

York Planning Board
March 25, 2026
Minutes

Present: Joe McIlroy, Zach Kobylanski, Chris Wall, David Dermody

Others: Jonathan Witmer Esq., Donna Falkner, Bob Parnell, Lindsey Coniber, Dillon Beehler, Carl Peter

7:30 pm – Mr. McIlroy opened the meeting with the pledge

Resolution:

Motion by Mr. Dermody to approve the February 26, 2026 minutes, seconded by Mr. Kobylanski, carried.

Ayes – 4 Nays – 0

Mr. McIlroy again requested members to catch up training hours.

New Business

Mr. McIlroy - Parnell subdivision, he has the 250 feet frontage, in agricultural district, complete application, ag data statement and SEQR short form – pretty straightforward. He asked our attorney to read the SEQR part 2 so the board could answer.

Project:

Date:

**Short Environmental Assessment Form
Part 2 - Impact Assessment**

Part 2 is to be completed by the Lead Agency.

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing: a. public / private water supplies? b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

PRINT FORM

Project: _____
Date: _____

Short Environmental Assessment Form
Part 3 Determination of Significance

For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

See attachment which supports the determination that the proposed action will not result in significant adverse environmental impacts.

<input type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
<input checked="" type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.
<u>York Planning Board</u>	<u>3-25-26</u>
Name of Lead Agency	Date
<u>Joe A. McIlroy</u>	<u>Planning Board Chairman</u>
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
<u>[Signature]</u>	<u>[Signature]</u>
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)

PRINT FORM

Resolution:

Motion made by Mr. Kobylanski to accept the findings of SEQR, seconded by Mr. Dermody, carried.

Ayes – 4 Nays - 0

Resolution:

Motion made by Mr. Kobylanski for a negative declaration, seconded by Mr. Wall, carried.

Ayes – 4 Nays – 0

Resolution:

Motion made by Mr. Wall for the chairman to sign the SEQR, seconded by Mr. Kobylanski, carried.

Ayes – 4 Nays – 0

Resolution:

Motion made by Mr. Dermody to send the Parnell application material to county, seconded by Mr. Kobylanski, carried.

Ayes – 4 Nays – 0

Resolution:

Motion made by Mr. Kobylanski to schedule a public hearing for the Parnell subdivision on April 22, 2026 at 7:15 pm, seconded by Mr. Dermody, carried.

Ayes – 4 Nays – 0

Mr. McIlroy recommended the board attend the next Town public hearing April 14 at 6 pm regarding the approval of the new town law:

**RESOLUTION
OF THE TOWN BOARD
OF THE TOWN OF YORK**

March 10, 2026

**RESOLUTION INTRODUCING THE PROPOSED
LOCAL LAW NO. 2 OF 2026 AND RELATED SEQRA EAF
FOR REVIEW, ESTABLISHING SEQRA LEAD AGENCY,
REFERRING PROPOSED LOCAL LAW NO. 2 OF 2026
TO THE LIVINGSTON COUNTY PLANNING BOARDS
AND SETTING A PUBLIC HEARING**

WHEREAS, the Town Board of the Town of York ("Town") commissioned a team consisting of members of the Town Board, Planning Board, and Zoning Board of Appeals to review and propose revisions to the Town of York Zoning Ordinance (the "Zoning Ordinance") to encourage the development of affordable housing in the Town consistent with the goals of the Town of York Comprehensive Plan; and

WHEREAS, the team has developed a proposed Local Law No. 2 of 2026, annexed hereto as Exhibit A (the "Proposed Local Law"), to amend the Zoning Ordinance to revise certain minimum lot sizes, minimum lot frontages, and minimum square footage of dwelling units as follows:

Zoning District/ Requirement	Standard	Current Requirement	Proposed Requirement
All	Minimum Dwelling Size (§513)	860 square feet for all residential dwellings	1-family dwelling=1,000 square feet 2-family dwelling=550 square feet per dwelling unit Accessory dwelling units=550 square feet per dwelling unit Multi-family dwelling: 1-bedroom=550 square feet 2-bedroom=650 square feet 3-bedroom=800 square feet Note: the minimum for single- and double-wide manufactured homes (§522, 750 and 860 square feet respectively) is unchanged
Residential (R)	Minimum lot size	40,000 square feet	30,000 square feet
Agricultural (A)	Minimum lot size	3 acres	30,000 square feet
Agricultural (A)	Lot Frontage	250 feet	150 feet

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WHEREAS, adoption of the Proposed Local Law could be considered an unlisted action under the State Environmental Quality Review Act ("SEQRA"); and

WHEREAS, Part 1 of a Short Form SEQRA Environmental Assessment Form ("EAF"), annexed hereto as Exhibit B, has been prepared for the Proposed Local Law; and

WHEREAS, the Proposed Local Law is required to be referred to the Livingston County Planning Board pursuant to General Municipal Law § 239-m; and

WHEREAS, the Proposed Local Law is subject to the notice and hearing requirements of Town Law § 264.

