

**MINUTES
SENECA COUNTY PLANNING BOARD
FEBRUARY 9, 2012**

**HEROES 9-11-01 CONFERENCE ROOM
COUNTY OFFICE BUILDING
WATERLOO, NEW YORK**

- MEMBERS PRESENT:** Keith Beck, Betty Berger, Gordon Burgess, William Dalrymple, Donald Denman, Jack Freer, Ronald McGreevy, Tom Scoles, Donald Shepherd and John Swanson
- ABSENT WITH NOTICE:** Edward Franzoni (Alternate), Sally Kenyon, Mark Lott and Keith Tidball
- ABSENT WITHOUT NOTICE:** Charles Boehnke and Fred Swain
- STAFF:** Harriet Haynes, Planner and Mary DeStefano, Staff Resources Asst., Department of Planning and Community Development
- GUESTS:** Charles Hardin, Kristine Minguez, Johnathan Pulver and Joseph Schmucker

The meeting was called to order at 7:04 p.m. by Chairperson, William Dalrymple.

The Minutes of the January 12, 2012 meeting were approved by a motion of Ronald McGreevy and seconded by John Swanson. Carried 10 – 0.

PUBLIC COMMENTS: None.

GML Reviews:

1) Gordon Burgess moved and Betty Berger seconded adoption of Resolution 5-12, recommending denial for a request of a Special Use Permit forwarded by the Town of Fayette. The applicants, Jonathan Pulver and Kristine Minguez (property owner) are seeking approval to operate a motor vehicle repair shop at 1436 West River Road. The property consists of 6.5 acres located in an Agricultural Zone. Ms. Haynes stated that there are a number of concerns regarding the proposed project. Environmental concerns include the quality of water. No information has been provided as to what the procedures would be for collection, storage and disposal of automotive fluids such as oil, antifreeze, transmission fluid, etc. Ms. Haynes stated that there could be a potential negative impact for the road accessing the property. The structure for this use is to be 90' from the road right-of-way. The site map does not show where vehicles will be parked outside the facility. Ms. Haynes stated that a more detailed site map showing the proposed location of parking relative to this use needs to be developed. Furthermore, there is no indication as to whether landscaping is intended for the property. The application also does not address the scale and scope of the business – while a one or two-person operation might not have significant impact, a larger facility could have impact. Ms. Haynes stated that the applicant has applied for a "Register Motor Vehicle Repair Shop" – this does not include sales of used vehicles, a fuel station or body work. Ms. Haynes stated that the property has an auto sales facility on one side and the other side borders a condensed residential area. Ms. Haynes stated that the request is denied at this time with no prejudice against reviewing it at a later date when further information is available. Board member, Gordon Burgess, questioned if the property has a septic system or sewer. Ms. Haynes stated that the application does not provide such information. Mr. Pulver stated that the property has a well and septic system. Mr. Pulver also indicated on the map where available parking will be located. He stated that the house sits back from the road quite a distance, approximately 400 feet. Regarding the

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collection and disposal of automotive fluids, Mr. Pulver stated that all fluids will be collected and sold. There will be no drains in the floor. Carried 10 – 0.

2) Tom Scoles moved and Gordon Burgess seconded adoption of Resolution 6-12, which recommends denial of a request for a Site Plan Review. The applicant, Mr. Joseph Schmucker, is proposing to locate a business on Route 318 (2.4 acres) in the Town of Seneca Falls. The property is a triangular lot that sits across the access drive from Vince's Park, Routes 318 and 5&20. The business will include 20 – 25 pre-built accessory structures such as playhouses, sheds and gazebos. Ms. Haynes stated that the application does not indicate how many employees will be on site. As there will be no stand alone permanent structure, the need for a restroom should be addressed. Ms. Haynes stated that she discussed the restroom issue with a County Code Enforcement Officer who stated that it would be a problem under the New York State Building Codes. However, the Code Officer also stated that an exemption could be determined for this type of business and would have to be granted through the State Review Board. The applicant proposes three 8' X 12' signs (one at each corner). Seneca Falls Town Zoning allows two (2) signs per property with the combined area not to exceed 100 square feet. It is noted that the setbacks should be 50' (front) and 30' (side) from the property line or from the road right-of-way whichever is greater – not from the road shoulder. This is unclear in the application. A loop driveway off the town road that services Vince's Park is proposed. John Swanson inquired as to whether any structures would be built on-site with Mr. Schmucker replying that all structures will be built off-site. Mr. Schmucker stated that there will be no employees on site; therefore, no restrooms will be needed. Mr. Schmucker indicated that it is the intention to have brochures available providing contact information. Tom Scoles stated that he is quite certain that a model home with a well was once located at the same site. ITT Goulds Pumps is the current owner of the property with a purchase offer pending. Ron McGreevy stated that the Town of Tyre should have been notified by the Town of Seneca Falls of the project as the location is within 500' of the Tyre Town boundary. Mr. McGreevy stated that he is concerned with the project location impacting traffic. It is a high volume traffic area with a history of several accidents at the intersection. Ms. Haynes advised Mr. Schmucker to visit the County offices to meet with a Code Enforcement officer and herself for additional guidance. Carried 10 – 0.

