

October 16th, 2024, at 6:30 pm | VFW Post 547, 3 Elm Street, Mount Morris

Present: Planning Board Chairman, Jim Patrick; Planning Board Members Phil Race, Larry Woodworth, and Joel Clester

Others Present: Mark Mullikin, Village Code Enforcement Officer; Bill Manthey, Village Trustee; Joe Rawleigh, Town Councilman; Kevin Fahey, Zoning Board of Appeals Chairman; Community members Joe Corbett, Dominic “Jay” Leone, Jeffrey Brooks, Ivan Johnson, Gene Gregg, Ken Steen, Brenda DiSalvo, Michael O’Dell, Michael Congdon, Christina Kemp, George Bellanca, Christine Howe, Tim Howe, Donna Pike, Tammy DiSalvo, Steve Soto, Pete DiSalvo, Kevin Fahey, Dean Smith, Wilma Smith, James P. Hoffman, Judith E. Clapgood, Stephanie Gehrig, J. Humphrey [sic], Bob Templeton, Kitt Ceronie, Cathie Gehrig, Michelle Coniglio, David Provo, and Eric Hyde

CALL TO ORDER AND REVIEW OF MINUTES

Chairman Jim Patrick called the meeting to order at 6:31 pm, and led those in attendance in reciting the Pledge of Allegiance. Members and officials in attendance introduced themselves.

A motion to approve the September 18th, 2024, meeting minutes as written was introduced by Larry Woodworth and seconded by Joel Clester, and was voted on by members as follows:

Aye: 4 (Clester, Patrick, Race, Woodworth)

No: 0

Abstain: 0

The motion was carried.

Chairman Patrick outlined the rules for public comments by stating that speakers must state their name and address and that comments are limited to three minutes per person.

PUBLIC HEARING - SITE PLAN REVIEW, SPECIAL USE PERMIT FOR MOUNT MORRIS FIRE AND RESCUE – VILLAGE OF MOUNT MORRIS

PROJECT SUMMARY

Mount Morris Fire and Rescue (“Fire and Rescue”) submitted application materials associated with a proposed project located at 126 Chapel Street in the Village of Mount Morris. The proposed project site currently sits within an R1 district. As such, Fire and Rescue hopes to obtain a use variance to allow them to utilize the parcel and proposed building for uses other than those permitted within an R1 zoning district per village code. Additionally, due to the scale and scope of the project, Fire and Rescue hopes to obtain approval for the project’s required site plan.

Chairman Jim Patrick asked Mount Morris Fire and Rescue member Dominic “Jay” Leone to provide an overview of the project to those in attendance. Mr. Leone presented the proposal, outlining that the facility will be used as a training and meeting room. Mr. Leone added that having this facility will alleviate the burden of adding this space to a future fire hall.

Board Member Phil Race stated that Fire and Rescue’s Special Use Permit Application includes baby showers, rentals, funeral receptions, training, department meetings, committee meetings, county and chief meetings, department picnics and dinners, birthday parties, and chicken barbeques under the anticipated uses, and asked if rentals for some of these purposes would be open to the public. Mr. Leone stated that Fire and Rescue hasn’t yet decided. Phil Race asked how alcohol, noise, and other potential neighborhood nuisances would be handled. Mr. Leone stated that Fire and Rescue plans to post signs within the building to remind patrons of sound limits and other prohibited behavior.

Chairman Jim Patrick stated that the mailings did not go out to the properties neighboring the proposed project timely and that the public hearing would remain open until the next regularly scheduled Planning Board meeting so as not to miss any comment from the nearby property owners.

Community member Michelle Coniglio asked how close the neighbors need to be to receive a mailer, to which Village Code Enforcement Officer Mark Mullikin answered 500 feet.

Chairman Patrick explained that a geotechnical survey was conducted to review the composition of the site’s fill, and village engineer JP Schepp stated that the proposed slab on grade structure without fire apparatuses would be permissible and structurally sound atop the current fill.

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Village Code Enforcement Officer Mark Mullikin explained that the current R1 zoning district usually requires a use variance, but the village code allows for special use permit review through the local planning board. Officer Mullikin also stated that NYS DOT has approved the driveway curb cuts.

Chairman Jim Patrick noted that no lighting plan or landscaping plan seemed to have been included with Fire and Rescue's revised plans, to which Fire and Rescue representative Dominic Leone explained that a lighting plan for building lighting only has been included and that Fire and Rescue does not intend to have any landscaping added to the project. Chairman Patrick asked how Fire and Rescue planned to meet the requirement for lined parking spots with a gravel lot, to which Mr. Leone stated that they would find a way to line the gravel if needed.

Community member Brianna Rawleigh asked if the approvals with NYS DOT were current, to which Village Code Enforcement Officer Mark Mullikin confirmed. Ms. Rawleigh asked if the geotechnical survey is new or if the survey materials referenced by the Planning Board are from the 2007 study, to which Chairman Jim Patrick stated that the survey is from 2007 but that the work conducted by the village engineer was recent. Ms. Rawleigh asked what the maximum occupancy of the building was, to which board secretary Kaylee Leone replied that based on the Hager Engineering plans, the maximum occupancy is 166.

PUBLIC COMMENT

Chairman Jim Patrick opened the public hearing at 6:54 pm.

