

January 21st, 2026, at 6:30pm | 103 Main Street, Mount Morris NY

Present: Jim Patrick, Planning Board Chair; Planning Board Members Larry Woodworth, Phil Race and Joel Clester; Shawn Grasby, Town Code Enforcement Officer; Matt Moyon, Senior Project Manager with Bohler Engineering; Jacob Zoghlin, Legal Counsel with Underberg Kessler; Greg Rosetti, COO with Aurora Renewables; Village Mayor Kelly Bacon; Village Code Enforcement Officer Tim Dunham; Secretary Kaylee Leone

Excused: Vice Chair Brianna Rawleigh

Others present: Patrick and Matthew Scully

CALL TO ORDER AND REVIEW OF MINUTES

The regular meeting of the Joint Town and Village of Mount Morris Planning Board was called to order by Chairman Jim Patrick at 6:30 p.m. Those present stood for the Pledge of Allegiance.

The minutes of the November 19th, 2025, regular Planning Board meeting were reviewed. A correction was noted to update the meeting date in the heading to November 19, 2025.

A motion to approve the submitted minutes, with the corrected date, was introduced by Joel Clester and seconded by Larry Woodworth, and was voted on by members as follows:

Aye: 4 (Clester, Patrick, Race, Woodworth)

No: 0

Abstain: 0

The motion carried unanimously.

ORGANIZATIONAL ITEMS

Members and attendees present included Chairman Jim Patrick, Planning Board members Phil Race, Larry Woodworth, Joel Clester, and others associated with agenda items, including representatives of the applicant team and municipal staff.

The Board then moved to annual organizational items, including appointment of Chair and Vice Chair and review of the meeting schedule for the upcoming year.

A motion to appoint Jim Patrick as Chair for the upcoming year was introduced by Phil Race and seconded by Joel Clester, and was voted on by members as follows:

Aye: 4 (Clester, Patrick, Race, Woodworth)

No: 0

Abstain: 0

The motion carried unanimously.

A motion to appoint Brianna Rawleigh as Vice Chair for the upcoming year was introduced by Phil Race and seconded by Jim Patrick, and was voted on by members as follows:

Aye: 4 (Clester, Patrick, Race, Woodworth)

No: 0

Abstain: 0

The motion carried unanimously.

The proposed Planning Board meeting schedule for the year was reviewed. The Board noted that the November meeting date falls the day before Thanksgiving but agreed to leave the schedule as proposed unless changes are needed later. The proposed 2026 Joint Town and Village of Mount Morris Planning Board Schedule is as follows:

January 21st, 2026; February 18th, 2026; March 18th, 2026; April 15th, 2026; May 20th, 2026; June 17th, 2026; July 15th, 2026; August 19th, 2026; September 16th, 2026; October 21st, 2026; November 18th, 2026; December 16th, 2026.

All meetings are proposed to be held in the Mount Morris Town Hall located at 103 Main Street in Mount Morris at 6:30pm.

A motion to approve the submitted meeting schedule was introduced by Phil Race and seconded by Larry Woodworth, and was voted on by members as follows:

Aye: 4 (Clester, Patrick, Race, Woodworth)

No: 0

Abstain: 0

The motion carried unanimously.

The Board briefly discussed public comment rules and procedures as an annual organizational item. After discussion, no formal action was taken.

SITE PLAN REVIEW, SPECIAL USE PERMIT – TOWN OF MOUNT MORRIS

The Board then proceeded to a preliminary review of the ARI Presbyterian Road Solar Energy and Battery Energy Storage System project. It was noted that the required escrow account had not yet been established, although the applicant indicated it would be provided shortly. The Board acknowledged that the project would require both site plan review and special use permits for the solar and battery storage components.

The applicant team, led by Matt Moyon of Bohler Engineering, provided a detailed overview of the project. The project is proposed on approximately 253 acres, with a development footprint of approximately 22–24 acres. The site was selected due to access to existing infrastructure, limited visibility, avoidance of wetlands and tree clearing, and minimal impact to prime farmland. The applicant explained that agency consultations are underway with the U.S. Fish and Wildlife Service, FAA, DEC, and SHPO. Based on DEC feedback regarding the Henslow's sparrow, the project layout was revised to shift development into a row crop field to avoid habitat impacts.