3) John Swanson moved and Donald Denman seconded adoption of Resolution 7-12, which recommends approval for a Minor Subdivision. The applicant, David Markel, owns property on Seybolt Road in the Town of Fayette. The property consists of approximately 42 acres of farmed land and 17 acres of wooded land which is situated in an Agricultural Zone. The farmed land is currently being leased by two farmers under a lease agreement. Mr. Markel intends to sell two parcels totaling over 30 acres to the farmers. The applicant will retain control of the remaining property. Carried 10 – 0.

4) John Swanson moved and Tom Scoles seconded adoption of Resolution 8-12, recommending approval of a Special Use Permit for the Geneva Historical Society to allow use of an existing building located at Rose Hill Mansion, 3365 Route 96A (Town of Fayette), as a wine tasting facility. Ms. Haynes stated that the property is a patchwork of parcels acquired over time. The structure was once used as a tenant house and historically used for antique sales. The Society has been approached by a winery to establish a wine tasting facility at the location which will provide an income stream to Rose Hill Mansion. Ms. Haynes stated that the application does not indicate the size of the structure. It was questioned if the facility will have restrooms available to the public. Ms. Haynes stated that there is no information of such in the application. Bill Dalrymple stated that public restrooms do not have to be provided for a wine tasting room. Ms. Haynes stated that it is Billsboro Winery that will oversee the operation. Adequate parking will be provided. Carried 10 – 0.

5) Gordon Burgess moved and John Swanson seconded adoption of Resolution 9-12, to adopt proposed Local Law #1 of 2012 for the Village of Interlaken which will codify existing laws, ordinances and resolutions. Ms. Haynes stated that there are no significant changes to the current regulations but rather a re-adoption so that they are in an organized and more "user friendly" format. Carried 10 – 0.

OLD BUSINESS:

Draft Memorandum of Understanding (MOU):

Ms. Haynes prepared a revised Memorandum of Understanding (MOU) between the Department of Planning and Community Development and the communities within the county, establishing what is not necessary for county review / recommendation. Copies were distributed showing the four changes in red print. The text will include: 1) Minor Subdivisions where the individual lots to be created meet all size requirements of the municipality and are not adjacent or are separated by municipal roads; 2) Special Permits or Area Variances for signs located more than 500' from a state or county road or facility; 3) Site Plan Review of single family residential uses; and 4) The County Planning Board will review actions which fall under this MOU upon request from the chairman of the board which has jurisdiction. Ms. Haynes stated that no action needs to be taken at this time. She stated that between tonight's County Planning Board meeting and next month's meeting, the MOU will have to go through the Legal Department for the county attorney's review and approval prior to being forwarded to the full Board of Supervisors. Once the Board of Supervisors gives approval authorizing the Chairman's signature, it will then be forwarded to the communities.

Information Posted on County Web Site:

Ms. Haynes stated that at last month's meeting, Gordon Burgess raised the topic of New York State mandating counties to post meeting notices, agendas and action taken at various county meetings on the county web site. Harriet looked into the matter and there is a new section of the Freedom of Information Law pertaining to this effective February 2, 2012. Harriet announced that the agenda for this meeting was posted on the county web site and it will become a practice to post the monthly draft meeting minutes.

Membership and Training:

Ms. Haynes announced that half of the County Planning Board members will be up for reappointment with terms ending June 30, 2012. Harriet received notification from Keith Tidball that he has had a change of position in his workplace which will require him to be away often from the area and is; therefore, resigning. If you know of anyone who would like to serve on the Board, please call the office. There is no specific area of the county which needs representation.

Ms. Haynes stated that a training session has been scheduled for September 17, 2012 at the Office for the Aging, Seneca County Office Building, which will be co-sponsored between Seneca and Wayne Counties. Representatives of the New York State Department of State will provide training which will be late afternoon and go through to the evening. The session will last four hours which can count towards the mandated hours of training. A break will occur at dinnertime with pizza and beverages served. There may be a small fee to cover refreshments.

NEW BUSINESS:

None.

The meeting adjourned at 8:00 p.m. by motion of John Swanson.

Respectfully submitted,

Mary DeStefano
Staff Resources Asst.