



Jeff Henderson <jeff@onemillionrevolutions.org>

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## Chicken Co-Op

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Anthony M. Validzic <AMV@geneva.ny.us>  
To: Jeff Henderson <jeff@musselmantri.com>

Mon, Nov 15, 2010 at 10:57 AM

Dear Mr. Henderson:

Good morning and I hope all is well. I apologize for not responding sooner but my family and I were in Washington, DC on personal reasons. I have read the email exchange and my comments are:

1. I do not have a list of vacant properties within the City of Geneva, New York. A real estate agent or the city assessor can help you located vacant properties.
2. The City of Geneva's Municipal Code does have regulations as it pertains to chickens. Our code states, "§ 77-3. Keeping of chickens, ducks, geese or fowl. No person shall keep or harbor any chickens, ducks, geese or other domesticated fowl in the city except in the AR, Agricultural Residential Use Districts and F Industrial Use Districts and not closer than 200 feet to any house, except the owner's, apartment building, church, school, hospital or any other building customarily used or occupied by human beings, such as but not limited to stores, hotels, restaurants, offices and factories."
3. I have attached the city's official zoning map and highlighted the AR and F districts for your use.
4. The creation of a chicken co-op within this city will require the property owner to apply to the city's Planning Board for environmental, site plan and architectural review. Additionally, a use variance is required to be granted by this city's Zoning Board of Appeals if such use is not located on a property within our Agricultural Residential (AR) or industrial (F) use districts. It is my advice that you employ a registered design professional to assist you with such applications since you will need to provide a site plan by such a professional (or a land surveyor) as well as other supporting documentation in accordance to local and state regulations. For example, you might need to provide sufficient off-street parking spaces for your proposed use in accordance to the city's municipal code. Again, I must stress that the property owner must apply to these city boards since he/she is ultimately responsible for the use at this property. Lastly, I have attached these applications to this email for your use.
5. The Uniform Fire Prevention and Building Code of New York State does have regulations as it pertains to certain uses especially uses where the public is permitted. I am not exactly sure what you are proposing so a registered design professional can assist you with comprehending applicable sections within this state code to ensure compliance.

I have read the email exchange you are having with the City Manager pertaining to the potential use of the OEO site as a chicken co-op. Please understand that such a use is not permitted in that zoning district and City Council does not have the authority to grant a use variance. The City of Geneva, New York would have to apply to the Zoning Board of Appeals and provide sufficient documentation especially as it pertains to the "statement of hardship" described within the use variance application. Such a statement should be prepared by a certified public accountant or a lawyer for this board's review and approval. Secondly, the City of Geneva, New York shall be held legally responsible for the chicken co-op since it is the property owner of the OEO site. I am stating this fact to ensure that you as well as the City Manager is aware of it since this city will be liable for the safe and proper operation of such use. Lastly, such a use could result in a positive declaration, or "pos dec", by our city boards since it does not comply with our comprehensive plan as officially adopted, is against the neighborhood's character (Traditional Urban Design District) as well as not conforming to our local land use regulations. (Please refer to items C2, C4, C5 and C6 on the second page of the state's short environmental assessment form.) Such

a determination by our boards will require the preparation of an EIS by a professional before any decisions being granted. I have attached the short environmental assessment form for your use.

Respectfully,

Anthony Validzic, CAA  
Deputy Director  
CITY OF GENEVA, NEW YORK  
Department of Public Works  
47 Castle Street - City Hall  
Geneva, New York 14456  
Telephone No.: (315) 789-3101  
Facsimile No.: (315) 789-8373

-----Original Message-----

From: [jeff@onemillionrevolutions.org](mailto:jeff@onemillionrevolutions.org) [mailto:[jeff@onemillionrevolutions.org](mailto:jeff@onemillionrevolutions.org)] On Behalf Of Jeff Henderson  
Sent: Wednesday, November 10, 2010 3:23 PM  
To: Mathew D. Horn  
Cc: [jamesemeryelkin@gmail.com](mailto:jamesemeryelkin@gmail.com); Anthony M. Validzic  
Subject: Re: follow-up on egg co-op

