

**MINUTES  
SENECA COUNTY PLANNING BOARD  
AUGUST 11, 2016**

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

- MEMBERS PRESENT:** Betty Berger, Henry Bickel, Gordon Burgess, William Dalrymple, Donald Denman, Edward Franzoni, Sally Kenyon, Tom Scoles, Michael Smith, John Swanson and Steven Trout
- MEMBERS CALLED:** David Fitzgerald, Mark Lott and Michael Scaglione
- MEMBERS ABSENT:** See Above
- STAFF:** Harriet Haynes, Planner and Mary DeStefano, Staff Resources Asst., Department of Planning and Community Development
- GUESTS:** Brian Bouchard, P.E., CHA Consulting, Inc.; Robert Seem, Tyre Town Planning Board; Vern Sessler; and Melody Westfall, Esq., Scalfone Law PLLC

The meeting was called to order at 7:03 p.m. by Chairman Dalrymple.

The Minutes of the July 14, 2016 meeting were approved by a motion of John Swanson and seconded by Michael Smith. Carried 11 – 0.

**PUBLIC COMMENTS:**

***Dunkin' Donuts Presentation:***

Mr. Brian Bouchard, P.E., of CHA Consulting, Inc., introduced himself and stated that he was the Project Engineer representing the applicant for the proposed Dunkin' Donuts Project being reviewed by the County Planning Board this evening. Mr. Bouchard stated that an application for a Site Plan Review came before the County Planning Board earlier this year. Since the proposal was first reviewed by this Board, some modifications have been made. The following items were addressed:

- Mr. Bouchard stated that the proposal was initially for a stand-alone 2,200 SF Dunkin' Donuts Restaurant situated on the NW corner of Routes 414 and 318 in the Town of Tyre. Since that time, the applicant has been reviewing the economics of the Project and has decided to have the proposed original size Dunkin' Donuts with Drive-through to now include an additional 3,000 SF to allow for commercial tenants. Mr. Bouchard stated that updated elevations are shown on the rendering to indicate the multi-tenant space. The vacant rental area could be utilized for either retail or office use.
- Since the first review by the County Planning Board, a Traffic Impact Statement (TIS) has been completed and shows trip generation along the corridor. Also, discussions have been underway with representatives from the New York State Department of Transportation (NYS DOT) that has control over State roadways. Mr. Bouchard stated that it has been determined by DOT that access onto Route 318 will be required to be a right-in / right-out only, citing that the restricted access is for safe movement. The access drive off of Route 414 will be allowed full access but at 24' wide and farther from the intersection. Mr. Bouchard stated that DOT's justification for requesting access drives to be farther from the intersection is partly due to the stacking of vehicles in the queue for the entrances to the site.
- Because of the high traffic of trucks and tractor trailers along the corridor, initial plans included providing parking to the rear of the building for such vehicles. However, due to safety concerns of large trucks moving around the site to exit onto Route 414, this parking has been eliminated.
- Mr. Bouchard stated that when the Agricultural Data Statement was prepared for the first application, the fields in the Agricultural District were not planted. It is to be noted that the fields are now planted with crops.

- Proposed signage includes one wall mounted sign for Dunkin' Donuts and a pylon sign which will be under the required 100 SF.
- Board member, Steven Trout, inquired if adequate parking will be available as a result of the additional tenant space. Mr. Bouchard stated that parking has been increased from 40 to 50 spaces and that parking will be expanded around the tenant area. He stated that the Drive-through will also help with traffic circulation. The Tyre Town Zoning does not address parking specifications for commercial use.

### **GML Review:**

#### **1) Town of Tyre, Site Plan Review & Area Variances, JFJ Holdings, LLC, Corner of Rtes. 318 & 414**

Gordon Burgess moved and Michael Smith seconded adoption of Resolution 34-16, recommending conditional approval for the Site Plan Review and Area Variances. Ms. Haynes stated that the initial Site Plan was reviewed by the County Planning Board in May of 2016 and the Site Plan is now submitted with modifications. As stated earlier by the engineering consultant, additional commercial space is being proposed and there has been a preliminary response from the NYS DOT since the last review. Ms. Haynes stated that feedback from the DOT has approved the drive onto Route 318 as being right-in / right-out, and the access drive from Route 414 has been modified. Ms. Haynes stated that at some time, the property to the west may be developed and, therefore, is recommending that an interconnection drive of this property with the one to the west be created. The existing infrastructure which is currently being improved is adequate to handle sewer and water capacity demands.

Ms. Haynes stated that a new issue has been raised by Tyre Town officials regarding the Magee House located on the site. There has been some interest expressed that the original portion of the Magee House be retained and incorporated into the design. Board member, William Dalrymple, inquired if the structure has some value or historic meaning. Dr. Robert Seem, Chairman of the Tyre Town Planning Board, stated that one of the original occupants of the home, Dr. Magee, was involved in politics, being the first Supervisor of the Town of Tyre. Dr. Seem stated that it is the only original building left at Magee Corners, and it is the desire to preserve some of the historic buildings within the Town. Mr. Bouchard stated that since this is a new issue which has developed, further conversation needs to occur between the applicant and officials from Tyre. Mr. Bouchard stated that if the original structure is not used, an alternative is to construct an interactive pedestal showing the landmark surrounded by a bed of landscaping. Mr. Bouchard stated that the application currently submitted does not address the issue of the Magee House. Mr. Bouchard stated that there will have to be some flexibility if the latter proposal comes to fruition.

The Seneca County Planning Board recommends that this request be approved conditional upon: 1) the Town Planning Board concurring that proposed traffic volumes can adequately be handled by the current and proposed road conditions, 2) receipt of approval of the application for proposed commercial driveways by NYS DOT and 3) design of connection drive with property to the west with the understanding that it will be added at such time as the property to the west is developed. It is also recommended that the request for Area Variances for signage be approved conditional upon the location of the pylon sign not be in the State Right-of-Way, and that accommodations be made for signage for the additional commercial space being added to the pylon sign. Additionally, the County Planning Board has determined that the following modifications to the Site Plan would not trigger additional review by this Board: addition of drive to the property on the west, moving Route 318 and Route 414 entrances to concur with NYS DOT recommendations, and use of original brick section of the Magee House as part of the Dunkin' Donuts building. Carried 10 – 0 with an abstention from Henry Bickel.

### **OLD BUSINESS:**

#### ***Training Opportunity:***

Ms. Haynes stated that New York State Department of State Representatives will be providing training on Wednesday, September 21, from 5:00 to 9:30 p.m. at the Office for the Aging in the Seneca County Office Building. Once again, Wayne and Seneca Counties will be co-sponsoring the training that will include such topics as 1) the new NYS GIS Portal which anyone should be able to access from their computers, 2) enforcement of zoning, and 3) referrals to County Planning Boards. Attendance at all three sessions will provide the four hours of annual training required by New York State for all members who serve on local planning / zoning boards. Registration may be done on-line through the Wayne County Department of Planning or by contacting staff at the Seneca County Department of Planning and Community Development.

***New Byrne Dairy Store – Memorial on Site:***

William Dalrymple stated that he recently drove by the new Byrne Dairy Store on the corner of Routes 318 and 414 and saw the monument which was discussed at last month's meeting. He stated that the monument is surrounded by fencing. Dr. Seem commented that it was an agreement with the developers that they maintain the cemetery, and that the site was developed to screen the monument from the public as best as possible.

**NEW BUSINESS:**

None.

The meeting adjourned at 7:35 p.m. by motion of John Swanson.

Respectfully submitted,

Mary DeStefano, Staff Resources Asst.  
Secretary