

Town of Groveland
Joint Meeting of the Planning Board & Zoning Board of Appeals

Meeting – August 27, 2012

Planning Board members present: Chairman Randy Clymo, Kathy Gurak, Seth Burnette and Mitje Raschi. Absent: Ted Miskell, Dan Rossborough and Roxanne Adamson, Alt.

Zoning Board of Appeals members present: Chairman Ron Merrick, Phil Livingston, William Magee, and Kevin Niedermaier. Absent: Courtney Burnette and Patty Johnston, Alt.

Also present: CEO Ron Maxwell

Planning Board Chairman Randy Clymo opened the joint meeting at 7:50 PM.

Review and Approval of Minutes:

12/19/2011 Joint meeting minutes were reviewed. Motion by William Magee to approve the minutes as submitted, seconded by Ron Merrick. All in favor.

2//27/2012 Joint meeting minutes were reviewed. Motion by Ron Merrick to approve the minutes as submitted, seconded by William Magee. All in favor.

6/25/2012 Joint meeting minutes were reviewed. Motion by William Magee to approve the minutes as submitted, seconded by Kevin Niedermaier. All in favor.

Flag lot discussion: Randy said that the Town Board asked them to come up with a revised description of a flag lot for the Zoning Ordinance Draft. Prior to the meeting the members received a description of a flag lot that was written by Ron Maxwell and reviewed by Heather Ferraro of the County Planning Department. This description was reviewed. The following change was made to paragraph C: strike the words “if all other requirements of Section 1415 are met” from the end of the paragraph.

Motion by Kathy Gurak to accept the version of the description of a flag lot written by Ron Maxwell and reviewed by Heather Ferraro with the aforementioned change to paragraph C and forward to the Town Board for review, seconded by William Magee. All in favor.

Randy handed out the Hydrofracking Committee findings and a suggested time frame to present recommendation to the Town Board for inception of town law.

Mitje Raschi made a motion to introduce the Hydrofracking Committee’s findings in the joint meeting minutes, seconded by William Magee. All in favor.

Mr. Koschara, a Groveland resident wanted to know if this is in compliance with the Town comprehensive plan. Ron Maxwell said that right now the Farmland Protection Plan, that was recently adopted by the Town, is the only plan in place and the hydrofracking issue was left open to be answered at a later time. Mr. Koschara had an article on “Gasfrac Energy LPG fracturing in NY” that he left with the Chairman.

Randy was asked if the town was considering a moratorium on hydrofracking. He said that the Town is not in favor of enacting a moratorium. The Town wants the joint Boards to come up with recommendations for laws within a year. The majority of the Hydrofracking Committee felt that the land owner should have right to freely do what they wish with their land. The question was raised whether or not landowners who have already sold their mineral right could also sell gas rights.

Mitje, who was a committee member, said they talked about identifying people that had expertise to write the laws and would be willing to work for free. They also talked about finding areas that already have laws in place. CEO suggested getting a copy of laws already drawn up by other towns and look them over first before talking to pro-bono lawyers.

Randy handed out a road use agreement from Yates County for the members to take a look at and suggested finding out if the County has anything in place. He said that currently road use agreements are voluntarily and no one can be forced to sign them.

Seth said that they visited an area in PA where hydrofracking was in operation and rent and assessments on property increased and was concerned what happens to property values after they scale back their operations

The Chairman said he has arranged for Art Buckley of the Wyoming County Planning Board to speak at the next joint meeting scheduled for 9/24/12 at 7:30 PM

Motion by Mitje Raschi for her to research pro-bono lawyers to help write laws and answer other related concerns of hydrofracking and determine a time line at the next meeting, seconded by Kathy Gurak. All in favor.

Jean Ianni of Stafford, NY, a property owner in Groveland thanked the Boards for allowing her to ask questions. She said she has heard Art Buckley speak and he is very knowledgeable.

Motion by William Magee to adjourn the meeting at 9:20 PM, seconded by Kevin Niedermaier. All in favor.

Submitted by
Karol Thomas, Secretary