

May 10, 2022
Public Hearing
6:30 p.m.

Present: Supervisor Gerald L. Deming, Council Members: Frank Rose Jr., Amos Smith, Norman Gates and Jason Swede

Absent: None

Others: James Campbell (Town Attorney), George Worden Jr. (Highway Supt), Becky Lewis, Kirk Richenberg, Heather Ferrero (Livingston Co. Deputy Planning Director), Heather & Davies Nagel, Martha Edmonds, Henry Fuller, Charity Donnan, Dorothea Prine and Zach Shadbolt.

Supervisor Deming opened the Public Hearing at 6:35 p.m. and asked Attorney Campbell to read aloud the Public Hearing notice.

Legal Notice Notice of Public Hearing

NOTICE IS HEREBY GIVEN, pursuant to the provisions of the Code of the Town of York, and pursuant to Town Law § 130 and § 264, that a public hearing shall be held by the Town Board of the Town of York at the Town of York Town Hall, located at 2668 Main Street, York, New York at 6:30 p.m. on Tuesday, May 10, 2022 for the purpose of considering public opinion and comment about or concerning a proposed law relating to the following:

A Local Law to entirely repeal the existing Zoning Map of the Town of York, adopted on January 15, 2009 and revised in 2017 and to replace the entirety thereof with a new Zoning Map that shall incorporate certain zoning classification changes and/or zoning district boundary modifications that were made by the adoption of certain Local Laws and to correct previous inconsistencies on the prior Zoning Map.

A copy of the proposed Local Law is available for review by the public at the office of the Town Clerk during regular Town Clerk hours.

All interested persons are invited to appear and be heard at the aforesaid time and place.

Dated: April 13, 2022

By Order of the York Town Board
Christine M. Harris,
York Town Clerk

Mr. Campbell stated that Heather Ferrero is in attendance this evening to review the proposed changes to the existing Town of York Zoning Map.

Ms. Ferrero explained the changes the Town has made over the years. In January 2009, the Town of York updated the Zoning Ordinance and adopted new zoning regulations. In 2020 there was an edit to the zoning map with the Board adopting a Local Law to amend boundaries.

Ms. Ferrero commented that the Livingston County Planning Department processes all mapping for the Town of York. Ms. Ferrero stated that she credits Heather & Dave Nagel for bringing the Hamlet Commercial issues with the drive thru request to her attention.

Ms. Ferrero stated that actions taken over the years have not given an undo advantage in any way. The new zoning map will reflect more of getting back to what was previous.

Mr. Richenberg asked if the revised map on the website is accurate, the adult use overlay striping did not get put on the map?

Ms. Ferrero stated that the map she has this evening is the correct one, the one on the website perhaps did not show the most recent changes. Supervisor Deming stated that the Board will be rendering a decision based on Ms. Ferrero's map tonight.

Mr. Richenberg questioned if there will be any changes to solar farm parcels? Supervisor Deming replied there will not be changes. Mr. Campbell added with the large solar projects, assessors are re-classifying the use and will not be obtaining ag exemptions.

Councilman Smith commented that the White Creek project is a completely separate solar project from the current two we have (Solar Park/Oya). This one will be a power station.

Councilman Swede inquired if White Creek will own or lease the land? Supervisor Deming replied more than likely a lease will take place.

Mr. Richenberg commented they are doing this because they do not have to adhere to our codes.

Ms. Lewis asked what is Planned Development? Attorney Campbell answered that the purpose of Planned Development District is more for Commercial situations, development opportunities. This type of district addresses land use and design regulations and specific standards to what is proposed.

Ms. Ferrero verified with Mr. Campbell if the Town codes explain what Planned Development Districts are, which Attorney Campbell responded our codes do explain Planned Development.

Supervisor Deming added project stipulations can and usually are included, as is the case with the Brock subdivision development.

Mrs. Edmonds inquired about the property on Chandler Road to Rose's, behind the school?

Supervisor Deming replied that area is Planned Development and being currently used for farming purposes. Attorney Campbell added, if the owner/developer at some point want to develop this parcel, they will be required to come to the Town Board for approvals.

Mr. Richenberg commented this parcel was owned by the Rodgers family and they wanted to develop it, and then put it on the market.

After no further questions from the public...

RESOLUTION offered by Mr. Smith and seconded by Mr. Rose to close the Public Hearing at 6:58 p.m. Voted on and approved, Yes-5, No-0

Respectfully submitted,
Christine Harris,
Christine M. Harris, Clerk

Regular Town Board Meeting
May 10, 2022
7:00 p.m.

