

**MINUTES**  
**Town of Geneseo**  
**Planning Board Regular Monthly Meeting**  
**May 9, 2022**  
**7:00 PM – 8:53 PM**

**Members Present:**

Robert Harris, Chair  
Charles Maxwell  
Robert Irwin  
Jennifer O'Shea

**Absent:**

Patricia Ford

**Others in Attendance:**

Jared Radesi, Code Officer  
James Oberst, Town Engineer (MRB)  
Gordie Laidlaw (Re-subdivision)  
Ryan McCune, Nexamp (Jaycox Creek Solar Project)  
Christopher Knox (Jaycox Creek Solar Project)  
Ericka B. Elliott, Esq. (Town Attorney's Office)

**1. CALL TO ORDER and ATTENDANCE.**

Robert Harris, Chair, called the May regular monthly meeting to order at 7:00 PM. There was a quorum. Patricia Ford was absent.

**2. CODE OFFICE REPORT.**

The monthly Code Office Report for the Planning Board was distributed to members by Jared Radesi, CEO. Many building permits and inspections were done this past month. Also reported were many violations along Conesus Lake. CEO Radesi sees them when driving along the lake. Many residents have built without permits.

Of particular interest is one case on Old West Lake Road where an old garage was built intruding on about a foot of state property. The right-of-way goes underneath that building. When asked about its location by a Planning Board member, CEO Radesi said the property was formerly owned by Richard Gray and was next to what was The Pink Elephant. This issue has been referred to the State and the Town Attorney.

Goodwill has received a permit for fill. Their soil boring documentation remains to be verified. Only the excavator is involved currently – there is no building permit yet as the project is to be constructed in phases. No word on Arby's construction but there are charging stations being erected in front of Five Below.

There will be a Hammocks construction meeting on Tuesday at 4 PM. CEO Radesi felt it makes sense to install the Helios gate with a key now rather than concrete barriers. Escrow of \$30,000 has been paid to the Town. When asked about road impactation, J. Radesi said he has driven on it recently without problems. Evidently, there had been a large truck partially buried on the road earlier in the season. James Oberst, Town Engineer, will send a representative to inspect the road.

**3. COUNTY PLANNING REPORT.**

Jared Radesi briefly reviewed the most recent county planning board meeting projects that he included on the agenda tonight. He continues on the County Planning Board.

**4. REVIEW OF THE APRIL 11, 2022, UNAPPROVED PLANNING BOARD MINUTES.**

Chair Harris asked members to review and comment on the above submitted minutes. There were no corrections or amendments.

**Charles Maxwell made the motion to accept the April 11, 2022, Planning Board Minutes as presented.**

**Robert Irwin seconded the motion.**

**AYES in FAVOR: Robert Harris, Robert Irwin, Charles Maxwell, and Jennifer O'Shea (who had reviewed last month's projects despite not being able to attend the meeting).**

**Opposed: None.**

**Abstained: None.**

**MOTION CARRIED.**

**5. PRELIMINARY APPROVAL: LAIDLAW RE-SUBDIVISION/LOT LINE ADJUSTMENTS, 3475 North Rd. and 4991 Lima Rd., tax maps #64.-1-43.2 and #64.-1-43.11.**

The above project was described briefly by Gordon Laidlaw who returns this month with an updated Survey. A tenant of one of the Laidlaw houses wishes to purchase the house and 1+/- acre of land. There is more than enough frontage from North Road for both parcels. A road will come from Lima Road and will serve the house and also access the shop at the rear of the parcel (#64.-1-43.11). Chair Harris requested a motion.

**Robert Irwin made the motion to grant PRELIMINARY APPROVAL for the Gordon R. and Susan E Laidlaw above re-subdivision.**

**Charles Maxwell seconded the motion.**

**AYES in FAVOR: Robert Harris, Robert Irwin, Charles Maxwell, and Jennifer O'Shea.**

**Opposed: None.**

**Abstained: None.**

**MOTION CARRIED.**

Chair Harris announced that the Public Hearing for this project will be June 13, 2022. The Secretary will do the necessary county referrals and notifications.

**6. JAYCOX CREEK 5MW +/- 31-ACRE SOLAR AC FACILITY, located south of Lakeville Rd., 0.52miles northeast of County Club Road, tax map #72.-1-25.122 and tax map #72.-1-25-118.**

Ryan McCune and Christopher Knox return to the Planning Board to continue discussions and requirements concerning the above solar project. He reviewed and commented on Mary Underhill's County Planning report. He felt that some issues had already been discussed and dealt with.

This month a subdivision application and survey (unsigned by the surveyor) were submitted for Planning Board consideration. The access road had a slight adjustment that had already been discussed with CEO Radesi.

Chair Harris spoke and said there are some county comments to discuss despite the fact no official action had been taken at their meeting. Ag and Markets is still in the county district and the project must comply. It must go through NYSERDA. Even though no actual comments have come back from Ag and Markets, it must comply with mitigation standards. SEQR must be done before a Permit is given.

