

## **DRAFT**

### **YATES COUNTY PLANNING BOARD MEETING March 26, 2026**

**PRESENT:** David Adam, Steven Hullings, George Dowse, Paul Danielson, Steven Fulkerson, Kay Williamson, Edward Gilman, John Sigmon, Jack Young

**EXCUSED:** Chandra Gilman, Jamie Landcastle, Amber Degner, Sarah Purdy, Larry Strickland, Edward Gilman, Ron Miller

**ABSENT:**

**Also Present:** Andrew Dixon (Planner Assistant), Jeffrey Ayers (Director of Planning), Jim Bammel, Doug Nichols, Ed Brockman, Tammy Hullings

**CALL TO ORDER:** Fulkerson called the meeting at 7:00pm with the Pledge of Allegiance

**APPROVAL OF MINUTES:**

A motion was made to approve the minutes from the February 26, 2026 meeting by Adam, seconded by Fulkerson. All in favor. Motion approved.

**CONSIDERATION OF GML 239 REFERRALS**

**2026-12 Village of Rushville.** Applicant, Village of Rushville. 1 S. Main St, PO Box 51, Rushville, NY 14544. *Other.* Applicant proposes to repeal existing law and map while replacing it with new zoning law and map.

*After Planning Board discussion, E. Gilman noted that this project has been in development for the past four years. He also noted that the annexed parcel into the Village will be zoned as multifamily. The old zoning map designated the parcel as C-2, and it will now be classified as Mixed Use.*

Adam made a motion to the Board: That under GML 239 the application as presented has no significant countywide impact. Hullings seconded All in favor. Motion approved.

**2026-13 Town of Benton.** Applicant, Town of Benton. 1000 Route 14A, Penn Yan, NY 14527. *Other.* Applicant proposes a local law establishing a moratorium on commercial solar collection systems.

*Hullings noted that there is a “massive” proposed solar collection system currently in development. Fulkerson recommended that towns and villages limit the percentage of prime soil that can be used for solar projects to help preserve agricultural land. Planning Board discussion also emphasized that Comprehensive Plans and zoning codes should be consistent with one another.*

Hullings made a motion to the Board: That under GML 239 the application as presented has positive countywide impact. Adam seconded. All in favor. Motion approved.

**2026-14 Town of Italy.** Applicant, Town of Italy. N/A. *Text Amendment.* Applicant proposes the adoption of a local law establishing regulations pertaining to short-term rental facilities in the Town of Italy.

*Ed Brockman was present regarding this referral and noted that the Town of Italy ZBA and Planning Board have worked extensively on this law. A public hearing is scheduled for April 18. Fulkerson questioned the use of singling out LLCs in the wording on page 5, stating that it could allow other types of corporations to bypass the law. Brockman assured the Board that the language includes an extensive list covering all corporate variations, and this would not be an issue. Sigmon noted that this is a very balanced law that will serve the local Town residents well.*

Hullings made a motion to the Board: That under GML 239 the application as presented has no significant countywide impact. Adam seconded. 8 in favor. Sigmon Abstained. Motion approved.

**2026-15 Town of Benton.** Applicant, Timothy Fox. 2664 Route 364 Road, Penn Yan, NY 14527. *Special Use Permit.* Applicant proposes the demolition of 2 greenhouses and build a 48x72 shop to move current machine shop from 1723 Carrol Road.

*No discussion from planning board*

Dowse made a motion to the Board: That under GML 239 the application as presented has no significant countywide impact. E. Gilman seconded. 8 in favor. Hullings abstained. Motion approved.

**2026-16 Town of Benton.** Applicant, Steve Hullings. 2384 Stape Road, Penn Yan, NY 14527. *Special Use Permit.* Applicant proposes a 32 sq ft sign on property (Silo of Seneca).