Present: Gerald Deming, Councilmembers: Frank Rose Jr., Amos Smith, Norman Gates and Jason Swede

Absent: None

Others: James Campbell (Town Attorney), George Worden Jr. (Highway Supt.), Carl Peter (Zoning/Code Officer), Becky Lewis, Heather & Davies Nagel, Kirk Richenberg, Martha Edmonds, Dorothea Prine, Henry Fuller, Charity Donnan and Zach Shadbolt.

Supervisor Deming opened the regular meeting at 7:00 p.m. and invited Councilman Smith to lead in the Pledge of Allegiance.

MINUTES:

RESOLUTION offered by Mr. Smith and seconded by Mr. Swede to approve the minutes of the April 12th Town Board Meeting. Voted on and approved, Yes-5, No-0.

BILLS:

RESOLUTION offered by Mr. Gates and seconded by Mr. Rose to approve all claims brought before the Board:

• General Fund	#114-140	\$ 18, 451.18
• Consolidated W/S	#98-121	\$180,112.86
• Highway Fund	#77-95	\$ 16,506.49
• Y-L Youth	# 4	\$ 428.00

PRIVILEGES OF THE FLOOR:

1)Dorothea Prine:

Mrs. Prine requested privileges this evening to discuss with the Town Board consideration use of the Town Hall for a table in the corner where books could be exchanged, commonly referred to as “Give a book-Take a book”.

Mrs. Prine commented that we are a small town, with no library outside of the school’s library (which is not available over the summer months), so by having books available would benefit those who still enjoy hard cover and paperback options. Mrs. Prine stated that many towns have implemented this program and hope the Board will consider doing so as well.

It would not require a large area, just a table in the hall so people could browse and borrow books. Mrs. Prine stated she would be willing to supervise the process.

Supervisor Deming commented that people drop off at the recycling center boxes of books and asked how to keep control of this. Mrs. Prine answered that this format is usually 1-2 books at a time, not boxes of books. This is an exchange not a discard. Mrs. Prine stated that we would start with roughly 25 books, with signage explaining the process.

Mrs. Prine recently spoke with members of the York/Leicester Senior’s group about this idea and they were very interested.

Supervisor Deming asked the Board their thoughts on the request. Each member responded that they believe this is a wonderful way for the community to give and receive books and suggested we implement it with the guidance of Mrs. Prine.



Give and Take Books!

Books are our window on the world. They provide use with information as well as entertainment and education. A world without books in it is a world that is very dark.

Many people in our community do not have the ability to visit a public library, while others are home schooled. In York we have no public library, no little book library but we do have a town hall that sees a lot of activities and foot traffic.

We could have a table in a corner where books could be freely exchanged. Books would include all age groups from preschool to adult. They would include Fiction, Biography, Non-Fiction, History and Romance as well as Science Fiction and Fantasy. Hard covers and paperbacks, new titles and old. All would be arranged on a table top with bins underneath for the picture books.

I have spoken with one group that uses the town's building for their dinners and several have endorsed this idea and would like to see the table kept up so that they could browse and borrow books. Table would belong to the town and placed in a corner where it would not interfere with court or other activities that take place in the room.

The books would start with a selection by our local librarian Dorothea Prine and the table would be checked with new titles added and others removed on a monthly or weekly basis whichever works for Dorothea.

A write up on the town's website would be used to notify our residents of this small service.

Please consider allowing a little light into our community through books by making a place in our town hall for them.

Dorothea Prine
4059 Retsof Road
Piffard, NY 14533
585-243-5188
Dorotheaprine1968@yahoo.com

2)Henry Fuller:

Mr. Fuller asked to speak with the Board this evening to discuss two topics, assessments and proper display of the American Flag.

Q-Anyone on the Town Board receive questions from the public on the increase in assessments and how the assessor has come to his increase?

Councilman Rose replied that he had two people inquire and he suggested that they make an appointment with the Assessor to discuss in greater detail.

Councilman Smith stated that he had one individual inquire who were the members of the Board of Assessment Review.

Comment: Mr. Fuller said, it may be hearsay but when people went to speak with the Assessor it was lowered by \$14,000 right off and then others \$50,000. The people Mr. Fuller has spoken with have issues with the number of different answers the Assessor is giving.

