

**MINUTES  
REGULAR TOWN BOARD MEETING  
JANUARY 27, 2020**

**PRESENT:**

Supervisor Don Trout, Councilman Mike Pfeiffer, Tyrone Thomas, Howard Strader and Bob Lotz.

**ALSO, PRESENT:**

Attorney Dennis Benjamin, Highway Superintendent, Jim Cleere, MRB Representative, Mr. Pat Nicoletta, NEXERA Solar Representative, Mr. David Boxold, Mr. David Shaw and the attached list of attendees.

**PLEDGE OF ALLEGIANCE:**

Supervisor Trout led everyone in the Pledge of Allegiance.

**FIRE EXITS:**

Supervisor Trout indicated where the fire exits were located.

Supervisor Trout said before he opens Privilege of the floor he said if you are here to speak about the proposed zoning changes, please wait to speak at the Public Hearing on February 24<sup>th</sup>, at 7:00 PM. He said then everyone will have the opportunity to speak on the zoning changes.

Supervisor Trout also said Mr. Pat Nicoletta, Engineer from the MRB Group will do a presentation later in the meeting on the proposed zoning changes.

Supervisor Trout then invited Mr. Leland Henry to speak about the proposed zoning changes. Supervisor Trout said over the last ten years, Mr. Henry articulates the matter better than anyone else and after he speaks, if anyone has anything different to say about the proposed zoning, they can address the board. Supervisor Trout reiterated again that everyone will have the chance to speak at the Public Hearing in February.

**PETITIONERS OF THE FLOOR:**

**Mr. Leland Henry**, who resides at 93 Virginia Street, said he is the vice-president of the Concerned Citizens of Seneca County addressed the board and said a revision of the Comprehensive Plan was approved by this board in January of 2017. The approved plan in its "Vision and Goals", section, "recommends the town amend its local laws to ensure commercial mining is not legal in the Town of Waterloo", and he said specifically page 46 of the comprehensive plan.

Mr. Henry also said Local Law Number 5, recommends preventing any new applications for mining until the MRB Group revises the codes to agree with the comprehensive plan. He asked that Local Law Number 5 be extended another six months.

Mr. Henry said the concerned citizens are opposed to zoning changes along the east and west side of Burgess Road. He said this benefits Seneca Meadows and the changes are not for the benefit of the people of the Town. He said the proposed zoning on Burgess Road will invite Seneca Meadows to continue to mine that land, 45-foot-deep and lands thereafter, by expansion and approvals from the DEC.

Mr. Henry also said the Comprehensive Plan took two years to develop by a ten-member board of local citizens, who also polled the Town and the Village, and received overwhelming support for the new plan.

He said the concerned citizens do not support changing the comprehensive plan only three years after its approval.

**Mr. Andy Hansen** addressed the board and said he resides in Waterloo and represents International Brothers of the Local Electrical Union, 840. Mr. Hansen said they are here to offer their support for the solar farm. He said solar farms don't create long term jobs, but they have an educational program for their electrical apprentices and very few of them have any experience with solar fields. He said they would like to offer to them green energy jobs. He said local jobs also create local money and he said they fully support this project.

**Ms. Mirel Oese-Siegel** addressed the board and said she supports the solar project on her farm's acres. She said solar farming saves family farms from disappearing. She said solar farming is an innovative solution to preserve family farms, allowing us to diversify in the face of an increasingly unprofitable and volatile agricultural market. She said the rate at which New York has lost family farms is nearly double that of the national rate. She said solar farming is the right choice for her family farm. (written statement appended to the minutes).

**Ms. Bobbie Oese-Siegel** also addressed the board in support of the proposed solar project. She said there are so many reasons why this project is the right thing to do, from the standpoints of agricultural, tax revenue, independent and clean energy power. (written statement appended to the minutes).

**Mr. Darrin Magee** addressed the board and said he is a professor of Environmental Studies at Hobart and William Smith Colleges. He wrote to voice his support for the 80-Megawatt solar farm at Gem Lake Farms and neighboring properties. He wanted to make clear that he has no financial interest in the project. He said his perspective is based on nearly two decades spent researching renewable energy and twelve years teaching in the Environmental Studies Program at Hobart and William Smith Colleges. He said solar energy is a refreshing departure from the business of garbage, and a creative approach to meeting electricity demands, reducing carbon emissions, improving energy security and allowing family farms to remain family farms. The proposed project by NextEra can put our area on the map not only as a leader in agriculture, tourism, and sadly garbage, but also as a leader in renewable energy. He said he firmly believes that all environmental laws and public consultation procedures relevant to this project be followed. (written statement appended to the minutes).

**NEW BUSINESS:**

**2020-011**

Councilman Lotz made the motion to approve the SEQR/INTERESTED AGENCY for the Official Zoning Map Amendments. Councilman Pfeiffer seconded the motion. The resolution is as follows:

**WHEREAS**, the Town of Waterloo Town Board (hereinafter referred to as Town Board) on Monday, January 27, 2020 has reviewed the SEQR Full Environmental Assessment Form (EAF) Part 1, prepared by the MRB Group (hereinafter referred to as Town Engineer) on the above referenced Official Zoning Map Amendments (hereinafter referred to as Action); and

**WHEREAS**, the Town Board determines that said Action is classified as a Type 1 Action under the State Environmental Quality Review (SEQR) Regulations; and

**WHEREAS**, the Town Board determines that said Action is not subject to review and approval by other involved agencies, as the Town Board has the only discretionally power to approve the said Action under SEQR Regulations; and

**WHEREAS**, the Town Board determines that it is the most appropriate agency to ensure the coordination of this Action and will provide written notifications to interested agencies, for the purposes of making the determination of significance thereon under the SEQR Regulations; and

**NOW, THEREFORE BE IT RESOLVED**, that the Town Engineer is directed to provide notice hereof to the interested agencies, seeking their input and/or recommendations (or objection thereto) in writing on or before noon on Friday, February 21, 2020.

