

July 8, 2021  
 WEB SITE <http://macedontown.net>

The Regular Meeting of the Town Board is being held remotely in accordance with Executive Order 202.15 issued on June 2, 2020 by the Governor. The Town of Macedon held the Board meeting on July 8, 2021 at the Town Complex, 32 Main Street, and via Zoom was called to order by Supervisor Kim Leonard at 7:30 p.m.

Pledge of Allegiance.

Upon Roll Call, the following members of the Board were

Present:

Councilperson	David Maul
Councilperson	David McEwen
Councilperson	Richard Roets
Supervisor	Kim V. Leonard

Absent

Councilperson	Bruce Babcock
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Also Present:

Chief of Police	John Colella
Director of EMS	Paul Harkness
Town Clerk	Karrie Bowers
Town Engineer	Scott Allen

**RESOLUTION NO. 139 (2021) APPROVAL OF MINUTES**

RESOLVED the Board approves the minutes from the June 24, 2021, (regular meeting)

MOTION BY MAUL, SECONDED BY MCEWEN

ROLL CALL VOTE: BABCOCK ABSENT, MAUL AYE, MCEWEN AYE, ROETS AYE, LEONARD AYE,  
 MOTION CARRIED

**Reports:**

Ambulance Report

Police Report

**RESOLUTION NO. 140 (2021) APPROVAL OF REPORTS**

RESOLVED the reports be approved as submitted.

MOTION BY MAUL, SECONDED BY ROETS

ROLL CALL VOTE: BABCOCK ABSENT, MAUL AYE, MCEWEN AYE, ROETS AYE, LEONARD AYE,  
 MOTION CARRIED

**RESOLUTION NO. 141 (2021) PERSONNEL – MONACHINO**

RESOLVED the Town Clerk is authorized to appoint Paul Monachino as Deputy Town Clerk effective July 12, 2021 at a rate of \$31,500/yr.

MOTION BY MAUL, SECONDED BY ROETS

ROLL CALL VOTE: BABCOCK ABSENT, MAUL AYE, MCEWEN AYE, ROETS AYE, LEONARD AYE,  
 MOTION CARRIED

**RESOLUTION NO. 142 (2021) JCAP GRANT**

RESOLVED, the Macedon Town Board authorizes the Macedon Town Court to apply for a New York State Justice Court Assistance Program (JCAP) grant in the 2021-2022 grant cycle up to \$30,000, or the exact amount being requested.

MOTION BY ROETS, SECONDED BY MCEWEN

ROLL CALL VOTE: BABCOCK ABSENT, MAUL AYE, MCEWEN AYE, ROETS AYE, LEONARD AYE,  
 MOTION CARRIED

**RESOLUTION NO. 143 (2021) PLANNING BOARD APPOINTMENT**

RESOLVED, the Town Board appoints Richard Share to the position of Planning Board Member for a term to expire 12/31/2022.

MOTION BY MAUL, SECONDED BY MCEWEN

ROLL CALL VOTE: BABCOCK ABSENT, MAUL AYE, MCEWEN AYE, ROETS AYE, LEONARD AYE,  
 MOTION CARRIED

**RESOLUTION NO. 144 (2021) PUBLIC HEARING HARVS EXPANSION OF NON-CONFORMING USE**

RESOLVED, the Town Board schedules a public hearing on Thursday July 22, 2021 at 7:40 pm for the purposes of hearing public comment on the proposal by Kim Wyman to construct an additional accessory structure at 3120 Kittering Road.

MOTION BY MAUL, SECONDED BY MCEWEN

ROLL CALL VOTE: BABCOCK ABSENT, MAUL AYE, MCEWEN AYE, ROETS AYE, LEONARD AYE,  
 MOTION CARRIED

**RESOLUTION NO. 145 (2021) OAKRIDGE GLEN TPD DEVELOPMENT PROPOSAL – 240-R NYS ROUTE 31 – SEQRA Negative Declaration**

**WHEREAS**, Stonehaven Development, LLC, has applied to the Town of Macedon for rezoning of 85 acres of land from R-30 (Residential) and GC (General Commercial) to TPD (Totally Planned Development), incorporating the following parcel:

<u>Tax Parcel Number</u>	<u>Owner of Record</u>	<u>Acreage to be rezoned</u>
61111-00-026609	Turk Hill Estates, Inc.	85 acres

**AND WHEREAS**, the rezoning area is located at 240-R NYS Route 31 in the Town of Macedon, Wayne County, New York, as further depicted on an engineering map prepared by Marathon Engineering titled “TPD Rezoning Plan for Townhomes at Oakridge Glen”, dated February 8, 2021.

**AND WHEREAS**, the purpose of the TPD is to construct a mixed-use development including up to 280 dwelling units and 3 associated commercial projects.