Q-How did the Assessor wind up with the original numbers?

Supervisor Deming replied that Assessors utilize a formula from the State, but to get specifics you will need to speak with him directly. I have been hearing not all of the assessments have increased, some have been lowered while others have stayed the same.

Q-The people who have received a “No” answer from the Assessor now have to go to the Board of Assessment Review, if they tell this Board that their neighbor got a discount(reduction), why can't they? He is giving many different answers to the people, and he has too many jobs.

Q-Is the Ag land being re-assessed at this time?

Supervisor Deming responded it is his understanding that Ag land and homes are being re-assessed.

Mrs. Prine commented that they recently had an appraisal of their property which came in at \$194,000 and received a letter from the Assessor for \$270,000. After a conversation with him, it was lowered to \$217,000 which is still higher than their appraisal.

Supervisor Deming stated that the majority of homes purchased over the last two years are well over the current assessed amounts, but people continue to pay it.

Mr. Richenberg stated that he asked a question last month about all properties being re-assessed, did you clarify with Bill Fuller at the County?

Supervisor Deming replied that he did speak with Bill Fuller and was informed that all properties were re-assessed except for commercial parcels.

Mr. Richenberg questioned Mr. Torrey about whether he had re-assessed Commercial properties and was told he did not. If all properties are not included in the re-assessment, it will not maintain a uniform market value, ultimately some are paying more than others. Why not include all properties? People can go to the Board of Assessment Review and claim “Unequal Assessment”.

Mr. Campbell responded that it is not uncommon in a re-eval year that all parcels are not part of the update. People can go to the Review Board and claim unequal assessment but should present to the members, documentation to substantiate why it should be lower. If they are unhappy with that result, they are then able to further discuss with the County. Last two years' values have turned the market upside down.

Mr. Richenberg commented that some towns have chosen not to do a re-evaluation this year even if it is on the 4-year cycle to do so...we don't have to either, the Assessor works autonomously.

Mr. Fuller added, we will be behind the 8-ball when the bubble bursts.

Attorney Campbell stated the last two years homeowners are paying above and beyond the current value...he does not envy an Assessor's job.

Mr. Fuller then began discussion regarding Proper Display of the American Flag. Commenting, lots of Americans display flags but a large number of them are not properly lit at night. People need to know the rules, either have a light on it at night or take it down before nightfall. It would be nice if the Zoning/Code Officer could tell people about the law.

Supervisor Deming replied that Mr. Fuller is correct, it is a federal law but unfortunately, we have no mechanism to make residents adhere to it.

Mrs. Prine asked a question pertaining to the solar farm near her (Trathen Property). The solar panels are not placed properly to obtain sun, are they movable? Also, the trees planted look awful and need to be re-planted.

Supervisor Deming commented that the panels can be altered but have not yet been connected. He added that the trees definitely need attention.

3)Heather Nagel:

Mrs. Nagel discussed with the Board the presentation given in March from Cold Creek with a similar write up on what Mt. Morris was going to receive in their project with them.

*The Board received this attachment prior.

Cold Creek Solar Project - reference

Morris Ridge Solar Project:

The Morris Ridge Solar Project is a renewable energy project under development for 177 MW of solar generating capacity and 83 MW of energy storage in the town of Mt. Morris, NY. The Morris Ridge Solar project is set to go online in 2023 and produce enough electricity to power 38,000 New York households. The project has garnered attention because of the strong Community Benefits Agreement (CBA) that the town has negotiated with the developer, EDF Renewables, and overwhelming local support for the project. QUOTE HERE. The project is slated for private land, but the town will accrue significant benefits, including 1) \$20,000/year Host Community Fund for the life of the project (~20 years), 2) over \$12,000 in direct payments to local organizations, including the school, Veterans of Foreign War hall, and the rotary, 3) support for a green jobs training program in partnership with the local BOCES, 4) EV charging stations, and 5) an agrovoltaics study. The agrovoltaics study will assess the benefits of grazing sheep and keeping bees near solar panels and the potential economic opportunities for associated agricultural products.¹ QUOTE HERE.

Supervisor Deming clarified that the Mt. Morris project is Cold Creek and the Town of York is White Creek Solar. There have not been any further discussions with the Town since their presentation on March 8th.

Mrs. Nagel inquired if a potential benefit has been discussed?

Supervisor Deming stated we will certainly have these discussions in the future but until they are ready to proceed, we do not have anything currently.

