

York Planning Board
November 26, 2025
Minutes

Present: Joe McIlroy, David Dermody, Al Brightman

Others: Jonathan Witmer, Esq. from Knauf Shaw LLP, Carl Peters, Patti McIlroy, John Hotto, Bill Sager

7:15 pm Mr. McIlroy announced that the public hearing for Apple Country was cancelled due to a posting error. There would be further discussion and anyone with concerns will have a chance to speak at the regular meeting.

7:30 pm Mr. McIlroy led the pledge and opened the regular meeting.

Resolution:

Mr. Brightman moved to approve the October 22, 2025 regular meeting minutes, Mr. Dermody seconded the motion, all in favor, carried.

Ayes – 3 Nay - 0

Mr. McIlroy proposed that we forgo another Public Hearing on the Apple Country Storage project as there have already been 2 Public Hearings on this project with no opposition. He also stated that we would not be able to meet the 62 day deadline as we had a complete application on October 3, 2025.

Resolution:

Mr. Dermody moved to forgo another public meeting on this project, Mr. Brightman seconded the motion, all in favor, carried.

Ayes – 3 Nay - 0

Mr. McIlroy opened the floor for comments from anyone present. Hearing no more comments, Mr. McIlroy moved forward and read the County Letter. (see attached County Letter).



**LIVINGSTON COUNTY
PLANNING BOARD**
Livingston County Government Center
6 Court Street, Room 305
Geneseo, New York 14454-1043

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(585) 335-1734
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www.livingstoncounty.gov/planningboard.htm

November 14, 2025

Donna Falkner
2668 Main Street PO Box 187
York, NY 14592

Re: Zoning Referral #2025-073, Town of York, Site Plan Review for a Self-Storage Facility on Route 63 (Applicant: LandTech Surveying & Planning)

Dear Ms. Falkner:

The Livingston County Planning Board, at its regular meeting on November 13, 2025, reviewed the zoning referral from the Town of York of the above mentioned pursuant to Sections 239-1 and m of the General Municipal Law of the State of New York. The Planning Board voted to recommend "Approval" of the proposed action with the following advisory comments:

1. If not done already, the Town should complete the SEQR process before final action is taken.
2. The Town Code requires a minimum of one deciduous tree for every 30 feet of frontage along a public Right-of-Way, which according to the Code includes both Genesee Street and Retsof Road. The Town Code also requires screening for commercial uses abutting a single-family residential use, such as the parcel to the north. The current plan does not meet the requirements of the Town Code. If not done already, the Applicant should ensure all landscaping proposals adhere to the requirements of Section 520: "Landscaping" in the Town of York Code.
3. If not done already, the Applicant should ensure that all proposed lighting meets the Town of York Outdoor Lighting Regulations and is "dark sky" compliant. All lighting should be planned in such a way as to ensure that it does not interfere with safe travel on New York State Route 63, or with neighboring properties.
4. If not done already, the Applicant should submit details for all proposed signs for the Town to review.
5. The Livingston County Planning Board commented that the traffic flow needs at the Genesee Street/Retsof Road intersection should be considered.
6. The Board also noted that if landscaping does not meet with Town Code, an area variance will be required. Any variances would need to be referred to the County Planning Board for consideration.

There was a quorum present at this meeting. There was a majority vote on this matter. A copy of the Staff Report has been included for your information.

Thank you for submitting the proposed for County Planning Board review. If you have any questions regarding this referral, please do not hesitate to call me at 243-7550.

Sincerely,

A handwritten signature in black ink that appears to read "Ted Griswold".

Ted Griswold
Planner

cc: John Van Heusen, Chairman, Livingston County Planning Board

The six points in the County's letter were discussed by the Board:

#2 – Under Sec520
#6 the Board exercised its discretion on regarding landscaping
#3 – Mr. Hotto

stated there will only be down lighting compliant with York's code on the new building.

#4 – Mr. Hotto stated there will be no new signage.

#5 – The traffic flow was heavily discussed at the previous meeting, and the Board felt this project will add a minimal amount of traffic.

The Board felt that all points have been thoroughly reviewed, and accepted to move forward with the Preliminary Site Plan.

The Board moved on to review SEQRA. Mr. Witmer read SEQRA Part 2 with the Board answering all questions with a No or small impact response.

Short Environmental Assessment Form

Part 1 - Project Information

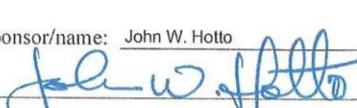
Instructions for Completing

Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 – Project and Sponsor Information			
Name of Action or Project: 2727 Genesee Street, York, New York			
Project Location (describe, and attach a location map): 2727 Genesee Street, York, Livingston County, New York			
Brief Description of Proposed Action: Construction of a 6, 900 square foot metal building on 1.64 acres of land at the northwest corner of Genesee Street and Retsof Road.			
Name of Applicant or Sponsor: LandTech Surveying and Engineering John W. Hotto		Telephone: 585-705-5028 E-Mail: hotto@landtechny.com	
Address: 1105 Ridgeway Avenue			
City/PO: Rochester		State: New York	Zip Code: 14615
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.		NO	YES
		<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval: Town of York Planning Board, Livingston County Planning Dept.		NO	YES
		<input type="checkbox"/>	<input checked="" type="checkbox"/>
3. a. Total acreage of the site of the proposed action? b. Total acreage to be physically disturbed? c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		1.64 acres 0.80 acres 1.64 acres	
4. Check all land uses that occur on, are adjoining or near the proposed action:			
5. <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input checked="" type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify): <input type="checkbox"/> Parkland			