**BE IT RESOLVED**, that the Town Board of the Town of Macedon, does hereby find and resolve as follows:

1. The proposed action is subject to the State Environmental Quality Review Act.
2. The proposed action does not involve a federal agency.
3. The proposed action involves other agencies, including NYSDEC, NYSDOT, NYSDOH.
4. Using the information available and comparing it with the thresholds set forth in section 6 NYCRR 617.4, the action is found to have a preliminary classification of Type 1.
5. As a Type 1 action, Part 1 of the Long Form EAF has been prepared by the Applicant and reviewed by the Town Engineer, and Part 2 of the Long Form EAF has been prepared by the Town Engineer to determine the significance of the proposed action.
6. The proposed action is not located in a coastal area.
7. The proposed action is not located in an agricultural district.
8. A coordinated Review for Type 1 actions has been performed.
9. The Macedon Town Board is the lead agent.
10. The Macedon Town Board hereby determines that the proposed action is in general conformance with the adopted town-wide Master Plan, and will not result in any significant adverse environmental impacts, a Negative Declaration is declared, and the Town Board hereby directs the Town Clerk to immediately file the determination in accordance with section 6 NYCRR 617.12.
11. In reaching this finding, the Town Board has:
  - (a) Considered the action as defined in sections 6 NYCRR 617.2 (b) and 617.3 (g),
  - (b) Reviewed the EAF, the criteria contained in subdivision 6 NYCRR 617.7 (c) and any other supporting information to identify the relevant areas of environmental concern,
  - (c) Thoroughly analyzed the identified relevant areas of environmental concern to determine if the action may have a significant adverse impact on the environment; and,
  - (d) Set forth its determination of significance in this resolution, in addition to the corresponding long environmental assessment form.
12. In determining significance, the Town Board has determined whether the proposed Type 1 Action may have a significant adverse impact on the environment, the impacts that may be reasonably expected to result from the proposed action compared against the criteria in 6 NYCRR 617. The criteria considered indicators of significant adverse impacts on the environment were:
  - (a) A substantial adverse change in existing air quality, ground or surface water quality or quantity, traffic or noise levels; a substantial increase in solid waste production; a substantial increase in potential for erosion, flooding, leaching or drainage problems;
  - (b) The removal or destruction of large quantities of vegetation or fauna; substantial interference with the movement of any resident or migratory fish or wildlife species; impacts on a significant wildlife habitat area; substantial adverse impacts on a threatened or endangered species of animal or plant, or the habitat of such a species; or other significant adverse impacts to the natural resources;
  - (c) The impairment of the environmental characteristics of a critical environmental area as designated pursuant to section 617.14 (g);
  - (d) The creation of a material conflict with a community’s current plans or goals as officially approved or adopted;

- (e) The impairment of the character or quality of important historical, archeological, architectural, or aesthetic resources or of existing community or neighborhood character;
  - (f) A major change in the use of either the quantity or type of energy;
  - (g) The creation of a hazard to human health;
  - (h) A substantial change in the use or intensity of use, of land including agricultural, open space or recreational resources or in its capacity to support existing uses;
  - (i) The encouraging or attracting of a large number of people to a place or places for more than a few days, compared to the number of people who would come to such place absent the action;
  - (j) The creation of material demand for other actions that would result in one or the above consequences;
  - (k) Changes in two or more elements of the environment, no one of which has a significant impact on the environment, but when considered together result in a substantial adverse impact on the environment; or
  - (l) Two or more related actions undertaken, funded or approved by an agency, none of which has or would have a significant impact on the environment, but when considered cumulatively would meet one or more of the criteria of this subdivision.
13. For the purposes of determining whether an action may cause one of the consequences listed above, the Town Board considered reasonably related long-term, short-term, direct, indirect, and cumulative impacts, including other simultaneous or subsequent actions, which were;
- (a) Included in any long range plan of which the action under consideration is a part;
  - (b) Likely to be undertaken as a result thereof, or
  - (c) Dependent thereon.
14. In addition, the Town Board considered the significance of a likely consequence (i.e., whether it is material, substantial, large or important) should be assessed in connection with:
- (a) Its setting (e.g., urban or rural);
  - (b) Its probability of occurrence;
  - (c) Its duration;
  - (d) Its irreversibility;
  - (e) Its geographic scope;
  - (f) Its magnitude; and
  - (g) The number of people affected.