Christopher Knox then reported that materials requested by the Army Corp had been sent. He will continue to update the Planning Board. The first submission was seven months ago but as yet there had not been a site visit by the Corp.

DOT had made several comments, and these had been answered. Regarding SHIPO, a “no impact” letter had been received.

CEO Radesi said he had discussed the access road with former CEO Grasby who felt it was adequate. However, in some parts the road is only 15 foot wide; expansion would place it into wetlands and risk further prime soil disturbance. (Chair Harris remarked that with the establishment of a solar project, prime soil cannot be farmed for 25 years anyway.)

R. McCune said that should the Army Corp delay continue much longer, one row of solar panels could be removed. This would facilitate emergency access as well as other adjustments. However, the road cannot be extended upwards as it would interfere with the swale.

Because Helios had been mentioned earlier in the meeting, R. McCune inquired about the \$30,000 escrow and how it might apply to Nexamp. He was told this is a Town Board matter that technically occurs following Planning Board action and approvals. After the Decommissioning Plan is approved, the Town Attorney reviews its application to the Town Code and applies it to the Special Use Permit. The Permit then extends for the life of the project. R. McCune questioned advisability of submission now but was told the Special Use Permit must first be granted.

Chair Harris asked for additional member comments.

J. O’Shea said the tree selection and shrubs selected as part of the planting landscape were appreciated, but perhaps additional plantings at the curve of the access road could be done. CEO Radesi asked if spacing under the fence was adequate for small animals to get under. It was.

R. McCune said he is anticipating their public hearing at the next Planning Board meeting in June. R. Irwin said he still has some concerns. He commented on MRB remarks about the access road and impaction. He feels it is a liability for the Town if someone is injured and impaction is not adequate. James Oberst said that since the CEO is the Fire Marshall; he had asked the former code officer for comments about its functionality. Enlarging the road width by five feet, etc. would entail redesign of stormwater management was mentioned again. CEO Radesi said only an ambulance would be using the road for personnel access. He will add Solar to the CEO inspection schedule.

R. Irwin asked who maintains and overseas the site (including the road). R. McCune said that Nexamp does, and they are the ones keeping track. They remain at the site customarily for two growing cycles.

CEO Radesi said maintenance of the site should be added to the Town Solar law and a weekly stroll around the site by MRB would be appreciated. J. O’Shea felt it was important to add attention to water and slopes.

Both the road impaction and functionality will be put in print by the CEO and Town Engineer.

Since Preliminary Approval and lead Agency letters have been done, Chair Harris said the setting of a Public Hearing date remains. He set the date for Monday, June 13<sup>th</sup>. The Secretary will do the necessary notifications. Jaycox Creek representatives then left the meeting.

**7. NEW BUSINESS/UPDATES/ANNOUNCEMENTS.**

Town Attorney Ericka Elliott asked about the Shadd re-subdivision. Chair Harris replied that their attorney had attended two meetings and it was explained that creating a non-conforming lot would need to go to the ZBA for a variance.

J. O'Shea remarked about recent Short-Term Housing and rentals. An "Air B&B" is a business, she said. However, zoning cannot regulate people – only land.

**8. ADJOURNMENT.**

There being no further business or announcements, Chair Harris requested a motion.

**Robert Irwin made the motion to adjourn the Planning Board Zoom meeting at 8:53 PM.**

**Charles Maxwell seconded the motion.**

**AYES in favor: Robert Harris, Jennifer O'Shea, Charles Maxwell, and Robert Irwin.**

**Opposed: None.**

**Abstained: None.**

**MOTION CARRIED.**

Submitted by:

