

REGULAR JOINT TOWN AND VILLAGE PLANNING BOARD MEETING

November 15th, 2023, at 6:30pm | 103 Main Street, Mount Morris NY

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

Excused: Phil Race, Board Member

Others Present: Mark Mullikin, Village Code Enforcement Officer; Jim Olverd

The meeting was called to order by Chairman Jim Patrick at 6:33pm, who led the Pledge of Allegiance.

Chairman Jim Patrick, Board Members Larry Woodworth and Joel Clester, and Village Code Enforcement Officer Mark Mullikin introduced themselves and their titles to the other attendees.

APPLICATIONS FOR AREA VARIANCE

Chairman Jim Patrick began review of an Application for Area Variance submitted by Jim Olverd for proposed changes to 28 Mill Street in Mount Morris, as Mr. Olverd's proposal cannot meet the required setback as outlined in the current code. Chairman Patrick confirmed with Mr. Olverd that nothing has changed on the map since last review.

Chairman Jim Patrick asked Mark Mullikin to confirm the status of Jim Olverd's variance request with the Mount Morris Joint Town and Village Zoning Board of Appeals (ZBA). Mr. Mullikin confirmed that Mr. Olverd's application was approved unanimously by the ZBA during a regular board meeting on November 2nd, 2023. Mr. Patrick also confirmed with Mr. Olverd that his application was reviewed by Livingston County and was returned for local option.

Chairman Jim Patrick opened the floor for additional questions or comments, to which there were none.

Chairman Jim Patrick inquired as to when Jim Olverd's project was started, to which Mr. Olverd stated that work started in June of 2023. Chairman Patrick stated that he was hopeful that Mr. Olverd might be able to receive approval in the beginning of 2024.

Mark Mullikin added that Jim Olverd is making any and every effort to improve the property, and that these changes will only benefit the community.

A motion to set the public hearing for Olverd's application for January 17th, 2024, at 6:30pm was introduced by Larry Woodworth and seconded by Joel Clester, and was voted on by members as follows:

Aye: 3 (Patrick, Woodworth, Clester)

No: 0

Abstain: 0

The motion was carried.

Jim Olverd asked if he needed to send notices out to the property neighbors again as he was required to do prior to the November 2nd, 2023, ZBA public hearing/meeting. Chairman Jim Patrick stated that it would be advisable. Mark Mullikin added that for the prior ZBA public hearing regarding Mr. Olverd's Mill Street property that Mr. Mullikin had prepared a letter advising neighbors that a public hearing had been set for an area variance on November 2nd, 2023, and provided this letter to Mr. Olverd to forward to neighbors within 250 feet of property.

APPLICATIONS FOR SUBDIVISION

Chairman Jim Patrick called to attention an Application for Subdivision for a property on Chapel Street currently owned by the Mount Morris Fire Department. Chairman Patrick stated that

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there was not a representative of the Fire Department present, and asked Code Enforcement Officer Mark Mullikin for further detail. Mr. Mullikin explained that there are currently two parcels on the property. Lot one is located on the back part of the property and is 2.49 acres, while lot two borders Chapel Street and is 3.88 acres. The Fire Department is looking to take 1.513 acres from lot two and add it to lot one to square off the property. Two lots will remain should the subdivision be granted. The Fire Department is planning to donate the front lot to the Fire District. The Fire Department hopes to use the back lot for a pavilion/rec hall/meeting area. Mark Mullikin added that he has received a lot of questions regarding these potential usages as the property and parcels reside in an R1 district.

The current proposal submits that lot one increases from 2.46 acres in size to 4.068 acres in size, and lot two decreases from 3.88 acres in size to 2.287 acres in size. The application and short form SEQR have been completed. The referral has been sent to Livingston County.

A motion to set the public hearing for the Fire Department's Application for Subdivision for January 17th, 2024, at 6:30pm was introduced by Larry Woodworth and seconded by Joel Clester, and was voted on by members as follows:

Aye: 3 (Patrick, Woodworth, Clester)

No: 0

Abstain: 0

The motion was carried.

ADDITIONAL MATTERS

Mark Mullikin detailed that the current minimum lot size for single-family use in an R1 district is listed at 115,000, but he has been told by many others that this is a misprint and was previously listed as 15,000. Mark stated that he has gone back through previous code books for two or so editions and could not find this requirement previously being listed at 15,000 square feet. Mark checked with the county and was told that because this error is listed in the book and will be adhered to until there is an amendment and public hearing to change the zoning law or else future applicants will need to apply for variances.

Chairman Jim Patrick stated that the two solar projects are delayed until 1/17/2024 as the applicant did not get required information over to MRB in a timely matter in order to allow for review.

Chairman Jim Patrick reminded attendees that there will not be a December 2023 board meeting.

ADJOURNMENT

A motion to adjourn and to set the next board meeting for January 17th, 2024, at 6:30pm was introduced by Joel Clester and seconded by Larry Woodworth, and was voted on by members as follows:

Aye: 3 (Patrick, Woodworth, Clester)

No: 0

Abstain: 0

The motion was carried, and the meeting was adjourned at 6:52pm.

Respectfully submitted,

Kaylee R. Leone

Deputy Town Clerk/Town Planning Board Secretary