<u><b>AYE</b></u>	<u><b>NAE</b></u>
Supervisor Trout	
Councilman Pfeiffer	
Councilman Strader	
Councilman Thomas	
Councilman Lotz	

The motion was carried.

After the vote on the above SEQR Resolution, Supervisor Trout asked MRB Representative, Mr. Patrick Nicoletta give a presentation on the proposed Zoning Map. Mr. Nicoletta had a display of the current zoning map and the new proposed zoning map. He said the new map would eliminate split zoning where a single parcel is in two different zones, each with different allowable uses. He said one of the areas proposed for rezoning would be on Burgess Road. Mr. Nicoletta said the narrow area bordering the roadway is zoned as single-family residential and the larger interior of a vacant parcel is owned by the Seneca Meadows Landfill and is zoned agricultural. The R1 zone prohibits the landfill from constructing access roads to truck the mined soil off the property to the nearby landfill in the town of Seneca Falls.

Mr. Nicoletta also explained that many property owners along the south side of Route 5 and 20 from the Waterloo Village Line west to the Border City area found themselves with lots zoned commercial for frontage on Routes 5 and 20 and multiple use in the back of their parcels fronting the Cayuga-Seneca Canal.

**2020-012**

Councilman Thomas made the motion to approve the Consent Agenda as follows: Councilman Lotz seconded the motion.

- Approval of Minutes – December 23<sup>rd</sup>, 2019 and January 13, 2020.
- Approval of the Town Clerk’s Monthly Report
- Approval of the Canine Report
- Approval of Bills:

GENERAL FUND – TOWNWIDE	\$74,372.21
GENERAL – PART TOWN	2,198.01
HIGHWAY TOWNWIDE	36,396.94
HIGHWAY – PART TOWN	20,132.27
BORDER CITY LIGHT DISTRICT	2,334.90
WATERLOO SEWER DISTRICT#1	365.59
5 AND 20 SEWER DISTRICTS	1,606.29
BURGESS ROAD WATER DISTRICT	278.15
BORDER CITY WATER DISTRICT	11,411.01
POWDERLY ROAD WATER DISTRICT	339.63
BREWER ROAD SOUTH	1,428.64
RTE 96, REED, HECKER, MILLS, KINGS WD 5	439.49
TOTAL	151,303.13
WATER IMPROVEMENT PROJECT #1	1,088.00
COMMUNITY DEVELOPMENT FUND	3,167.71
TOTAL	155,558.84

<u><b>AYE</b></u>	<u><b>NAE</b></u>
Supervisor Trout	
Councilman Pfeiffer	
Councilman Strader	
Councilman Thomas	
Councilman Lotz	

The motion was carried.

**2020-013**

Councilman Pfeiffer made the motion to re-appoint Mr. Adam Kueur to the Planning Board, term expires January 31<sup>st</sup>, 2027. Councilman Strader seconded the motion.

**OLD BUSINESS:**

Supervisor Trout said a Resolution was passed at the Town Board Meeting on January 13<sup>th</sup>, for a Public Hearing on February 24, at 7:00 PM, to consider adoption of the amended Zoning Map.

**COMMITTEE REPORTS:**

Councilman Strader asked Highway Superintendent, Joe Mull about the Fusing Machine and did he think they should put it back up for action.

Supervisor Trout asked what the reserve was on it, and Councilman Strader said last year it was \$28,000.00 and the town had an offer of \$26,000.00.

Councilman Strader said the second time it was put up for auction, the only bid was for \$22,000.00.

**2020-014**

Supervisor Trout made a resolution to put the Fusing Machine up for an auction with a reserve of \$20,000.00. Councilman Thomas seconded the motion.

**AYE**

Supervisor Trout  
Councilman Pfeiffer  
Councilman Strader  
Councilman Thomas  
Councilman Lotz

**NAE**

The motion was carried.

**DEPARTMENT REPORTS:**

Code Enforcement Officer, Jim Cleere said there was an application in front of and approved by the Planning Board from Tarpon Towers and Bell Atlantic Mobile Systems to construct and Operate a 125' wireless telecommunications tower and associated improvements on land owned by Michael R. Swinehart located near 523 Packwood Road.

Jim said by installing this tower it will eliminate all the drop cell phone calls between Waterloo and Border City on State Route 5 and 20.

Jim expects construction on the tower to be in the Spring of 2020.

**SUPERVISOR COMMENTS:**

Supervisor Trout said he heard from the county that Mr. Richard Swinehart has been selected by state officials to be an ad hoc member of the state Board on Electric Generation Siting Board.

**2020-015**

Councilman Pfeiffer made the motion to adjourn the meeting at 7:30 PM. Councilman Strader seconded the motion.

**AYE**

**NAE**

- Supervisor Trout
- Councilman Pfeiffer
- Councilman Strader
- Councilman Thomas
- Councilman Lotz

The motion was carried.

The meeting was adjourned.

Respectfully Submitted,

Sandra L. Ridley  
Town Clerk

