

**MINUTES
SENECA COUNTY PLANNING BOARD
OCTOBER 11, 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, Jack Freer, Sally Kenyon, Pam Kirk, Ronald McGreevy, Tom Scoles, and John Swanson
- ABSENT WITH NOTICE:** Mark Lott
- ABSENT WITHOUT NOTICE:** Edward Franzoni
- STAFF:** Harriet Haynes, Planner and Mary DeStefano, Staff Resources Asst., Department of Planning and Community Development
- GUESTS:** Lewis Catherman; Robert Harner, P.E., of Lakeside Engineering; Anthony Nicoletta; Frank Nicoletta; Carl and Mary Nolt; and Ron Parker

The meeting was called to order at 7:06 p.m. by Chairperson, William Dalrymple.

The Minutes of the September 13, 2012 meeting were approved by a motion of Ronald McGreevy and seconded by Gordon Burgess. Carried 12 – 0.

PUBLIC COMMENTS:

None.

GML Reviews:

- 1) Tom Scoles moved and Keith Beck seconded adoption of Resolution 44-12, recommending conditional approval for a Minor Subdivision Review. Lewis and Janet Catherman wish to subdivide 12.7 acres into two parcels located on County Road 121 in the Town of Fayette. The second lot will be 175' X 360', will include the residence and will have frontage on County Road 121. The remaining acreage will continue to be used for agricultural purposes. The property is located in Agricultural District #8 and is zoned Agriculture-Residential. There should be no significant countywide or inter-municipal impact. Conditional approval is recommended upon submission of a final survey map. Carried 12 – 0.
- 2) Charles Boehnke moved and Betty Berger seconded adoption of amended Resolution 45-12, requesting Use and Area Variances to allow the conversion of a building known as 81 – 83 Fall Street, Seneca Falls, to a total of eight apartment units. The applicant, Robert Harner of Lakeside Engineering, is the consulting engineer for the owner, John Pross. The proposal is to have a total of eight apartments on four floors located in the downtown commercial structure. Two stories of the structure are located underneath Fall Street as the exits are to the rear of the building known as Cowling Street. There currently is an existing apartment on floor three (Fall Street level). Two apartments will be located on each of the first and second floors. Three apartments will be on the fourth floor. Ms. Haynes stated that a Use Variance is necessary for each of the floors above floor one of the building. Ms. Haynes stated that there is no information as to whether the Fall Street level apartment was established legally. She also stated that according to local zoning, any dwelling unit is supposed to have a minimum of two exterior exposures for ventilation, and that this will not be the case for any of the apartments. If this was new construction of the building, applicable zoning code would require a total

(OVER)

of twenty off-street parking spaces. The applicant has provided no documentation regarding any off-street parking associated with this building. The additional apartments being provided would require eleven off-street spaces. Harriet indicated that the conversations she has had since the preparation of this written report, it has been learned that the Town may be willing to allow some of the parking area off Cowling Street to be designated for use by tenants. Board member, Gordon Burgess, expressed great concern regarding the use of municipal-owned parking being designated for use by a particular property owner. Mr. Burgess made a motion for an amendment to Resolution #45-12 written by the Planning Department staff which would require the applicant to identify 20 off-street parking spaces not in a municipal lot. There was no second to the motion. Board member, Charles Boehnke, expressed that he did not feel that parking issues were a countywide or inter-municipal concern. A lengthy discussion ensued regarding the parking, potential involvement of municipal parking, and the impact on traffic and transportation on Fall Street (NYS Route 5&20). Charles Boehnke made the motion that proposed Resolution 45-12 be amended to be left solely to local determination, seconded by Betty Berger. Carried 11 – 1, with Gordon Burgess voting nay.

