

**MINUTES  
SENECA COUNTY PLANNING BOARD  
MARCH 8, 2012**

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

**MEMBERS PRESENT:** Keith Beck, Betty Berger, Charles Boehnke, Gordon Burgess, William Dalrymple, Donald Denman, Edward Franzoni (Alternate), Jack Freer, Sally Kenyon, Mark Lott, Ronald McGreevy, Thomas Scoles and John Swanson

**ABSENT WITH NOTICE:** Donald Shepherd and Keith Tidball

**ABSENT WITHOUT NOTICE:** Fred Swain

**STAFF:** Harriet Haynes, Planner and Mary DeStefano, Staff Resources Asst., Department of Planning and Community Development

**GUESTS:** Pastor Bill Dorow; Steve Hyde; Melissa Kemp, Halco; Melissa and Rick Morganti; John Paul, Jr. and Tiffany Pigman; Elise Pikarsky, L.J.R. Engineering, P.C. and Duane Reeder of Bar-D Farms

The meeting was called to order at 7:00 p.m. by Chairperson, William Dalrymple.

The Minutes of the February 9, 2012 meeting were approved by a motion of Ronald McGreevy and seconded by Donald Denman. Carried 13 – 0.

**PUBLIC COMMENTS:**

Mr. Steve Hyde spoke on behalf of the Calvary Lutheran Church regarding the proposed Advance Auto Parts Store to be located on the adjacent property to the Church which fronts both North Road and Route 414. Mr. Hyde stated that concerns include snow removal from the access driveway of the store and the safety of the children at the Church playground. Mr. Hyde also made reference to the proposed signage.

Ms. Melissa Kemp from Halco stated she was in attendance to answer any questions regarding the two applications submitted by the Seneca Falls Savings Bank.

Ms. Elise Pikarsky of L.J.R. Engineering, P.C., stated that she represents the proposed Advance Auto Parts Store and will be glad to answer any questions regarding the proposed project.

Ms. Melissa Morganti stated that she has a Site Plan Review application on tonight's agenda, and can answer any questions.

Mr. John Pigman stated that he was in attendance regarding the Garnsey application from the Town of Fayette.

Mr. Duane Reeder was present for the Bar-D Farms application.

**GML Reviews:**

1) Charles Boehnke moved and Sally Kenyon seconded adoption of amended Resolution 10-12, recommending conditional approval for a Site Plan Review. The applicant, Melissa Morganti, is proposing to construct a 40' X 80' pole barn style building to be located on Route 318 in the Town of

(OVER)

Junius. Ms. Haynes stated that there is no indication in the application as to whether New York State Department of Transportation (NYSDOT) had been contacted relative to the required permit. The applicant, Ms. Morganti, stated that she has contacted NYSDOT regarding the necessary permit. Ms. Haynes stated that it is indicated that the applicant plans to install a well on the property, and stated that the property is located on a section of Route 318 where municipal water should be available. Ms. Morganti responded that municipal water is unavailable. The water line does not follow Route 318 and instead follows Old State Road which would require easements across the private properties between Route 318 and Old State Road. Ms. Haynes stated that Town Law requires an Agricultural Data Statement to be completed and provided with the application. When asked what type of business will be in operation, Ms. Haynes stated that it was unclear in the application. Ms. Morganti responded that it will be a commercial diving and welding fabrication business. The size of the property is 2.4 acres and is vacant Residential. The property is located within 500 feet of Agricultural District #6. Resolution 10-12 was amended to read "approved conditional upon 1) the Agricultural Data Statement being submitted and the required review process being completed and 2) receipt of access permit from NYSDOT." Condition #3, "the structure utilize the municipal water rather than install a separate well" was omitted. Carried 13 – 0.

2) Gordon Burgess moved and John Swanson seconded adoption of amended Resolution 11-12, recommending conditional approval. Advance Auto Parts is proposing to construct a store located on Route 414 in the Town of Seneca Falls. The parcel which is in a Highway Commercial Zone has frontage on both Route 414 and North Road (surrounding the Lutheran Church). The applicant is seeking three types of action in order for this project to proceed: Subdivision Review, Site Plan Review and Area Variance.

Subdivision Review: The applicants are proposing to use tax parcel 33-1-62.112 and a portion of 33-1-62.111 to construct the store. The subdivision of parcel 33-1-62.111 leaves a property that does not meet the minimum lot frontage. It would meet the minimum square footage. Less than full lot frontage can provide issues for further development by restricting the potential location of access. Parcel 33-1-62.111 is the lot located between the building which houses the current flooring business and Dr. Ryan's Chiropractic business. Approval is recommended for the subdivision conditional upon 1) the remaining piece of parcel 33-1-62.111 either being made a part of an adjoining parcel with frontage on Route 414, or by it being granted permanent access across an adjacent parcel.