HIGHWAY:

Mr. Worden reported the following for the Highway Department:

- We have re-built catch basins on Retsof Road
- Conducted shoulder work on Covington and Old State Rd.
- Paved Craig Rd today
- Brush cleanup is roughly half completed in the township
- Surplus equipment will be headed to auction tomorrow
- Brush cleanup crew will be smaller, we will be assisting other towns with road work, they helped us earlier in the week

Supervisor Deming asked if Craig Road was completed, which Mr. Worden replied it is.

WATER/SEWER:

Mr. Worden reported the following for the Water & Sewer Department:

- The department has been in the process of updating water reading equipment
- We have been using water personnel to assist with mowing duties and brush pick up.
- Jim Jones and Riley Stella are learning the sewer system well, we are pleased with their efforts.

Supervisor Deming asked with mowing needs, will you be looking to utilize part-time help? Mr. Worden answered he will at some point.

Councilman Smith asked if a schedule has been set for Piffard Water.

Mr. Worden responded that we have not received pricing yet but once we do, we can schedule thereafter. We anticipate being ready for next Town Board meeting.

OLD BUSINESS:

1)LED Conversion:

Supervisor Deming reported that we did receive payment from National Grid in the amount of \$8,130.00 for the LED Outdoor Lighting Conversion Program.

2)Trail Town Committee:

Supervisor Deming stated that Board Members received the May report from the committee but did have a question. Have we received the \$5,500.00 yet?

Mrs. Lewis replied that the money will come directly to the town. Mrs. Lewis added that we did get clarification on the structures. We can build off site and then utilize assistance to place when ready.

From: Town of York Trail Town Committee

Report for May 10, 2022

1. The \$5.5K NBRC (Northern Border Regional Commission) Trail Town Grant for a kiosk and bench at the Piffard trailhead was accepted and approved by Letchworth Gateway Villages. Plans to construct both amenities are underway.
2. The York Trail Town Committee will hold their initial meeting on Tuesday, May 17th from 7-8 PM at the York Town Hall. The focus of the meeting will be on "Trail Safety".
3. The Committee will also consider hosting a local event (trail hike) in conjunction with National Trails Day on June 4, 2022. This is being sponsored by the American Hiking Society as, "A Day of Service for Hometown Trails and the People Who Love Them".

Sincerely,

Becky, Ryan, Brian, Molly and Dave

3)Loader Update:

Councilman Rose stated that he and Mr. Worden have had discussions on loader pricing and introduced this evening Zach Shadbolt from George & Swede. Mr. Rose stated that we are looking at several different loaders but received rough numbers for a Hyundai loader at George & Swede.

The loader we inquired about would be:	\$219,610.00
Minus our trade in	- <u>\$ 60,000.00</u>
	\$159,610.00

Mr. Worden stated that he has more information to be reviewed.

NEW BUSINESS:

1)Water and Sewer Tap Applications:

a-Tim & Judy Yonker

RESOLUTION offered by Mr. Swede & seconded by Mr. Smith to approve the Water tap and Sewer tap applications submitted by Judy & Tim Yonker for property located at 2830 Main Street, York in the amount of \$1,500.00 for each. Voted on and approved, Yes-5, No-0.

2)UV Disinfection advertisement:

RESOLUTION offered by Mr. Swede and seconded by Mr. Rose approving authorization to bid for the construction of the Town of York Wastewater Treatment Facility UV Disinfection unit and electrical power connections. Voted on and approved, Yes-5, No-0.

This project will be bid as two (2) contracts:

Contract #1-General Construction

Contract #2-Electrical Construction

3)Water Rate increase:

Supervisor Deming stated as we discussed at our April meeting, the Village of Geneseo will be increasing the water rate effective August 1, 2022, from \$2.55 per 100 cubic feet to \$2.65 per 100 cubic feet.

Councilman Smith inquired when do we start looking at other water suppliers?

Supervisor Deming replied we have already had some conversations and will continue to have more, but at this time we must alter the existing rates accordingly in order to cover the proposed increase from the Village.

RESOLUTION offered by Mr. Swede and seconded by Mr. Smith to approve a \$.13 water rate increase for Town of York water customers effective for the July 2022 billing cycle. Voted on and approved, Yes-5, No-0.