MOTION BY ROETS, SECONDED BY MCEWEN

ROLL CALL VOTE: BABCOCK ABSENT, MAUL AYE, MCEWEN AYE, ROETS AYE, LEONARD AYE,  
MOTION CARRIED

**RESOLUTION NO. 146 (2021) OAKRIDGE GLEN CONDITIONAL TPD APPROVAL**

WHEREAS, Stonehaven Development, LLC made application to the Town of Macedon to obtain approvals to enable the construction and operation of a mix - use project titled "Oakridge Glen" pursuant to Town Code Chapter 300, Article 14 (TPD) at property known as 240R NYS Route 31,

AND WHEREAS, the Wayne County Planning Board reviewed the application at their regular meeting on May 26, 2021, and recommended approval of the project subject to comments as outlined in a letter dated June 4, 2021,

AND WHEREAS, the Town of Macedon Planning Board reviewed the proposal at its regular meeting on June 7, 2021 and has offered a positive referral relative to the project,

AND WHEREAS, the Macedon Town Board did hold a public hearing on the proposed project on June 24, 2021 to obtain public comment,

AND WHEREAS, the Macedon Town Board did consider the Town and County Planning Boards' and public comments and recommendations relative to the Conceptual Site (Sketch) Plan layout, and incorporated those comments as appropriate,

NOW THEREFORE BE IT RESOLVED that the Macedon Town Board conditionally rezones the project as a TPD District, subject to preliminary and final site plan approvals by the Town Board as set forth in Chapter 300 - Article 14, subject to the following conditions:

1. The Applicant shall provide a financial guarantee to cover the total cost of installing a 3-color traffic control light at NYS Route 31 and Macedon Parkway, as described in the Traffic Impact Study.
2. The Traffic Control Light and associated improvements at the intersection of NYS Route 31 and Macedon Parkway shall be installed by the Applicant at the earliest possible time as

authorized by the NYSDOT, based on the findings of the current Traffic Impact Study and any required re-evaluation as the project develops.

3. The form and content of this financial guarantee are subject to the review and approval of the Town Attorney and Town Engineer.
4. The non-residential components of the project shall be considered pursuant to the requirements of Chapter 300-100-B of the TPD Code, as well as the uses prescribed in the General Commercial (GC) code, Chapter 300, Article 12 of Town Code.
5. The referenced Sketch Plan as reviewed and approved by the Board was prepared by Marathon Engineering, and is titled, "TPD REZONING PLAN FOR TOWNHOMES AT OAKRIDGE GLEN" with a date of 2/8/21.
6. The maximum residential density approved is 280 dwelling units.

MOTION BY MAUL, SECONDED BY MCEWEN

ROLL CALL VOTE: BABCOCK ABSENT, MAUL AYE, MCEWEN AYE, ROETS AYE, LEONARD AYE,  
MOTION CARRIED

**RESOLUTION NO. 147 (2021) NYS COURT SCHOOLING**

RESOLVED the Macedon Town Board authorizes Barbara LaBrake and Alison Burley, Town Court Clerks to attend the NYS Court Schooling in Albany at a cost not to exceed \$2,300 to be expensed from A1110.400.

MOTION BY MAUL, SECONDED BY ROETS

ROLL CALL VOTE: BABCOCK ABSENT, MAUL AYE, MCEWEN AYE, ROETS AYE, LEONARD AYE,  
MOTION CARRIED

\*Presentation from Sheryl Vega on the Macedon Community Center.

**RESOLUTION NO. 148 (2021) PAYMENT OF CLAIMS**

RESOLVED the bills be paid as audited

MOTION BY ROETS, SECONDED BY MCEWEN

ROLL CALL VOTE: BABCOCK ABSENT, MAUL AYE, MCEWEN AYE, ROETS AYE, LEONARD AYE,  
MOTION CARRIED

**ABSTRACT NO. 15 (2021)**

2021 # 928-993 \$ 48,349.68

2021 # 51-53 \$ 200.00

Total \$ 48,549.68

**Roundtable/discussion**

\*Bldg & Zoning – Palmac Youth Baseball stated that there were bees at Gravino Park baseball fields. An exterminator was called and the problem has been taken care of. The roof supplies have arrived to repair the Bank Building roof. The sewer project on Westview Circle is coming along. 95% of the pipe is in. Last manhole is going in Monday and Cedar creek Tuesday.

\* Mass Gathering Update – Scott Allen has spoken with Town Attorney David Fulvio who is researching what other Towns have in place.

\* Police – Chief Colella wanted to remind residents to lock their vehicles as there have been break-ins on Yellow Mills and Alderman.

\*Soccer program has started

\* A resident asked what the Town paid for the Bank building. The Supervisor explained that we have not purchased the building yet as I.Gordan who currently own the building will be installing the new roof before the Town purchases the building.

\*Macedon Center Fire Department will be holding a chicken b-b-que on July 31<sup>st</sup> from 4:00pm till gone.

**RESOLUTION NO. 149 (2021) EXECUTIVE SESSION**

RESOLVED the Board enters Executive Session at 8:21 p.m. to discuss personnel/contracts.

MOTION BY ROETS, SECONDED BY MAUL

ROLL CALL VOTE: BABCOCK ABSENT, MAUL AYE, MCEWEN AYE, ROETS AYE, LEONARD AYE,  
MOTION CARRIED

Declared out of executive at 9:25 pm

MOTION BY ROETS, SECONDED BY MCEWEN, THE MEETING BE ADJOURNED AT 9:26 PM.

*Karrie M. Bowers*

Karrie M. Bowers, Town Clerk RMC