Village resident Brianna Rawleigh stated that she is concerned as a taxpayer that the proposed project is private rather than public without village or town oversight, while the land is on the village tax base. Ms. Rawleigh is concerned about how a building such as the one that is being proposed would affect the property values of the surrounding parcels. Ms. Rawleigh called attention to a facility that is a few miles down Route 408 that can be used for meetings and training. Factoring in inter-municipal fire department mergers in towns nearby, Ms. Rawleigh also worries that in the future, Fire and Rescue might no longer use the building and that the building might sit vacant. Considering specifications, Ms. Rawleigh expressed concern that the village might not have the growth that would support a structure of the size proposed for years to come. Bearing in mind that the location is proposed to be at the beginning of a speed limit change on the edge of a blind curve leading to one of the busiest intersections in the county, Ms. Rawleigh doesn't believe that the location is best for our community considering that buildings such as the proposed structure are historically known to be party houses.

Village resident Tim Howe stated that he believes the fire department deserves a new building as they have been bumped from building to building throughout the years. Mr. Howe added that the community has helped the fire department raise funds to build their fire hall and believes it's time for the village to start working for the people rather than creating roadblocks for them. Mr. Howe added that the traffic created from solar field developments would far outweigh the noise that would be created by Fire and Rescue's proposed project.

Village resident Tammy DiSalvo expressed her support for the proposed project, citing the altruistic nature of fire departments and firefighters. Ms. DiSalvo believes that the neighbors would not be bothered by the project as the building will sit further back from the road. Ms. DiSalvo stated the building will be a nice addition to the community.

Village resident Dave Provo pointed out that the location of the proposed site is not "in the middle" of much, as it is often times referred to. Mr. Provo stated that the site is not in the middle of State Street and Main Street, or a densely populated residential area. Mr. Provo pointed to the large setback between the building and the road and that one of the parcels directly bordering the project site is a cemetery. Mr. Provo expressed his regret that when this project was in the village's hands, the village failed to complete the project for the fire department. Mr. Provo explained that the results of a referendum held over twenty years ago displayed overwhelming community support for the then-proposed project. Mr. Provo stated that the conditions that our firefighters have to endure are shameful, especially when compared to the facilities that other towns and villages with smaller tax bases have. Mr. Provo expressed empathy for the work required by the board members but urged the board to consider how much our firefighters need the facility and how well-supported the project is by village residents.

Village resident Kitt Ceronie stated that he doesn't see an issue with the project so long as proper zoning requirements are followed and the engineers believe the structure will be structurally sound. Mr. Ceronie

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reminded those in attendance that the fire department (Fire and Rescue) and the Fire District are two separate entities and that state laws and budgetary restrictions bind the Fire District. Mr. Ceronie explained that the Fire District is hoping to find a way to build a fire hall in the future to house fire apparatuses.

Village resident Kevin Fahey stated that he wanted to ensure that the board had reviewed the comments provided by the Livingston County Planning Board, which Chairman Patrick confirmed. Chairman Patrick explained to those in attendance that one of the chief concerns presented by the Livingston County Planning Board was regarding the inadequacies within the village code that have led and will continue to lead to difficult circumstances for boards and applicants if they are not addressed.

Village resident Dave Provo explained to those in attendance that this process and similar applications before the Planning Board can seem so tedious because if every detail is not seen as prescribed by law, the decision of the board could be overturned in court.

Village resident Joe Corbett expressed his support for the project and said he didn't believe the county facility on Route 408 would meet Fire and Rescue's needs. Mr. Corbett stated that he found requirements like lighting and landscaping plans to be petty and that such requirements could be addressed along the way as the building is being built. Mr. Corbett called attention to local parks not having issues with loud noise or extended hours.

Village resident Tim Howe stated that when considering the site location, the seven miles of the fire district that are accessed by Route 408 will see faster response times than the old fire hall that caused fire trucks to exit their bays out onto Main Street. Village resident Brianna Rawleigh reminded those in attendance that the current proposal is not for a fire hall meant for housing fire apparatuses and that it is a structure meant for meetings and training.

Village resident Michelle Coniglio expressed her support for the project and expressed her gratitude for all of the hard work and dedication that the local firefighters have shown our community for decades. Village resident Steve Soto expressed his support for the project.

Village resident Brianna Rawleigh expressed that opposition to a project should not be construed as opposition to Fire and Rescue or firefighters but should instead be seen as invested individuals who want to ensure that the result is the best that it can be for the firefighters, the taxpayers, and the community at large.

Board member Larry Woodworth recommended that firefighters appeal to the Village Board to address the inadequacies within the current village code.

Town resident Brenda DiSalvo pointed out that fire halls are often located in residential areas.

VOTE FOR CONTINUANCE OF PUBLIC HEARING

A motion to keep the Fire and Rescue's public hearing open until the conclusion of the November 20th, 2024, regular Planning Board Meeting to allow for the proper neighborhood mailers, and to limit comment at said meeting to those who will be contacted by mail was introduced by Phil Race and seconded by Larry Woodworth, and was voted on by members as follows:

Aye: 4 (Clester, Patrick, Race, Woodworth)
No: 0
Abstain: 0

The motion was carried.

ADJOURNMENT

A motion to adjourn and set the next Planning Board Meeting for Wednesday, November 20th, 2024, at 6:30 pm was introduced by Larry Woodworth and seconded Phil Race, and was voted on by members as follows:

Aye: 4 (Clester, Patrick, Woodworth, Race)
No: 0
Abstain: 0

The motion was carried, and the meeting was adjourned at 7:24 pm.

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Respectfully submitted,

Kaylee R. Leone
Deputy Town Clerk/Town Planning Board Secretary