*The applicant owns the property, and the site plan was approved by the Town of Benton Planning Board. The Planning Board noted that this will be the second sign on the property. The sign will advertise Silos of Seneca, a business located outside of Yates County. The Town of Benton does not have specific billboard zoning regulations, particularly for businesses operating outside of county boundaries. The majority of signs in this agricultural district are billboards located on the property.*

Adam made a motion to the Board: That under GML 239 the application as presented has no significant countywide impact. Williamson seconded. 8 in favor. Hullings abstained. Motion approved

**2026-17 Town of Middlesex.** Applicant, James Bammel. 6264 W Quaker St., Orchard Park, NY 14127. Site Address: 660 Fisher Road, Middlesex, NY 14507. *Site Plan.* Applicant proposes the removal of current home and new home to be built on a different footprint.

*The applicant noted that the current home on the property is a seasonal cottage and that the owner would like to demolish it to construct a year-round residence. The new residence will be moved farther from the lake and will comply with all applicable codes and guidelines. The new home will have an approximate footprint of 3,000 square feet, compared to the existing 1,400 square feet. It will be approximately four feet taller than the current home but will not obstruct the views of neighboring properties. The structure will be relocated from 17 feet from the waterfront to approximately 35 feet. The project will utilize erosion and runoff control measures, including riprap, to remain compliant and minimize environmental impact. The new structure will be consistent with the character of surrounding homes.*

Adam made a motion to the Board: That under GML 239 the application as presented has no significant countywide impact. E. Gilman seconded. All in favor. Motion approved.

**2026-18 Town of Middlesex.** Applicant, Christopher and Amy Ford. 5868 Woodlee Ct., Orchard Park, NY 14127. Site Address: 670 Fisher Road, Middlesex, NY 14507. *Site Plan.* Applicant proposes the demolition of existing home, decks, patio and steps and the construction of a new 2 story home with attached porches, new wood steps, new septic system.

*Adam noted that this proposal is similar in size to another home reviewed this month. He stated that both the current and proposed homes have similar footprints but will be moved farther from the waterfront, although still slightly below the required setback. Fulkerson noted that the total lot coverage is 38%, while only 20% is permitted. He stated that while the proposal is more conforming than the existing structure, it still significantly exceeds allowable coverage. The proposal involves replacing a similarly sized home rather than expanding it substantially. Adam added that the proposed home is consistent with surrounding development and fits the character of neighboring lakefront homes. Fulkerson recommended disapproval based on the excessive lot coverage, noting that relocating the structure requires compliance with current zoning regulations, including the 20% coverage limit. His motion to recommend disapproval failed. The Planning Board noted that the Town of Middlesex Planning Board is thorough and will ensure compliance with erosion control and safety measures. The Board agreed that if the local boards deem the project feasible, it should be approved.*

Hullings made a motion to the Board: That under GML 239 the application as presented has no significant countywide impact. E. Gilman seconded. 8 in favor. Fulkerson opposed. Motion approved.

**2026-19 Town of Jerusalem.** Applicant, Douglas Nichols. 13313 Rte 54A, Hammondsport, NY 14840. Site Address: 2885 Guyanoga Road, Branchport, NY 14418. *Special Use Permit.* Applicant proposes the operation of a small retail service business completing boat repairs.

*The applicant is the former owner of Nichols Boat Repair, which was sold last year after 35 years of operation. He has extensive experience in boat restoration and repair. The new location will not be used for boat storage; boats will primarily be worked on and stored indoors. Hullings noted that due to the high traffic in the area, any boats displayed or temporarily stored outside should be placed behind the building to minimize visual impact and distraction to surrounding properties.*

Fulkerson made a motion to the Board: That under GML 239 the application as presented has no significant countywide impact. Danielson seconded. All in favor. Motion approved.

**COMMUNICATIONS: None**

**OLD BUSINESS:**

- LULA training will be held on April 27 at the Yates County Office Building Auditorium from 6:00–7:30 p.m.
- The Genesee Finger Lakes Regional Planning Council will offer a training session on May 28 in Batavia.

**MEMBER REPORTS: None**

**NEW BUSINESS: None**

**ADJOURNMENT:** Fulkerson made the motion to adjourn the meeting at 8:02 p.m. E. Gilman seconded. All in favor.