Site Plan Review: The proposal includes demolition of the current structure prior to new construction of the Advance Auto Parts Store. Ms. Haynes stated that the proposed access drive onto North Road does not line up with the existing entrance to Walmart. This creates a potentially dangerous situation if a person tries to cross traffic to enter the drive while approaching from the west, to exit the property onto North Road to go east, or for persons trying to cut straight across either from Walmart to this property or the reverse. This could be mitigated by restricting the North Road access to right-in, right-out only. The drive to North Road as proposed is extremely close to development to the south/east. The northwest corner of parcel 33-1-63 is used as a playground for daycare and church events. This could be mitigated by the property owners agreeing to a fence along or near property lines for a distance to be determined. It was questioned if the developer for the Advance Auto Parts Store would consider buying additional property next to the "pinch" of land from the Lutheran Church or Seneca Falls Savings Bank. Mr. Hyde who spoke on behalf of the Church stated that they have not been contacted regarding any potential purchase of land. Ms. Pikarsky of L.J.R. Engineering stated that as far as she is aware, there has been no communication for potential purchase of such property. Much discussion pursued regarding the access drive and right-in and right-out turns. Charles Boehnke stated that the idea of right-in and right-out turns is not a novel idea – Walmart has a right-out only access drive and the Hampton Inn will be utilizing the same. The proposal makes reference to the access drive being 24' wide. Discussion pursued regarding the required width of a one-lane drive.

Area Variance: Signage is proposed on the building face on both the east and south side of the building. This signage will total two times 100 sq. ft. and a pylon sign is to be constructed at both the

Route 414 entrance and the North Road entrance which will equal four times 75 sq. ft. The total proposed signage would be 500 square feet. The Seneca Falls Zoning restricts commercial on-site to 100 sq. ft. for signage. The proposed signage does not include directional signs, window advertisements, etc. Ms. Haynes stated that this seems to be an excessive amount of signage for a single business with less than 5,000 sq. ft. for retail space. Ms. Haynes stated that the proposed cloud sign to be on the south side of the building would be primarily visible only from the Church parking lot.

Amended Resolution 11-12 reads "RESOLVED, that the Seneca County Planning Board recommends that these requests be approved with the following conditions: 1) the Subdivision be approved conditional upon the remaining piece of parcel 33-1-62.111 either being made a part of an adjoining parcel with frontage on Route 414, or by it being granted permanent access across an adjacent parcel, 2) the Site Plan be approved conditional upon a) the exit onto North Road be marked as right turn only, b) the drive to North Road be an exit only, and a fence be constructed at a minimum of two feet from the property line with tax parcel 33-1-63, of mutually agreed upon material to provide screening and limit access from the adjacent playground and 3) the Area Variance for signage be approved conditional upon the "cloud sign" on the south side of the building being eliminated and necessary directional signage for the turn restrictions being added." Carried 13 – 0.

3) John Swanson moved and Charles Boehnke seconded adoption of Resolution 12-12, recommending approval for request of a Minor Subdivision Review. The applicant, Patricia Garnsey, owns 74.5 acres on the west side of Route 89 on Leader Road, Town of Fayette. The proposal is to create two parcels – the north parcel will include 24.7 acres and the parcel to the south will consist of 49.8 acres. Zoning for the location is Agriculture and Rural Residential. The parcel sits on both sides of Leader Road. Carried 12 – 0. Board member, Mark Lott, abstained from voting.

4) Charles Boehnke moved and Ronald McGreevy seconded adoption of Resolution 13-12, which recommends approval of a Site Plan Review forwarded by the Town of Seneca Falls. The Seneca Falls Savings Bank at 19 Cayuga Street is to have installed solar panels on the roof. The Bank will be fitted with a 10.35 kW solar PV system. The system would include 60 230 Watt solar panels mounted with a low profile ballasted racking system. The panels will be pitched at 10 degrees, leaving a distance of 7" between the panel and the roof at the front of each row, and a distance of 14" between the panel and the roof surface at the back of each row. Carried 13 – 0.

5) John Swanson moved and Gordon Burgess seconded adoption of Resolution 14-12, recommending approval of a Site Plan Review submitted by the Seneca Falls Savings Bank Branch located at 1865 North Road in Seneca Falls. The information provided from the previous review of the Seneca Falls Savings Bank Branch (Cayuga Street) is the same except 45 230 Watt solar panels are being used. Ms. Melissa Kemp, Halco Representative, stated that the solar electric system should offset energy costs by 10 – 15 percent. Carried 13 – 0.

6) John Swanson moved and Mark Lott seconded adoption of Resolution 15-12, recommending that the request for a Site Plan Review should have no countywide or inter-municipal impact. The applicant, Duane Reeder of Bar-D Farms, plans to construct a building to operate a farmers' market at 791 Route 5&20 in the Town of Waterloo. Ms. Haynes stated that it will be located immediately to the east of the Nelson property. The building is to be 129' X 60' and 1,800 sq. ft. of retail space. The only other structure on the lot is a dilapidated barn which will remain but is a distance from the proposed market. The parking lot will allow for 20 vehicles. Ms. Haynes stated that the application does not provide any information regarding anticipated earth grading and landscaping. The access permit has been received from the NYSDOT. Carried 12 – 0, with an abstention from Keith Beck.

