

**2024 RESOLUTION NO. 50 -2024-** Authorizing Adoption of Local Law 2-2024. Motion to approve made by Councilmember McCarthy, second by Councilmember Aliperti.

**LOCAL LAW 2 of 2024**  
**TO AMEND THE PLANNED UNIT DEVELOPMENT DISTRICT PREVIOUSLY APPROVED BY LOCAL LAW 3 OF 2019**

**TOWN OF GENEVA, NEW YORK**  
**RESOLUTION OF THE TOWN BOARD**  
**RESOLUTION NO. 50 -2024**

Whereas, a resolution was duly adopted by the Town Board of the Town of Geneva for a public hearing to be held by said Town Board on April 9, 2024, at 6:00 p.m. at the Geneva Town Hall, 3750 County Road 6, Geneva, New York, to hear all interested parties on a proposed Local Law Amending a Previously-Approved Planned Unit Development District by Rezoning a Parcel of Land Included in the PUD and by Amending the Conditions of the PUD Relative to the Remaining Parcels in the PUD; and

**WHEREAS**, notice of said public hearing was duly advertised in the official newspaper of the Town of Geneva on March 28, 2024

**WHEREAS**, said public hearing was duly held on April 9, 2024, at 6:00 p.m. at the Geneva Town Hall, 3750 County Road 6, Geneva, New York, and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said Proposed Local Law, or any part thereof; and

**WHEREAS**, pursuant to part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law it has been determined by the Town Board that adoption of said Local Law would not have a significant effect upon the environment and could be processed by other applicable governmental agencies without further regard to SEQR; and

**WHEREAS** the Town Planning Board reviewed the local law and had no comments, and the Ontario County Planning Board will review the local law at its April 10, 2024, meeting and no substantive negative comments are anticipated; and

**WHEREAS**, the Town Board of the Town of Geneva, after due deliberation, provided there are no substantive negative comments on the local law by the Ontario County Planning Board that it should consider, finds it in the best interest of the Town of Geneva to adopt said Local Law.

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Geneva hereby adopts said Local Law No. 2 of 2024, entitled, "A Local Law Amending a Previously Approved Planned Unit Development District by Rezoning a Parcel of Land Included in the PUD and by Amending the Conditions of the PUD Relative to the Remaining Parcels in the PUD", a copy of which is attached hereto and made a part hereof, and be it further

**RESOLVED**, that the Town Clerk be and she hereby is directed to enter said Local Law in the minutes of this meeting and in the Local Law Book of the Town of Geneva, to give due notice of the adoption of said local law to the Secretary of State of New York, to publish an abstract of this local law in the Town's official newspaper and to post a copy of this local law on the Town of Geneva sign board; and it is further

RESOLVED that this resolution and any action taken to implement it will be held in abeyance until comments from the Ontario County Planning Board are received, and, if there are substantive negative comments that should be considered by the Town Board, this resolution will be withdrawn and reconsidered at the next Town Board meeting.

I, Lorrie S. Naegele, Town Clerk of the Town of Geneva do hereby certify that the Town Board of the Town of Geneva adopted the aforementioned resolution on April 9, 2024, by the following vote:

	<u>Aye</u>	<u>Nay</u>
Mark Venuti	X	_____
Kimberly Aliperti	X	_____
Mitchell Wilber	X	_____
Robert McCarthy	X	_____
Gordon Baxter	X	_____

Dated: April 9, 2024

Lorrie S. Naegele  
Lorrie S. Naegele, Town Clerk

---

**(Use this form to file a local law with the Secretary of State)**

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

County Ontario  
City  
**Town of Geneva**  
Village

**Local Law No. 2 of the year 2024**

A local law **"Amending a Previously Approved Planned Unit Development District by Rezoning a Parcel of Land Included in the PUD and by Amending the Conditions of the PUD Relative to the Remaining Parcels in the PUD"**

Be it enacted by the **Town Board** (Name of Legislative Body)

County Ontario  
City  
**Town of Geneva**  
Village

as follows:

Section 1: Local Law 3 of 2019 approved the rezoning of Tax Map No. 133.00-1-020.000, containing a total of 151.425 acres of land (including the Turk Road right of way), to a PUD Planned Unit Development District subject to 18 enumerated conditions. Subsequent to Local Law 3 of 2019 taking effect, the Town of Geneva Planning Board approved the subdivision of Tax Map No. 133.00-1-020.000 into three separate parcels, which are now designated as Tax Map Nos. 133.00-1-020.100, 133.00-1-020.200 and 133.00-1-020.300. The Town Board hereby amends the Planned Unit Development District it approved pursuant to Local Law 3 of 2019 as follows:

A. The Official Zoning Map of the Town of Geneva, adopted pursuant to Section 165-5 of the Zoning Law of the Town of Geneva, is hereby amended by changing the zoning district classification of Tax Map No. 133.00-1-020.300, from PUD Planned Unit Development District to AG Agricultural District.

B. The conditions of PUD approval, set forth in Section 1 of Local Law 3 of 2019, shall be of no further effect on Tax Map No. 133.00-1-020.300.

C. The conditions of PUD approval, set forth in Section 1 of Local Law 3 of 2019, shall continue to be binding on Tax Map Nos. 133.00-1-020.100 and 133.00-1-020.200, except that Conditions numbered 4, 9, 10, 11 and 15 are hereby declared null and void and shall be of no further effect on either parcel.

Section 2: If any clause, sentence, paragraph, section or part of this local law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section or part thereof directly involved in the controversy in which such judgment shall have been ordered.

Section 3: This local law shall take effect immediately upon filing with the Secretary of State.