. CEO Maxwell said it does not allow for planning for the next generation. Originally, the Conservancy was developed to protect the small farmer but that fails to aid the next generation. Should a farm wish to leave the Conservancy, the state legislature must make that decision – that is unlikely.

Involvement of the Planning Board at the beginning of the process, rather than at the end was stressed. That way, when a farmer wants to enter the Conservancy, the Planning Board can ask questions and details at the very beginning. Members wish to convey that to the Conservancy.

Randy Clymo made the motion to table this item until next month's meeting when such a letter is written.

Frederick Ingalls, Jr. seconded the Motion.

AYES in favor: Seth Burnette, Mitje Raschi, Randy Clymo, Kathleen Gurak, and Frederick Ingalls, Jr.

Opposed: None.

Abstained: None.

MOTION CARRIED.

6. CEO REPORT.

Chair Burnette asked Ron Maxwell for his monthly report. CEO Maxwell reported that both Ag and Markets and Soil and Water are to come out to inspect the six acres of disturbance resulting from water from the Barber Farm onto Partridge property. The water washed out property below. A new site plan will be needed as the entire water course has been changed. CEO Maxwell also added that the salt mine is putting up a huge USA flag.

7. OTHER BUSINESS/ANNOUNCEMENTS.

Chair Burnette asked if there were any other announcements, etc. There were none.

8. ADJOURNMENT.

There being no further business to conduct, Chair Burnette called for adjournment.

Kathleen Gurak made the MOTION to adjourn at 9:35 PM.

Mitje Raschi seconded the Motion.

AYES in favor: Seth Burnette, Mitje Raschi, Kathleen Gurak, Randy Clymo, and Frederick Ingalls, Jr.

Opposed: None.

Abstained: None.

MOTION CARRIED.

Respectfully submitted,

Diane McMullan, Secretary
Planning Board

dmm

Enclosure: Munger Public Hearing Notice

**PUBLIC HEARING NOTICE
TOWN OF GROVELAND**

Notice is hereby given that the **Planning Board** will hold a Public Hearing in the Town of Groveland on Monday, July 27, 2020, starting at 7:30 p.m. at the Groveland Town Hall, 4955 Aten Road, Groveland NY.

At this time, an application by Eric Munger, POA for Donald B. Munger, 7283 Groveland Hill Rd., Groveland, will be considered for a 3-lot subdivision involving the tax map number #136.-1-2.1. A portion of the original property is to be sold with a remaining lot staying in Munger ownership.

At the above time, at this public hearing, the Planning Board will hear any person or persons in support of, or in opposition to this application. Anyone wishing to express an opinion in writing may also do so. The file may be viewed in the Town Clerk's office located at 4955 Aten Road, Groveland NY, 14462, during regular office hours by calling the Town Office at 585-243-1750.

Seth Burnette, Chair
Planning Board

Run Date: July 16 & 23, 2020

Town of Groveland Planning Board

ATTENDANCE

Date: July 27, 2020

Sign-In

1. Seth Burnette
2. Fred INGALLS
3. Nudge Kunkin
4. Kathleen T. Murak
5. Roxanne O'Damson
6. Pamela Clymer
7. _____

TOWN OF GROVELAND
PLANNING BOARD PUBLIC HEARING
PLEASE SIGN IN

DATE: July 27, 2020

LOCATION: Groveland Town Hall

	SIGNATURE	PRINT NAME	ADDRESS / ZIP CODE
1.	<i>Breg Utberg</i>	GREG UTBERG	4795 BAYVIEW RD. GROVELAND N.J.
2.	<i>Diana Utberg</i>	Diana Utberg	11
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5.			
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