4)Town Copier:

Councilman Swede reported that he and Clerk Harris met last week to review the quotes submitted for a new copier lease. The Board receive a spreadsheet of the 5 quotes. Clerk Harris commented that our current lease is with Usherwood and will be expiring the end of October. Usherwood quoted (2) different Canon options. We also received quotes for a Xerox, Toshiba and Konica Minolta copier.

Councilman Swede stated after reviewing each one, the quote submitted by Lineage for the Konica Minolta copier makes the most sense and is financially our best option. Supervisor Deming asked Clerk Harris whether the "finisher" option was necessary and then commented for \$5.00 more a month, she can render that decision if it's needed. After review from the Board...

RESOLUTION offered by Mr. Swede and seconded by Mr. Smith to approve the quote submitted by Lineage for a Konica Minolta Bizhub c300i copier for a period of 63 months. Voted on and approved, Yes-5, No-0.

5)2022 Tax Collection:

Clerk Harris informed the Board that the 2022 Tax Collection season has been closed out and reviewed with them a summary of tax collection activity.

2022 TAX COLLECTION

Total Tax Roll	\$ 3,554,440.75
Total Warrant to Supervisor	\$ 1,673,308.98 paid on: <u>February 1, 2022</u> Check #: 576: \$ 380,998.00 Check #: 577: \$ 466,602.00 Check #: 578: \$ 210,380.00 Check #: 579: \$ 496,658.58 Check #: 580: \$ 4,774.40 Check #: 581: \$ 37,048.00 Check #: 582: \$ 74,518.00 Check #: 583: \$ 2,330.00
Payments to Liv. Co. Treasurer	\$ 300,000.00 pd. 2/1/22 ck. #: 584 \$ 400,000.00 pd. 2/16/22 ck. #: 586 \$ 200,000.00 pd. 3/3/22 ck. #: 587 TOTAL: \$ 900,000.00
** Received in error a payment from DFA/Noblehurst that should have been sent to Liv. Co. Treasurer directly (Corp. payment)...had to void payment we received and submitted a check to the Treasurer for that amount:	
	\$ 34,803.67 pd. 2/7/22 ck. #: 585
Refund for overpayment (Corelogic; P. West)	\$ 817.06 pd. 1/25/22 ck. #: 574
Refund for overpayment (Corelogic; Peri & Wurzer)	\$ 2,517.85 pd. 1/25/22 ck. #: 575
Close Out at Treasurer's Office	\$ 312,896.49 pd. on 4/6/22 ck. # 588
Penalty \$ for Supervisor	\$ 3,313.34 pd. on 5/2/22 ck. # 589
TAX COLLECTION BALANCE	\$ 0.00


Gerald L. Deming, Supervisor


Christine M. Harris, Collector

Dated: May 2, 2022

Town of York Town & County 2022
Bank Register Summary
All Inclusive

Total Taxes Collected:	3,404,270.03	
Total Penalty Collected:	3,018.03	
Total Surcharge/Interest Collected:	0.00	
Total Notice Fees Collected:	118.00	
Total Duplicate & Overpayments:	0.00	
Total Returned Check Fees:	0.00	
Bank Interest Earned:	47.31	
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Total:		3,407,453.37
Total Direct Payments:	517,934.56	
Total Bounced Checks:	0.00	
Total Refunded/Applied Overpayments:	0.00	
Disbursements to Supervisor:	1,673,308.98	
Disbursements to County:	1,212,896.49	
Other Disbursements:	0.00	
Bank Service Charges:	0.00	
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Total:		3,404,140.03
Other Adjustments:		0.00
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Bank Balance:		3,313.34

* 5-2-2022: Amt. in checkbook... (Penalty \$)
to be given to Supervisor to close out.
Check 589

Town of York Town & County 2022
Bank Register Summary
 All Inclusive

Total Taxes Collected:	3,404,270.03	
Total Penalty Collected:	3,018.03	
Total Surcharge/Interest Collected:	0.00	
Total Notice Fees Collected:	118.00	
Total Duplicate & Overpayments:	0.00	
Total Returned Check Fees:	0.00	
Bank Interest Earned:	47.31	
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Total:		3,407,453.37
Total Direct Payments:	517,934.56	
Total Bounced Checks:	0.00	
Total Refunded/Applied Overpayments:	0.00	
Disbursements to Supervisor:	1,676,622.32	
Disbursements to County:	1,212,896.49	
Other Disbursements:	0.00	
Bank Service Charges:	0.00	
<hr/>		
Total:		3,407,453.37
Other Adjustments:		0.00
<hr/>		
Bank Balance:		0.00

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** Processed CR# 589 \$1 3,313.34 on 5/2/2022
 to Supervisor to close out the 2022 Tax Coll.
 Season.