Diane McMullan, Secretary  
Town Planning Board

dmm

Attachment: May Code Office Report

## Town of Geneseo Code Enforcement Office

Building Permits by Issued Date: 04/01/2022 - 05/07/2022

| Permit#<br>Applicant Name                 | Issued<br>Final | Property Owner<br>& Location                         | Tax Map#<br>Lot#  | Fee               | Project<br>Cost       | Description                                                                                                                                                           |
|-------------------------------------------|-----------------|------------------------------------------------------|-------------------|-------------------|-----------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 22-0069<br>JAMES HUNT                     | 04/01/22        | SHERWOOD TERRY L<br>5525 EAGLE POINT DRIVE           | 83.37-1-10        | 50.00             | 12,500.00             | PERMIT TO INSTALL A GENERAC HOME<br>STANDBY GENERATOR AS PER<br>MANUFACTURERS INSTRUCTIONS, THE<br>ICC CODES AS AMENDED BY NEW YORK<br>STATE AND THE CODE OF GENESEO. |
| 22-0003<br>PLEASANT VALLEY BAPTIST        | 04/11/22        | PLEASANT VALLEY BAPTIST<br>4631 LAKEVILLE ROAD       | 72.-1-25.12       | 345.60            |                       | 40x48 Accessory structure                                                                                                                                             |
| 22-0004<br>GROVE MARK                     | 04/11/22        | GROVE MARK<br>4613 LIMA ROAD                         | 72.-1-12.112      | 151.20            | 6,000.00              | 16' X 20' Accessory Building                                                                                                                                          |
| 22-0005<br>Alternative Carbon Energy Syst | 04/13/22        | JOPSON SHIRLEY<br>3184 POLE BRIDGE ROAD              | 64.-1-28.111      | 95.00             | 20,000.00             | Geo Thermal System installed to include<br>underground tubing, Water tank and indoor<br>mechanical systems.                                                           |
| 22-0006<br>Erie Electric                  | 04/16/22        | HOR GEN MANAGEMENT, LLC<br>4275 GENESEE VALLEY PLAZA | 81.-1-29.122 4275 | 135.00            | 45,000.00             | Installation of Electric Car Charging Stations                                                                                                                        |
| 22-0007<br>BOGER PHILLIP D & JANE L       | 04/18/22        | BOGER PHILLIP D & JANE L<br>5451 CROSSETT ROAD       | 99.-1-24.111      | 50.00             | 14,348.00             | Installation of a Whole House Residential<br>Standby Generator                                                                                                        |
| 22-0077<br>KINGSTON FARMS                 | 04/25/22        | KINGSTON FARMS<br>5052 GROVELAND ROAD                | 90.-1-34          | 144.00            | 40,000.00             | 24' Round x 20' High Grain Bin                                                                                                                                        |
| 22-0011<br>PRESUTTI ROBERT A &            | 04/29/22        | PRESUTTI ROBERT A &<br>5185 LAKEVILLE GROVELAND      | 91.-1-19.11       | 50.00             | 17,000.00             | Installation of a 24KW General Generator with<br>a 200amp ATS & New 200amp Service<br>upgrade                                                                         |
| 22-0012<br>Scott Johnson                  | 04/29/22        | HOR GEN MANAGEMENT, LLC<br>4287 GENESEE VALLEY PLAZA | 81.-1-29.122 4287 | 1051.10           | 283,700.00            | Electrical Upgrade Remodel                                                                                                                                            |
| 22-0013                                   | 05/02/22        | Helios Energy New York 15, LLC<br>WEST LAKE ROAD     | 73.-1-29          | 7500.00           | 2,200,000.00          | 5 MW Solar Farm Installation                                                                                                                                          |
| 22-0014<br>Zachary Arnold                 | 05/04/22        | Zachary Arnold<br>3433 POLE BRIDGE ROAD              | 64.-2-21.1        | 65.00             | 10,600.00             | Above Ground Pool w/ electrical pump                                                                                                                                  |
| <b>Total Count:</b>                       | <b>11</b>       |                                                      |                   | <b>\$9,636.90</b> | <b>\$2,649,148.00</b> |                                                                                                                                                                       |

# Town of Geneseo Code Enforcement Office

Violation Summary by Date Range: 01/01/2022 - 05/07/2022

| Violation# | Violator Name     | Violation Date | Property Owner & Location                | Tax Map#   | Offense                     | Comply by Date | Corrected Date |
|------------|-------------------|----------------|------------------------------------------|------------|-----------------------------|----------------|----------------|
| 22-0002V   | JARED CALI        | 04/16/22       | JARED CALI<br>3544 WEST LAKE ROAD        | 73.-1-25   | CONSTRUCTION WITHOUT PERMIT | 06/01/22       | / /            |
| 22-0003V   | JARED CALI        | 04/16/22       | JARED CALI<br>3544 WEST LAKE ROAD        | 73.-1-25   | CONSTRUCTION WITHOUT PERMIT | 06/01/22       | / /            |
| 22-0004V   | JARED CALI        | 04/16/22       | JARED CALI<br>3544 WEST LAKE ROAD        | 73.-1-25   | CONSTRUCTION WITHOUT PERMIT | 06/01/22       | / /            |
| 22-0005V   | JARED CALI        | 04/16/22       | JARED CALI<br>3544 WEST LAKE ROAD        | 73.-1-25   | CONSTRUCTION WITHOUT PERMIT | 06/01/22       | / /            |
| 22-0001V   | Doris Prol        | 04/18/22       | PROL HENRY<br>5419 WEST LAKE ROAD        | 100.51-1-7 | CONSTRUCTION WITHOUT PERMIT | / /            | / /            |
| 22-0013V   | PROL HENRY        | 04/29/22       | PROL HENRY<br>5419 WEST LAKE ROAD        | 100.51-1-7 | CONSTRUCTION WITHOUT PERMIT | 05/11/22       | / /            |
| 22-0006V   | WALL KATHLEEN P & | 05/07/22       | WALL KATHLEEN P &<br>4607 WEST LAKE ROAD | 82.76-1-3  | CONSTRUCTION WITHOUT PERMIT | 06/01/22       | / /            |

Total Count: 7