Matt,

Thank you for your response. In talking with councilors in the days following the presentation, as well as civic leaders like John Hicks of the BID, there is clear support for utilizing the OEO site - indeed, a non-profit or educational use was part of the original charter. And I want to stress that we are not requesting any city resources - community or otherwise - except for help with a suitable venue. We stand prepared to do the heavy lifting necessary to make this project real and sustainable.

While I stand firm in my belief that the OEO site is ideal for this use, even for the short-term, we want the city to be a partner in this and we want to be responsive to your needs. Toward that end, we will continue investigating alternative sites. Mr. Validzic, can you direct me toward vacant parcels of land in the city where chickens are currently allowed? Is there a map available that can guide our search? Are there any other regulations we should be aware of that would prohibit an egg cooperative? I am happy to meet with you to describe the full scope and vision of the proposal so you have a full understanding.

Matt, I would like to ask your consideration of this request: if we can identify a suitable alternative site (for both co-op needs and the needs of the city), will Council allow use of the OEO site until that time when an "anchor development opportunity" comes about? When that happens, we will have an immediate relocation plan ready for execution.

This can work for both of our goals, Matt. All we ask is a chance to succeed. Thank you for that consideration.

kind regards,  
Jeff

On Tue, Nov 9, 2010 at 10:55 AM, Mathew D. Horn <[mdh@geneva.ny.us](mailto:mdh@geneva.ny.us)> wrote:

> Jeff--

>

> Thanks for the presentation to Council. As you are aware, tackling issues related to youth challenges in Geneva is a top priority of City Council, and expanding educational opportunities like Roots and Shoots is certainly an example of the potential of the proactive solutions that will make a difference in shaping our community.

>

> Relative to the egg co-op, I still feel that our previously stated course of action is best. While I have not polled City Council, I do feel that the OEO site will be a critical anchor development opportunity in 2011, and as such, I wouldn't want to focus community resources (no matter how mobile) at this location for alternate use. That said, I would encourage you to work with your team to identify a list of other potential sites that would serve your needs.

>

> While not totally familiar with all objectives of the program, I feel that for rapidity of development, you may want to consider sites that are already eligible for such use. Tony Validzic (copied here) would be a great resource for this. Should these sites not meet program needs, Tony can also be valuable in mapping out variance and other process related paths necessary to move this forward.

>

> Thanks again to you and your team for your continued commitment to addressing Geneva's community development challenges.

>

> Sincerely,

>

> Matt

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> -----Original Message-----

> From: [jeff@onemillionrevolutions.org](mailto:jeff@onemillionrevolutions.org) [mailto:[jeff@onemillionrevolutions.org](mailto:jeff@onemillionrevolutions.org)] On Behalf Of Jeff Henderson

> Sent: Sunday, November 07, 2010 4:24 PM

> To: Mathew D. Horn

> Cc: [jamesemeryelkin@gmail.com](mailto:jamesemeryelkin@gmail.com)

> Subject: follow-up on egg co-op

>

> Hi Matt,

>

> Thank you very much for scheduling the Roots & Shoots (and egg co-op)

> presentation this past Wednesday at the City Council meeting.

> James-Emery and I would like to request a meeting to discuss the

> necessary details for moving this project forward and to hear any

> concerns you might still have.

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> Thank you for your time and consideration.

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> kind regards,

> Jeff

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**4 attachments**



**Zoning Map\_Highlighted AR and F Districts.pdf**

171K



**SITE PLAN AND ARCHITECTURAL REVIEW APPLICATION\_2010.pdf**

146K



**USE VARIANCE APPLICATION\_2010.pdf**

99K



**shorteaf.pdf**

108K