Project details include access from Presbyterian Road utilizing existing curb cuts, a gravel access drive with bypass areas, a staging area for construction, perimeter fencing, solar tracker panels, equipment pads, and battery storage. Utilities will be underground except at the interconnection point. The project will have no lighting, minimal noise impacts due to setbacks, and no on-site staffing.

The solar array will be located approximately 1,500–1,600 feet from the nearest residence, significantly exceeding required setbacks. The applicant also requested a waiver from additional landscaping due to existing natural screening and topography.

The Board asked several clarifying questions regarding construction access, parking, emergency access, and project cost (estimated at approximately \$10 million). The anticipated construction timeline was discussed, with construction not expected until 2027.

The Board and applicant discussed next steps, including establishment of the escrow account, coordination with the Town engineer and attorney, and submission of revised plans and documentation. The applicant was advised to submit materials in advance of meetings to allow for proper review.

VILLAGE SMOKE SHOP MORATORIUM DISCUSSION

Following completion of the solar project discussion, the Board addressed the Village's current moratorium on smoke shops. Mayor Kelly Bacon attended to formally request input and guidance from the Planning Board as the Village works toward developing a permanent local law before the moratorium expires. The Mayor explained that while an extension of the moratorium is likely necessary, the goal is to demonstrate progress toward a well-defined regulatory framework.

Mayor Bacon provided background on the moratorium and distributed materials, including examples of regulations from other municipalities and guidance from the Village attorney. She noted that these examples included a range of approaches, such as requiring special use permits,

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establishing distance separation requirements from other smoke shops or sensitive uses (such as schools or places where children gather), limiting hours of operation, and regulating signage and exterior appearance. The Mayor emphasized that the intent of bringing the matter before the Planning Board was to gather practical feedback and identify what regulatory approach would be most appropriate for the Village.

Board members engaged in a detailed discussion regarding potential regulatory structures. Chairman Patrick and others noted that requiring a special use permit may be the most effective approach, as it would allow the Planning Board to evaluate each application individually and impose reasonable conditions where appropriate. However, it was also noted that the current Village zoning code contains inconsistencies and limitations that would need to be addressed. Specifically, the code references use variances in situations where special use permits would be the correct mechanism, and it lacks clearly defined procedures and standards for granting and administering special use permits. Chairman Patrick further noted that the code currently suggests that any non-permitted use may apply for approval, which may create unintended flexibility and complicate enforcement.

The discussion also highlighted broader code enforcement challenges within the Village. Members referenced concerns regarding existing smoke shops, including the potential for illegal cannabis sales, as well as general issues with businesses opening or operating without proper zoning review or compliance. Additional examples were discussed involving other properties in the Village where conditions of approval or zoning requirements may not have been consistently enforced. These examples underscored the importance of having clear, enforceable standards in place, as well as consistent administrative procedures.

There was also discussion regarding how smoke shops should be defined within the code, including whether a threshold percentage of retail space devoted to tobacco or related products should be used to distinguish them from other retail uses, such as gas stations or convenience stores. Members noted that overly large distance separation requirements may not be practical given the size of the Village, and that regulations should be tailored to local conditions.

Mayor Bacon acknowledged these concerns and reiterated that the Village is in the early stages of drafting a local law. She indicated that a committee may be formed to further develop the regulations and that additional input from the Planning Board would be valuable as that process moves forward.

Additional discussion included general updates from Code Enforcement Officer Tim Dunham, who noted that he is continuing to familiarize himself with local procedures and ongoing cases, and brief comments from Board members regarding coordination with Town and Village officials on zoning and enforcement matters.

ADJOURNMENT

With no further business, a motion to adjourn was introduced by Joel Clester and seconded by Larry Woodworth, and was voted on by members as follows:

Aye: 4 (Clester, Patrick, Race, Woodworth)

No: 0

Abstain: 0

The motion was carried unanimously, and the meeting was adjourned at 7:34pm.

The next regularly scheduled Planning Board meeting is set for February 18th, 2026, at 6:30 pm.

Respectfully submitted,

Kaylee R. Leone
Planning Board Secretary