6) Noblehurst Correspondence:

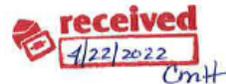
Supervisor Deming reported that we received a letter from Noblehurst Farms requesting that the Town consider allowing them permission to tie the farmhouse at 1801 Craig Road into the existing Craigs Station Creamery Sewer main, rather than expending funds to install a larger septic system at that location.

The Board discussed having CPL (Eric Wies) prepare documentation pertaining to creation of a district, which Noblehurst will solely be responsible for all costs involved with such formation and implementation.

Councilman Smith inquired how long of a process this may take, which Supervisor Deming and Attorney Campbell answered hopefully we will have the information for our next Board Meeting on June 14th.



Noblehurst Farms, Inc.



April 15, 2022

Town of York Board
2668 Main Street
PO Box 187
York, New York 14592

Town Board:

Please consider the following request made by the Executive Committee of Noblehurst Farms.

The farm is renovating the 1801 Craig Road farmhouse with needed facility upgrades and additional bedrooms to accommodate our employees. By maximizing the living space of this housing unit, located directly across from our main dairy facility, we will minimize employee transportation and improve living conditions on a daily basis.

These renovations will require a new septic system. Given the location of this property, so close in proximity to Craigs Creamery and Town of York sewer infrastructure, we are asking for permission to tie into the sewer line.

We approximate the distance from the house to the sewer line on Craig Road to be 400 yards. The waste volume is proposed to increase by 6 persons for a total of 12 occupants. With this property so close to Bidwell Creek and neighbor Linwood Gardens, we are mindful of any environmental impact this might have. Granting this opportunity to the farm would offer us an economical and environmentally sound solution to waste discharge.

Noblehurst Farms, working with Jeff Beardsley from Beardsley Building Innovations, LLC, plans to begin construction in late August on this project. More detail will be provided upon request. Thank you in advance for your consideration.

Sincerely,

Robert Noble, President

7) Tuttle Rd. request:

Supervisor Deming stated that Clerk Harris recently spoke with Tuttle Road resident Rob Leslie about his request to connect to municipal sewer as well.

Mr. Worden commented that Mr. Leslie's property would need a pump if he was part of the Sewer district and added that he has contacted CPL Engineer, Casey DeGraff about this request.

8) SS4A Grant Program:

Supervisor Deming stated after recent conversations with Angela Ellis (Deputy County Admin. for Planning & Special Projects) they discussed the Safe Streets and Roads for All Grant Program (SS4A). Mr. Deming commented that we did apply a few years ago for the Greigsville Transportation Plan. Ms. Ellis conveyed that she feels we are ready to proceed when we officially hear about the funding, and both agreed to bring back the previously formed committee to update data.

Mr. Nagel added that Emily Ashworth reached out to the Trail Town Committee members with this information as well, stating that we are perfectly suited for this funding with multiple agencies involved in the process.

Councilman Rose inquired if the engineering prepared previously by TY LIN can be used, which Supervisor Deming replied, it can.

Supervisor Deming reported that he has a meeting with Ms. Ellis tomorrow to discuss further.

OTHER:

1) Proposed Local Law #1 of 2022:

Attorney Campbell addressed the Town Board asking if they were ready to proceed with SEQR. The Board then consented to having Mr. Campbell move forward with the SEQR process.

PART 1-PROJECT AND SETTING:

Attorney Campbell read aloud the purpose of Part 1, a Local Law to repeal the Official Zoning Map of the Town of York and replace it with a new Official Zoning Map.

PART 2-IDENTIFICATION OF POTENTIAL PROJECT IMPACTS:

Mr. Campbell read aloud to the Board the required 18 questions to which they responded "No, or small impact may occur" to all.

PART 3-DETERMINATION OF SIGNIFICANCE: Attorney Campbell stated that a Type 1 Action requires additional submittal of documentation to the Environmental

Notice Bulletin. Mr. Campbell read aloud the proposed SEQR resolution and asked for comments.

(1) Type 1 Action:

RESOLUTION offered by Mr. Smith and seconded by Mr. Rose to declare as a Type 1 Action. Voted on and approved, Yes-5, No-0.