7) Ronald McGreevy moved and Gordon Burgess seconded adoption of Resolution 16-12, recommending conditional approval for a Minor Subdivision Review. Charles and Nancy Luffman wish to subdivide 24.7 acres into two parcels: Parcel A – 19.7 acres and Parcel B – 5.0 acres. The property is on Farron Road in the Town of Seneca Falls. Ms. Haynes stated that an Agricultural Data Statement was not provided. An inquiry was made as to what the purpose is of an Agricultural Data Statement. Ms. Haynes stated that an Agricultural Data Statement is a reiteration of data on the property. The municipality requires the completed form when the project is within 500' of a farmer's property. The municipality is then responsible to notify nearby farm operations of the project. Conditional approval is recommended based upon the Agricultural Data Statement being submitted and the required review process completed. Carried 13 – 0.

8) Gordon Burgess moved and Sally Kenyon seconded adoption of Resolution 17-12, recommending conditional approval for a Site Plan Review. The applicant, Mr. Joseph Schmucker, has resubmitted the application which the County Planning Board reviewed at last month's meeting. Ms. Haynes stated that the applicant responded to all issues which were provided in the "Analysis" of last month's report. Approval of this request will allow a display of pre-manufactured accessory buildings on Route 318 (across the access drive from Vince's Park) in the Town of Seneca Falls. The property has adequate space to display a total of 25 accessory buildings, e.g., sheds, playhouses and gazebos. The application indicates that the display will not be manned; therefore, it will not be necessary to provide a restroom. Ms. Haynes stated that the entrance is to be 120' north of the north entrance to Vince's Park with the exit drive being directly across from one of the exit driveways of the park. Two signs are proposed which will each be 4' X 8'. One will be located on the south corner of the property and the other in the northeast corner toward the intersection of Routes 318, 89 and 5&20. The signs will be 4' off the ground and be mounted on posts that are cemented into the ground. Ms. Haynes stated that Mr. Schmucker is having a survey done to assure that the location of the Highway right-of-way is clearly delineated and has committed to locate the signs at the required setbacks from the Highway right-of-way. Ms. Haynes stated that the Town of Seneca Falls had advised that the project notification was sent to the Town of Tyre. Board member, Ronald McGreevy, stated he has no knowledge of Tyre Town officials receiving notification of this project from the Town of Seneca Falls. Conditional approval is recommended upon no signs being installed until the survey is completed and the location is established such that it meets the setback requirements of the Town Zoning. Carried 12 – 0. Board member, Ronald McGreevy, abstained from voting.

9) Jack Freer moved and Betty Berger seconded adoption of Resolution 18-12, which states that the proposed Zoning Law for the Town of Savannah will have no significant impact on Seneca County. Ms. Haynes distributed the portion of regulations for the areas zoned Agriculture Residential and the Signage Table. Savannah is including in the zoning both the concepts of "Maximum Building Coverage (30%) and Minimum Green Space (50%)." Ms. Haynes noted that she was particularly impressed by the development of the Signage Table which addresses specific signs, e.g., construction, directional, awning, window and other categories. Carried 13 – 0.

## **OLD BUSINESS:**

### **Draft Memorandum of Understanding (MOU):**

Ms. Haynes presented a draft copy of the proposed Memorandum of Understanding (MOU) for adoption by the County Planning Board. At this time, an endorsement by the County Planning Board is necessary for it to be submitted to the Board of Supervisors to authorize the signature of the Chairman of the Board of Supervisors. Once approval for the Chairman's signature is obtained, the MOU will be sent to municipalities within the County. After the municipality has signed, then the Chairman of the Board will sign the individual agreement with each municipality. Ms. Haynes stated that there is a "sunset clause" in the current MOU as well as the proposed version. Therefore, once both entities have signed the proposed MOU, it will automatically terminate the current one. Upon an inquiry as to who from each community signs the MOU, Ms. Haynes responded that municipalities often respond to this differently –

some may choose to have the chairperson of the planning board sign the document while another may obtain the signature of the town supervisor. Ms. Haynes stated that upon receipt of the MOU, it is recommended that each community seek advice from its legal counsel. Betty Berger moved and Sally Kenyon seconded adoption of the MOU, Resolution 19-12. Carried 13 – 0.

**Training Opportunities:**

County Planning Board members should have received a listing of training dates and topics for 2012 being sponsored by Wayne and Seneca Counties. Training sessions will be held in both counties and pre-registration is required as seating is limited. Attendance will count towards the New York State mandated training of four hours per year.

Brochures were distributed regarding the Spring 2012 Regional Local Government Workshop sponsored by the Genesee/Finger Lakes Regional Planning Council. The session will be held on Thursday, May 17, 2012, at the Burgundy Basin Inn in Pittsford. Pre-registration is required by May 7, 2012.

**Membership:**

Ms. Haynes stated that membership was discussed at last month's meeting asking if any member knows of someone having an interest to serve on the Board to inform County Planning staff. Since last month, a note was received from Donald Shepherd expressing his desire to surrender his position on the Board.

**NEW BUSINESS:**

None.

The meeting adjourned at 8:24 p.m. by motion of John Swanson.

Respectfully submitted,

Mary DeStefano  
Staff Resources Asst.