	NO	YES	N/A
5. Is the proposed action,			
a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?	NO	YES	
If Yes, identify: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
b. Are public transportation services available at or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements?	NO	YES	
If the proposed action will exceed requirements, describe design features and technologies: _____ _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply?	NO	YES	
If No, describe method for providing potable water: _____ _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities?	NO	YES	
If No, describe method for providing wastewater treatment: _____ Existing septic tank and leach field system. No additional bathrooms are being proposed.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?	NO	YES	
b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO	YES	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____	<input type="checkbox"/>	<input type="checkbox"/>	

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:			
<input type="checkbox"/> Shoreline	<input type="checkbox"/> Forest	<input checked="" type="checkbox"/> Agricultural/grasslands	<input type="checkbox"/> Early mid-successional
<input type="checkbox"/> Wetland	<input type="checkbox"/> Urban	<input type="checkbox"/> Suburban	
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?		NO	YES
Short-eared Owl		<input type="checkbox"/>	<input checked="" type="checkbox"/>
16. Is the project site located in the 100-year flood plan?		NO	YES
		<input checked="" type="checkbox"/>	<input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources?		NO	YES
If Yes,		<input type="checkbox"/>	<input checked="" type="checkbox"/>
a. Will storm water discharges flow to adjacent properties?		<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?		<input type="checkbox"/>	<input checked="" type="checkbox"/>
If Yes, briefly describe:			
Swales are proposed around the perimeter of the property to capture stormwater runoff to be conveyed north off of the site.			
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)?		NO	YES
If Yes, explain the purpose and size of the impoundment:		<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?		NO	YES
If Yes, describe:		<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?		NO	YES
If Yes, describe:		<input checked="" type="checkbox"/>	<input type="checkbox"/>
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE			
Applicant/sponsor/name: John W. Hotto		Date: September 12, 2025	
Signature: 		Title: Senior Project Manager	

I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE.

Applicant/sponsor/name: John W. Hotto

Date: September 12, 2025

Signature:

Title: Senior Project Manager

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Agency Use Only [If applicable]

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?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing: b. public / private wastewater treatment utilities?	<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"/>

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SEAF 2019

Agency Use Only [If applicable]

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.

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.

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.

York Planning Board

Name of Lead Agency

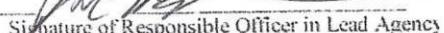
11-26-2025

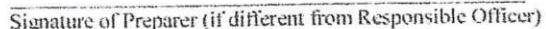
Date

Joe A. McTigue
Print or Type Name of Responsible Officer in Lead Agency

C. Gairin May

Title of Responsible Officer


Signature of Responsible Officer in Lead Agency


Signature of Preparer (if different from Responsible Officer)

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Resolution:

Mr. Dermody moved to accept the finding, Mr. Brightman seconded the motion, all in favor, carried.

Ayes – 3 Nay - 0

Resolution:

Mr. Brightman moved to accept a negataive declaration, Mr. Dermody seconded the motion, all in favor, carried.

Ayes – 3 Nay – 0

Resolution:

Mr. Dermody moved for the Chairman to sign SEQRA documents, Mr. Brightman seconded the motion, all in favor, carried. (see attached signed SEQRA documentation)

Ayes – 3 Nay - 0

Mr. McIlroy asked for questions or comments from the Board or Mr. Peters regarding the Preliminary Site Plan. Everyone felt we could move forward.

Resolution:

Mr. Brightman moved to approve the Preliminary Site Plan, Mr. Dermody seconded the motion, all in favor, carried.

Ayes – 3 Nay - 0

Mr. McIlroy asked for questions or comments from the Board or Mr. Peters regarding Final Site Plan. Everyone felt we could move forward.

Resolution:

Mr. Dermody moved to approve the Final Site Plan, Mr. Brightman seconded the motion, all in favor, carried.

Ayes – 3 Nay - 0

Mr. McIlroy stated that reimbursement for professional services and prior public hearing in the amount of \$2,253.75 needed to be paid to the Town of York prior to issuing permits. Mr. McIlroy provided these invoices to Mr. Sager.

Mr. McIlroy stated that the drainage plan needs to be completed and signed prior to issuing permits.

Mr. McIlroy handed out a template of submission dates for 2026. (see attached)

Resolution:

Mr. Dermody moved to approve 2026 Meeting and Submission Dates, Mr. Brightman seconded the motion, all in favor, carried.

Ayes – 3 Nay - 0

Mr. McIlroy reminded Board members the next Board meeting will be held on Wednesday, December 17, 2025.

Resolution:

Mr. Dermody moved to adjourn at 7:30 pm, Mr. Brightman seconded the motion, all in favor, carried.

Ayes – 3 Nay - 0

Respectfully submitted,