

**Town of Groveland  
4955 Aten Rd.  
Planning Board Minutes  
November 26, 2018  
7:30 to 9:15 PM**

Members Present:

Seth Burnette, Chair  
Kathleen Gurak  
Frederick Ingalls, Jr.  
Randy Clymo

Others:

Dave Bojanowski, Conservancy  
Morgan White, Highgrove Farm

Public Present:

Denise Testa  
Michael Testa

Excused: Roxanne Adamson

Absent: Mitje Raschi

**1. CALL TO ORDER:**

The regularly scheduled November Planning Board meeting was opened at 7:30 PM by Seth Burnette, Chair. Roxanne Adamson (alternate) was excused and Chair Burnette was unable to reach Mitje Raschi about attendance this evening.

**2. HIGHGROVE FARM: Ag & Markets Farmland Protection Grant.**

Chair Burnette asked Dave Bojanowski from the Conservancy to speak. D. Bojanowski introduced Morgan White from Highgrove Farm and distributed large maps depicting their land. The Farm is one selected by the county board to apply to Ag & Markets to be part of the conservancy.

D. Bojanowski explained the application process and what it meant should their application be approved. The state would then purchase “development rights” of the farm and place the acreage into a conservation easement. Such an easement is permanent and remains with the land, not the owner. It restricts use of the land to agriculture. Maps distributed show the Highgrove Farm’s 1,054 acres divided into “ag units” by color and description; these may not be subdivided into small units. FSA denotes a “farmstead area unit”. D. Bojanowski went into some detail about what these represent.

A conservation easement does not restrict the particular farm owner from selling their land, but it does mean the land remains permanently agricultural. Certain building rights are allowable and retained. There may also exist other farmstead businesses, such as wineries, but no factories. A building lot in conservancy may not be subdivided and sold unless a large unit.

On the map, a light blue CE-1 C has frontage on three sides would represent a rural enterprise and a tire company, for instance, would be an allowable business – but not a McDonald's. The goal is to restrict activity that has a negative effect on agriculture.

D. Bojanowski continued with his explanation of the actual process involved in placing land into the Conservancy. The overall process may take as long as two years to complete. There are over 17,000 acres protected now in Livingston County. A conservation easement does not allow public access to the land. If an agricultural building is constructed on the land, it would be tax free (like any other building) for 10 years. After the new farm structure has received ten years tax free, land owners would then have to pay taxes, just as on any other agricultural building.

Applicant farms are selected by the County Board; and now they must apply to the State. All such farms possess the following: (1.) soil quality is prime; 30% has prime drainage; the remainder is state wide quality; (2.) viable farm operations; (3.) development pressure to convert the farm to non-agricultural land. Twenty-five percent of agricultural land has been converted to residential in last fifty years, said D. Bojanowski. However, the granting of such an easement does not stop eminent domain but, hopefully, the region would have a stronger voice. Randy Clymo asked regarding solar farms. D. Bojanowski said such an easement would allow a solar farm on 2% of the land. Wind turbines are also allowed. A solar farm could be built in red areas on the map but must be for farm use. Natural gas may also be developed.

Pressure on the Groveland area to develop and divide land into residential plots was discussed. Next, the conservancy requests a letter from a local planning official in support of Highgrove Farm's Ag and Markets' application. D. Bojanowski referred to a sample letter which was supplied to the Chair. Chair Burnette shared this letter with the rest of the Planning Board. The letter mentioned a net loss of farms (via census) in the county over a number of years; Chair Burnette requested further verification and additional information specific to the Town of Groveland. Board members expressed the view that farms were getting larger. D. Bojanowski said he will supply the Chair and the board members with more information.

Chair Burnette thanked D. Bojanowski and Morgan White for their presentation and attendance this evening; they then left the meeting. Subsequent comments and discussion among board members was brief and centered around the permanency of such an easement. Mitje Raschi, although not present, had spoken with D. Bojanowski previously about the issue of when is there "too much land in the conservancy?"

**3. REVIEW OF OCTOBER 22, 2018 UNAPPROVED MINUTES.**

Chair Burnette asked members to review and consider the above minutes presented. Kathleen Gurak said she has reviewed the material online.

**Frederick Ingalls, Jr., made the MOTION to APPROVE the October 22, 2018 Planning Board minutes as presented.**

**Randy Clymo SECONDED the Motion.**

**All in favor: Randy Clymo, Seth Burnette, Kathleen Gurak, and Frederick Ingalls, Jr.**

**Opposed: None.**

**Abstained: None.**

**MOTION CARRIED.**

**4. CEO REPORT.**

Ron Maxwell was unable to attend this evening's meeting. Therefore, there was no Code Enforcement Report.

**5. PRELIMINARY APPROVAL for DONALD BARBER'S TWO-LOT SUBDIVISION, Lattimer Road, Tax Map #126.-1-21.211.**

Chair Burnette reviewed this subdivision and the fact that concept approval had been given on September 24. The survey maps were now available and were examined by Planning Board members. The Chair confirmed that the Secretary sent a letter to Mr. Barber explaining the timing of a Public Hearing. That hearing to consider final subdivision approval would occur January 28, 2019, as there is not a Planning Board meeting in December. Other necessary notifications will be sent.

**Kathleen Gurak made the Motion for PRELIMINARY APPROVAL of Donald Barber's two-lot subdivision on Lattimer Road, tax map #126.-1-21.211. The Public Hearing is set for January 28, 2019, at 7:00 PM.**

**Frederick Ingalls, Jr., SECONDED the Motion.**

**All in favor: Randy Clymo, Seth Burnette, Kathleen Gurak, and Frederick Ingalls, Jr.**

**Opposed: None.**

**Abstained: None.**

**MOTION CARRIED.**

**6. REVIEW of the TOWN ZONING ORDINANCE.**

Chair Burnette referred to the subdivision changes that had been made at last month's meeting.

Members present reviewed these (which were printed in red on the zoning pages). Changes had been emailed prior to this meeting. Chair Burnette said the discussion of changes will continue in January when, hopefully, all Planning Board members can attend.

**7. NEW BUSINESS/ANNOUNCEMENTS.**

The 2019 meeting dates have been set and hard copies were distributed to those present. There were no announcements.

**8. ADJOURNMENT.**

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

**Kathleen Gurak made the MOTION to adjourn at 9:15PM.**

**Frederick Ingalls, Jr., SECONDED the Motion.**

**All in favor: Randy Clymo, Seth Burnette, Kathleen Gurak and Frederick Ingalls, Jr.**

**Opposed: None.**

**Abstained: None.**

**MOTION CARRIED.**

Respectfully submitted,

Diane McMullan, Secretary  
Planning Board

dmm