

**MINUTES
PUBLIC HEARING
REGULAR TOWN BOARD MEETING
FEBRUARY 24, 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, Ms. Diana Smith, Mr. Sean Logue and Attorney, Ms. Wendy Marsh and the attached list of attendees.

Supervisor Trout opened the Public Hearing at 7:00 PM, on the Zoning Map Amendments. He informed everyone that they would have 5 minutes to speak and they will need to provide their name and address.

The following individuals spoke in opposition of the proposed Zoning Map Amendments:

Mr. Steve Craig read a statement from Mr. Lee Henry of 93 Virginia Street, who could not attend the Public Hearing due to an illness.

In his statement, Mr. Henry said the new proposed Zoning Map which is meant to bring the current zoning regulations into conformity with the Comprehensive Plan which was adopted by this board in January 2017. He said however, the new zoning map amendments will directly conflict with our goals as shown in the Comprehensive Plan, which states “that the Town amends its local laws to ensure that Commercial Mining is not legal in the Town of Waterloo Mr. Henry said the Town Board should “table” the amended zoning map for additional review and necessary corrections. (copy appended to the minutes).

Mr. Henry also made these five recommendations:

- Direct MRB Group to bring all codes up to date to agree with the comprehensive plan within 90 days.
- Indicate in Section 135 of the zoning code a very clear and encompassing description of what commercial mining is understood to mean in the codes and comprehensive plan.
- Remove all uses from permitted land or district uses in new code that refer to commercial mining.
- Include in the new code a statement that commercial mining is not allowed in the town of Waterloo or a new stand-alone law with the same effect.
- After 90 days, bring both the new or amended new zoning map together with new codes for a public hearing and board approval.

Ms. Georgie Arno, a 50 year resident of Powderly Road spoke against the zoning change and said that the landfill odors have ruined being outdoors and she feels sorry for the people who live on Burgess Road because they get the direct impact of the odors.

She also voiced a concern that the clay mine is across the street from the Little League Field and she fears that some kids might cross the road end up drowning in the ponds.

Ms. Dixie Lemmon of 1569 North Road addressed the board and expressed absolute opposition to the re-zoning of Burgess Road for the benefit of Seneca Meadows. She said Seneca Meadows does not have a legitimate legal business on the property in question, and the Town has no plan for ever making mining in the Town. She asked why then the town would change the zoning on Burgess Road.

She said the Comprehensive Plan Committee was very thorough when it came to the community's visions and concerns for the future of our Town. She said the number one concern was the landfill and its effects on our Town, including the mining of our land. She said the town cannot ignore this.

Ms. Lemmon said prior boards appeared to be acting on behalf of the landfill and not town residents.

She told the board that its not to late to redeem our town's dignity and they could be the board that has the heart to see that Waterloo will have a good and healthy future.

Ms. Allison Stokes addressed the board, she owns a home at 63 West Bayard Street in Seneca Falls, but she resides in Rochester, New York.

Ms. Stokes said herself and former Seneca Falls Mayor, Mr. Brad Jones co-founded the Seneca Falls Environmental Action Committee. She is also a member of the Concerned Citizens Group. She is opposed to the proposed map amendments because it could open the door to mining.

Mr. Ed Lerkins also addressed the board in opposition to the proposed Zoning Amendment.

Attorney, **Mr. Douglas Zamelis** also addressed the board and said he represents Dixie D. Lemmon and Concerned Citizens of Seneca County in connection with proposed zoning map amendments. He said by the adoption of the zoning map amendment as proposed would be unlawful and would have to be challenged. He stated that any zoning map amendments that would allow commercial excavation or mining where it is currently prohibited by the Town of Waterloo Zoning Law, such as along the west side of Burgess Road, would be in direct contravention of the Current Town of Waterloo Comprehensive Plan.

He said that his clients respectfully request that the board disapproves of that part of the zoning map amendments which would allow commercial mining on land along the west side of Burgess Road currently zoned Low-Density Residential R1 where commercial mining is currently prohibited.

Supervisor Trout said he received a letter from Seneca Lake Guardian (a Waterkeeper Affiliate Organization, who are dedicated to preserving and protecting the health of the Finger Lakes, its residents and visitors, its rural community character, and its agricultural and tourist related businesses through public education, citizen participation, engagement with decision makers, and networking with like-minded organizations. Their group is in support of the Concerned Citizens of Seneca County and they request the board table the Amended Zoning Map for further review.

The following individuals spoke in favor of the proposed Zoning Amendment.

