

## MINUTES

### GENESEE COUNTY AGRICULTURAL AND FARMLAND PROTECTION BOARD

Tuesday, November 16, 2021

A meeting of the Genesee County Agricultural and Farmland Protection Board was held on Tuesday, November 16, 2021 at 9:00 AM in the Large Conference Room of Genesee County Building 2 at 3837 W. Main Street Rd. in the Town of Batavia.

Members in attendance: Christian Yunker, Jan Beglinger, Kevin Andrews, Janette Veazey-Post, Steven Boldt, Dennis Phelps, Donn Branton, and Felipe Oltramari. Staff present was: Erin Pence.

**The meeting was called to order at 9:02 AM.**

#### Review of the Smart Growth Plan

Felipe Oltramari presented a PowerPoint presentation that covered Smart Growth within Genesee County, covering the history, objectives, scope, reviews, advantages, current implementation of the plan, and what alternatives to Smart Growth might exist.

During the mention of the Water Hookup Administrative Review Committee, Donn Branton spoke up about “serious reservations” regarding the process. Donn commented on how people will start building a house on ag land and have their water hookup application denied and how it is unclear if the water line was the driver for the house build, but once the house is built, the impact on the land exists whether or not the house has public water.

Felipe spoke to the issues, mentioning that a water hookup can be applied for even before the land is purchased and that education and information dispersal needs to occur that isn't.

Christian Yunker mentioned that the boards didn't communicate that information, and Felipe stated that the code enforcement officer or town clerk is the one who issues the building permits, as most builds don't go through any of the local boards.

Felipe commented that the process is set up to protect the County because the County has to be able to prove to the state that the water line that the state funded did not cause the development to occur. He mentions “the plan is not there to save agriculture,” it is to cover the one impact or liability that the County might have from what happens after the Donn Branton mentioned that this process is to stay in good graces with the State to get their funding.

Christian Yunker asked what are the implications and the risks of scrapping Smart Growth and what are the dollars and risk that might follow, he also posed the question about what flexibility exists within the Smart Growth plan.

Felipe also presented information on the appendix from the Genesee Transportation Council that is a scenario plan that compares development results and impacts in Genesee County once STAMP is completely built-out. One scenario is based on the current Smart Growth areas and restrictions, and the other scenarios shows the alternative if Smart Growth was no longer the rule.

Christian Yunker asked questions about the assumptions of how many of the workers in STAMP would live in Genesee County, and Felipe said that only part of the total workers would choose to live in Genesee County but would live with their families. Christian also asked about the choices people make when they choose to live in one County versus another. Felipe answered that the choices are variable and difficult to predict, even in the current time. Christian commented that Genesee County wants to continue to be competitive in getting people to settle in Genesee County.

Felipe reviewed the process of the Smart Growth review and how municipalities make changes to their Smart Growth boundaries and how they must be driven by the community's Comprehensive Plan.

There was a discussion on how the tax pay-back for agricultural assessments are not enough to dissuade sales and changes to land-use.

Dennis commented that if you want to streamline something, you make sure you get it in the Smart Growth area.

Erin Pence commented that the GIS capabilities at the County-level are useful to the communities to perform analyses and make informed decisions on any changes that may want to be made to Smart Growth areas.

Donn Branton commented that during the purchase process, buyers are required to sign a form that acknowledges that the property to be purchased is within an agricultural district. Felipe said that is part of the state Ag Districts law. Erin Pence commented that that is often too late, since there are often so many documents to sign and finalize at that date.

Christian Yunker asked how the Smart Growth review process works. Felipe responded that meetings are set up with each municipality, and based on their desires, the Planning Department provides mapping support and data on the changes that will occur with the adjustments. Usually there is a discussion and a compromise based on benefits and development trends.

Christian Yunker asked how solar blew past all this, and Felipe responded that solar doesn't have water hookups. Solar and other power system projects supersede local law; they benefit the entire state, not just a local area, so they are not applicable to local laws.

Felipe then reviewed the next steps of the Smart Growth review; Rochelle Stein, the chair of the legislature, told Felipe to start with the Ag and Farm Protection board. Each municipality receives communication and a map from the Planning Department and sets up a meeting. Felipe also said that he presents as a GAM meeting.

Christian Yunker said that he wanted to know about the implications if there are changes to Smart Growth with the bonding and water agreements for the next phase of the water project. There was a mention that is the SEQR process isn't completed or followed, then someone who opposes the project can sue. Since Genesee County's water project is county-wide, the impacts were seen to potentially be much larger than those water projects that are done at a smaller individual municipality scale, and that is why the County-wide Smart Growth plan was put into place.

Christian Yunker mentioned that we want to make decisions that don't put extra obstacles in the way that Counties other than Genesee don't have to deal with.

Erin Pence asked Felipe who provided the water for Orleans County, and Felipe responded that he wasn't familiar, but that Orleans County has some Monroe County water.

**Meeting adjourned at 10:56 AM.**