

Town of Scipio Planning Board, October 22, 2025 Meeting Minutes

The Town of Scipio Planning Board convened on Wednesday, October 22, 2025 at the town office, 3705 NYS 34, Scipio Center, NY 13147.

Attending: Melissa Alford, Guy Garnsey, Andy Miller, Bill Nivison, Peter Rogers

Others: Patrick Doyle, Ann Robson, Keith Welch, Rachel Brenner, Howard Haines, Jennifer Haines, Anne Scuderi, Matt Scuderi, Connie Walter, Ty Allen, Mike Casell, Deirdre Grosson, Anita Dungey

1. Chair Alford called the meeting to order at 6:25pm
2. September 24, 2025 Town of Scipio Planning Board meeting minutes.
Motion by Nivison, second by Miller was:

Approved	Ayes	4	Alford, Miller, Nivison, Rogers
	Abstain	1	Garnsey
3. Old Business
 - a. Update on Liberty/Agricola Wind Project. Rachel Brenner, reported on behalf of Jeff Eaton that the state appointed law judges issued a ruling which denied the town standing for an evidentiary hearing. Town of Scipio Attorney Jeff Eaton submitted an appeal. The Towns of Scipio and Venice and the county continue to formulate the Road Use Agreement and the Host Community Agreement without financial compensation by Liberty-Renewables.
 - b. Battery Energy Storage System – Discussion from board members on the proposed Zoning Ordinance Amendment to Prohibit Tier 2 and Larger Battery Energy Storage Systems should not be limited to just solar energy. Rachel Brenner will bring this point back to town attorney Jeff Eaton for revision of the resolution and Local Law #1 of 2025.
4. New Business
 - a. Matthew and Anne Scuderi, 3692 Ensenore Rd., Moravia, NY 13118.
Tax Map# 164.00-1-24 Waterfront District – Proposed single family dwelling with ZBA approved Area Variance. Town of Scipio Zoning Board of Appeals approved the Area Variance on October 6, 2025. Ty Allen and Mike Casell with MBL Engineering, PLLC reviewed the plans for a single-family dwelling.
Definition: Porch – a roofed but unenclosed projection from the main wall of a building that may or may not use columns or other ground supports for structural purposes and this is not used for livable space.

Section 4.08 A. Lakeshore setback zone. No structure shall be built or expanded within 50 feet of the mean high-water mark.

The new construction will be 43.3’ from mean high-water mark. The present structure (to be demolished) is 41.3’ from mean-high water mark. The shape of the lot, factoring in setbacks, placement of porch, garage, well and septic system creates a hardship in siting new construction at 50 feet from mean high-water mark. The town’s ZBA placed a condition that; “At no time will the approved porch be enclosed by screens, windows, plexiglass or any other man made

materials, which are not mentioned here, whose purpose may be construed to become an additional room attached to the house whether permanent or temporary."

Motion to approve Site Plan was made by Miller, second by Nivison. All in favor. 5/0

- b. Howard and Jennifer Haines, 37 Fire Lane 23, Auburn, NY 13021

Tax Map # 154.03-1-5 Waterfront District- proposed new construction of cottage and designating existing camp as an Accessory Dwelling Unit.

Motion to open the Public Hearing was made at 6:45 pm by Rogers, second by Garnsey. All in favor. 5/0

Jennifer Haines reviewed the proposed plans for the cottage that meets all the General Requirements and Standards outlined in Section 5.04 (A) (1-7). The Accessory Dwelling Unit meets all the Standards outlined in Section 5.07 (A)(1) (a-e). No comments from the public were offered.

Motion to close the Public Hearing made at 6:47pm by Garnsey, second by Nivison. All in favor. 5/0

Motion to approve application as a SEQR Type 2 Negative Declaration was made by Rogers, second by Alford. All in favor. 5/0

Motion to approve Site Plan Review made by Miller, second by Rogers. All in favor. 5/0

Motion to approve Special Use Permit in the Waterfront District was made by Miller, second by Nivison. All in favor. 5/0

5. Next meeting: Wednesday, November 19, 2025 at 6:30pm. The December meeting the Town Planning Board will be rescheduled to December 17th at 6:30pm.
6. Adjournment – Motion made by Alford at 6:49 MA, second by Rogers. All in favor. 5/0

Respectfully submitted,

Ann Robson

Town of Scipio Planning Board secretary