NOW, THEREFORE, IT IS RESOLVED that the Proposed Local Law is introduced for consideration by the Town Board; and

RESOLVED, that, pursuant to 6 N.Y.C.R.R. §617.6(b)(1), the Town Board shall serve as Lead Agency for the SEQRA review of the Proposed Local Law; and

RESOLVED, that the Town Board accepts and directs the Town Supervisor to sign the EAF; and

RESOLVED, that the Town Board directs the Town Supervisor to arrange for the referral of the Proposed Local Law, EAF, and Existing Solar Law to the Livingston County Planning Board for review pursuant to General Municipal Law § 239-m; and

IT IS HEREBY FURTHER RESOLVED that a public hearing before the Town Board at the York Town Hall regarding the Proposed Local Law and the SEQRA review for the Proposed Local Law is set for the 14th day of April 2026 at 6:00 pm; and

RESOLVED, pursuant to Town Law § 264, notice of the time and place of the public hearing shall be published in the *Livingston County News* at least ten days prior to the date of the public hearing; and

RESOLVED, pursuant to Town Law § 264, at least ten days prior to the date of the public hearing, written notice of the Proposed Local Law shall be mailed or personally delivered to the Town Clerks of the Towns of Caledonia, Leicester, Pavilion, Covington, Avon, Geneseo, the Village Clerk of the Village of Geneseo the Genesee Region of the NYS Parks Commission, the Clerk of the Genesee County Board of Supervisors, and the Clerk of the Wyoming County Board of Supervisors.

DATE: March 10, 2026

LOCAL LAW NO. 2 OF THE YEAR 2026
OF THE TOWN OF YORK

A local law to amend the Zoning Ordinance of the Town of York, Livingston County, New York to modify Article IV, Section 402. C.

Be it enacted by the Town Board of the Town of York as follows:

SECTION 1. TITLE AND SCOPE

This local law shall be known as "A LOCAL LAW TO AMEND ARTICLE IV OF THE ZONING ORDINANCE OF THE TOWN OF YORK, LIVINGSTON COUNTY, NEW YORK TO MODIFY REQUIREMENTS FOR RESIDENTIAL DWELLINGS."

SECTION 2. PURPOSE.

- (a) Authority. This Local Law is adopted pursuant to the Town Law of the State of New York, Chapter 62 of the Consolidated Laws, Article 16, and Articles 2 and 3 of the Municipal Home Rule Law, to protect and promote public health, safety, convenience, order, aesthetics, prosperity and general welfare of the Town of York in a fashion that is not inconsistent with the Comprehensive Plan of the Town of York. This Local Law regulates the use of buildings and structures and the development and use of land within the Town of York.
- (b) To these ends, this local law and the Articles that it amends is designed to:
 - 1. Enhance and regulate the orderly growth, development and redevelopment of the Town in accordance with a well-considered plan so that the Town may realize its potential as a place to live and work, with the most beneficial and convenient relationships among the agricultural, commercial, industrial, and residential areas within the Town and with due consideration to the character of each district and its suitability for particular uses; and
 - 2. Protect and manage the character of the Town.

SECTION 3. CHANGES TO SECTION 513—MINIMUM DWELLING SIZE

The current Section 513 of the Zoning Ordinance of the Town of York is hereby modified and amended to eliminate the requirement that all residential dwellings be a minimum of 860 square feet in size and create subsections A, B, D, and D that shall read as follows:

- A. All single-family residential dwellings shall be a minimum of 1,000 square feet in size. This minimum area shall not include the cellar, basement, garage, attic, or any other unfinished areas.

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- B. All accessory dwelling units, as such term is defined in Section 613, shall be a minimum of 550 square feet in size. This minimum area shall not include the cellar, basement, garage, attic, or any other unfinished areas.
 - C. The minimum size of a dwelling unit in a two-family dwelling shall be 550 square feet. This minimum area shall not include the cellar, basement, garage, attic, or any other unfinished areas.
 - D. The minimum unit size of dwelling units within a multi-family dwelling are as follows, which areas shall not include cellar, basement, garage, attic, or any other unfinished areas:
 - (1) One bedroom dwelling units shall be a minimum of 550 square feet.
 - (2) Two bedroom dwelling units shall be a minimum of 650 square feet.
 - (3) Three bedroom dwelling units shall be a minimum of 800 square feet.

SECTION 4. CHANGES TO SECTION 401 -RESIDENTIAL DISTRICT (R)

The current Section 401.D of the Zoning Ordinance of the Town of York is hereby modified and amended to reduce the minimum lot size from 40,000 square feet to 30,000 square feet and shall read as follows:

- D. Lot Size. Minimum 30,000 square feet

SECTION 5. CHANGES TO SECTION 400-AGRICULTURAL DISTRICT (A)

- (a) The current Section 400.D of the Zoning Ordinance of the Town of York is hereby modified and amended to reduce the minimum lot size from three (3) acres to 30,000 square feet and shall read as follows:

- D. Lot Size. Minimum 30,000 square feet

- (b) The current Section 400.E of the Zoning Ordinance of the Town of York is hereby modified and amended to change the minimum lot frontage from 250 feet to a minimum lot frontage of 150 feet and shall read as follows:

- E. Lot Frontage: Minimum 150 feet

SECTION 6. EFFECTIVE DATE.

This local law shall be effective thirty (30) days after its filing with the Office of the Secretary of State.

Mr. Peter said that the Lyness family will need to come to planning board if their variances were passed by the Zoning Board.

Resolution:

Motion to adjourn the meeting by Mr. Dermody at 8:05 pm, seconded by Mr. Kobylanski, carried.

Ayes – 4 Nays – 0

Respectfully Submitted
Donna Falkner