Mr. Kyle Black of 741 Birdsey Road spoke in favor of the zoning amendment and said it benefits numerous properties and property owners rights throughout the town including properties along Route 5 and 20, Route 96, Powderly Road, Edwards Road, Brewer Road, Hecker Road, and several other areas within the town where there are currently split zones thereby land-locking parcels for access to approved uses by the property owners.

Mr. Ann Marie Heizmann, president of the Seneca County Farm Bureau also spoke in favor of the zoning changes. She said the current map landlocks many farm fields and while the town has never prevented the farmers from accessing their farmland because of split zoning, they potentially have the right to and because of that they support the new zoning changes.

The following people also supported the proposed Zoning Changes. They are as follows:

Mr. Mark Benjamin addressed the board and thanked the board for their hard work on this issue. He said its not always easy now or in the future to make these hard but necessary decisions for the greater good of the community.

Mr. Michael Enslow who lives on Edwards Road and has a small business on Edwards Road addressed the board in support of the proposed zoning map. Mr. Enslow said after looking at the current zoning map and the proposed zoning map he supports the town board on changing the zoning maps. Mr. Enslow said it's important for everyone to understand that the current zoning hurts many landowners and businesses. He said there is a good future for economic development in the town and zoning plays an integral part.

Josh Emerson, Jordan Soler, Joe Goodman, Scott Knowlton, Tate Sisson, and Martha Houseknecht also spoke in support of the new zoning proposals.

Supervisor Trout read a letter he received from Mr. Joe Sposato, Chairman of the Economic Development Committee for the Village of Waterloo. The letter is as follows:

The goal of the economic development committee is to provide the needed community interactions and communications for the continued development of economic resources support requests, which are both strategically determined and community driven, that are awarded through an application process determined by the Finger Lakes Regional Development Council and the State.

The Village of Waterloo has been an active participant in trying to lure state investment, including the \$10 million Downtown Revitalization prize.

It is the economic development committee's position that this zoning update to eliminate split zones will support and align with the village of Waterloo's economic development efforts.

Please let it be known for the record that the Village of Waterloo economic development committee supports the Town of Waterloo’s plan to update to their zoning map to eliminate split zones in the Town of Waterloo.

The board also received letters of support from Kaaren Gerlach, Joe Sposato, Tim Lincoln, Stephen Speno and Anthony Cristaldi.

2020-016

Councilman Pfeiffer made the motion to close the Public Hearing. Councilman Lotz seconded the motion.

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

The motion was carried.

2020-017

Councilman Thomas made the motion to approve the destruction of expired Town Clerk Records in accordance with the Records Management Schedule MU-1, daily cash and transaction receipts as well as bank statements. Councilman Pfeiffer seconded the motion.

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

The motion was carried.

2020-018

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

- Approval of Minutes – January 27, 2020
- Approval of the Town Clerk’s Monthly Report
- Approval of the Canine Report
- Approval of Bills:

GENERAL FUND – TOWNWIDE	\$44,928.48
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GENERAL – PART TOWN	1,117.78
HIGHWAY TOWNWIDE	25,067.94
HIGHWAY – PART TOWN	2,487.54
BORDER CITY LIGHT DISTRICT	2,053.10
WATERLOO SEWR DISTRICT #1	1,208.96
5 AND 20 SEWER DISTRICTS	24,214.11
BURGESS ROAD WATER DISTRICT	8,111.18
BORDER CITY WATER DISTRICT	18,086.36
POWDERLY ROAD WATER DISTRICT	88.21
BREWER ROAD SOUTH	2,839.68
RTE 96, REED, HECKER, MILLS, KINGS WD 5	844.38
TOTAL	131,047.72
H2 WATER IMPROVEMENT PROJECT #1	600.00
TOTAL	131,647.72

AYE

NAE

Supervisor Trout
Councilman Pfeiffer
Councilman Strader
Councilman Thomas
Councilman Lotz

The motion was carried.

COMMITTEE REPORTS:

Councilman Strader said they have a bid on the fusing machine for \$22,100.

DEPARTMENT REPORTS:

Assessor, Jim Cleere said his office has been very busy with homeowners applying for renewable exceptions, the deadline is March 1st.

SUPERVISOR COMMENTS:

Supervisor Trout received a letter from the United Way of Seneca County concerning Gambling Awareness.

2020-019

Councilman Pfeiffer made the motion to adjourn the meeting at 7:50 PM. Councilman Lotz seconded the motion.

AYE

Supervisor Trout
Councilman Pfeiffer
Councilman Strader
Councilman Thomas
Councilman Lotz

NAE

The motion was carried.

The meeting was adjourned.

Respectfully Submitted,

Sandra L. Ridley
Town Clerk

**NEXT TOWN BOARD MEETING
MARCH 23, 2020 AT 7:00 PM.**