(2) Adoption of Findings:

RESOLUTION offered by Mr. Smith and seconded by Mr. Swede to Adopt the Findings that were made in the Review of Part 2 of the Full Environmental Assessment Form. Voted on and approved, Yes-5, No-0.

(3) Negative Declaration:

RESOLUTION offered by Mr. Rose and seconded by Mr. Smith to adopt a Negative Declaration based on the findings made in the review of the Full EAF and adopt the SEQR. Voted on and approved, Yes-5, No-0

(4) Authorization:

RESOLUTION offered by Mr. Swede and seconded by Mr. Gates authorizing Supervisor Deming permission to sign the EAF signifying the Negative Declaration being made. Voted on and approved, Yes-5, No-0.

(5) Part 3 Filing:

RESOLUTION offered by Mr. Smith and seconded by Mr. Swede authorizing Clerk Harris to file Part 3 of the Full EAF to the Environmental Bulletin. Voted on and approved, Yes-5, No-0.

Mr. Richenberg commented to make sure the official map has been updated.

(6) Approval:

RESOLUTION offered by Mr. Rose and seconded by Mr. Gates to approve Local Law #1 of 2022, "To repeal the existing Zoning Map of the Town of York, adopted on January 15, 2009 and revised in 2017 and to replace the entirety thereof with a new Zoning Map of the Town of York". Voted on and approved, Yes-5, No-0.

Local Law No 1 of the year 2022
Town of York,
County of Livingston

A local law to repeal the existing Zoning Map of the Town of York, adopted on January 15, 2009 and revised in 2017 and to replace the entirety thereof with a new “Zoning Map of the Town of York”

Section 1. Legislative Intent

It is the intent of this local law to entirely repeal the existing Zoning Map of the Town of York, adopted on January 15, 2009 and revised in 2017 and to replace the entirety thereof with a new Zoning Map that shall incorporate certain zoning classification changes and/or zoning district boundary modifications that were made by the adoption of certain Local Laws and to correct previous inconsistencies on the prior Zoning Map.

Section 2. Authority

This Local Law is adopted pursuant to the Town Law of the State of New York, Chapter 62 of the Consolidated Laws, Article 16, and Articles 2 and 3 of the Municipal Home Rule Law, to protect and promote public health, safety, convenience, order, aesthetics, prosperity and general welfare of the Town of York. This Local Law relates the use of buildings and structures and the development and use of land within the Town of York.

To these ends, this Local Law is designed to:

1. Enhance and regulate the orderly growth, development and redevelopment of the Town in accordance with a well-considered plan so that the Town may realize its potential as a place to live and work, with the most beneficial and convenient relationships among the agricultural, commercial, industrial, and residential areas within the Town and with due consideration to the character of each district and its suitability for particular uses; and
2. Protect and manage the character of the Town.

Section 3. Repeal of Prior Zoning Ordinance

The existing Zoning Map of the Town of York adopted on January 15, 2009 and revised in 2017 is hereby repealed in its entirety.

Section 4. Replacement with new Zoning Code of the Town of York

This Local Law hereby establishes and creates a new Zoning Map of the Town of York, which entirely replaces and supersedes the prior Zoning Map of the Town of York (adopted on January 15, 2009 and revised in 2017) and which said new Zoning Map of the Town of York is as prepared by the Livingston County Planning Department, is dated March 2022 and is attached hereto and made a part hereof as Exhibit “A” and shall hereafter be effective as the official Zoning Map of the Town of York.

The new Zoning Map reflects modifications made in certain Local Laws as adopted by the Town Board of the Town of York, including Local Law No. 3 of 2019, Local Law No. 4 of 2019 and Local Law No. 2 of 2020, as well as corrections of certain inconsistencies that existed on the prior Zoning Map.

Section 5. Severability

If any clause, sentence, paragraph, subdivision, or part of this Local Law or the application thereof to any person, firm or corporation, or circumstance, shall be adjusted by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this Local Law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

Section 6. Effective Date

This local law shall take effect immediately upon filing with the Secretary of State.

Date: May 10, 2022
Moved by: Councilman Rose
Seconded by: Councilman Gates

Supervisor Gerald L. Deming	Aye
Deputy Supervisor Frank Rose, Jr.	Aye
Councilmember Norman Gates	Aye
Councilmember Amos Smith	Aye
Councilmember Jason Swede	Aye

Certified by:

Christine M. Harris on May 10, 2022
Christine Harris, Town Clerk Date