3) John Swanson moved and Gordon Burgess seconded adoption of Resolution 46-12 which recommends approval of a Site Plan Review. The applicant, Frank Nicoletta, is proposing to construct an addition to the existing structure located at 2041 State Route 5&20 in the Town of Seneca Falls. The structure was previously the Fleet Bank. Existing zoning is C-2 Highway Commercial. The project will consist of a 2,000 sq. ft. addition that will be to the rear of the current building. The conversion will allow office space to be utilized as a USDA Service Center which will house various offices for the USDA Natural Resources Conservation Service and the Seneca County Soil and Water Conservation District. Ms. Haynes stated that the offices are now located at Academy Square in Seneca Falls. The application indicates that the project will include increased parking spaces and landscaping. Existing access to the building will remain unchanged. Carried 12 – 0.

4) John Swanson moved and Donald Denman seconded adoption of Resolution 47-12 which recommends the request for a Minor Subdivision Review be left to local determination. Carl and Mary Nolt are requesting a Minor Subdivision for property at 3173 Yost Road in the Town of Fayette. The parent parcel consists of 91.5 acres and the smaller lot will be 5.5 acres which will include the existing residence and two barns. Right-of-ways will be provided for access across the smaller parcel to access the barns and existing farm lanes. This proposal for a "flag lot" will have only 49.23' frontage onto Yost Road. Ms. Haynes stated that an Area Variance from the Town will be necessary but does not require review by the County Planning Board. Ms. Haynes stated that the Town of Fayette should be certain that potential future development of the 5.5 acre parcel could be reasonably handled by the access strip of the "flag lot". Existing zoning is Agriculture and Rural Residential. Carried 12 – 0.

5) John Swanson moved and Gordon Burgess seconded adoption of Resolution 48-12, recommending conditional approval of a Minor Subdivision Review. Mr. Ralph Lott would like to subdivide a total of 85.4 acres located on the west side of Route 89, north of Cemetery Road, in the Town of Fayette. The lot which is to be subdivided will consist of 7.9+ acres and will be transferred to an adjacent property owner, Mr. Keith Tidball. Ms. Haynes stated that the land to be transferred consists of bushy woodland and is not currently tillable. Existing zoning of the area is Agriculture-Rural Residential. Conditional approval is recommended upon the 7.9+ acre parcel being made a part of an adjoining property. Carried 12 – 0.

6) Ronald McGreevy moved and Betty Berger seconded adoption of Resolution 49-12 which recommends approval for a Use Variance request submitted by Leland and Maureen Cook. The applicants plan to demolish their seasonal camp at 3327 Demont Road in the Town of Seneca Falls. The property is in deteriorating condition as it was built on the ground in the 100-year flood plain. The intent is to replace the existing structure with new construction of a different footprint, and will include a new shed on the property. The base floor elevation will be raised to above the flood elevation for the area. The applicants lease the property from the New York State Canal Corporation. Ms. Haynes stated that because of leasing the property, approval should be sought from New York State prior to

construction. Therefore, it is recommended that the request for a Use Variance meet approval only after notification that the New York State Canal Corporation will allow this action. Carried 12 – 0.

7) Gordon Burgess moved and Donald Denman seconded adoption of Resolution 50-12, recommending conditional approval of a Site Plan Review for new construction of a Dunkin' Donuts retail store with a drive-thru window, to be located at 2014 Route 5&20 in the Town of Seneca Falls. The applicant is Cafua Management Company which has a contract to purchase with the Bohler Engineering Firm working as its agent. The proposal is to demolish the existing structure and construct a 2,060 sq. ft. Dunkin' Donuts which will have a drive-thru and a 1,500 sq. ft. retail store. The plan is for two entrances/exits off of Route 5&20. There is no indication that New York State Department of Transportation (NYSDOT) has approved this traffic pattern. The drive-thru will be on the south side of the building and is designed as a single lane. Ms. Haynes stated that this would mean that customers could have up to six cars ahead of them and (some which had not even ordered) no way of changing their mind. The main freestanding sign is proposed as such that each side will be approximately 28 sq. ft., the surface mounted sign will be around 32 sq. ft. which allows about 12 sq. ft. for additional directional signage. Conditional approval is recommended upon approval of traffic entrances and exits by NYSDOT and redesign of the drive-thru to allow for an additional lane of traffic, and if an Area Variance is needed for signage that it be approved. Carried 12 – 0.

OLD BUSINESS:

None.

NEW BUSINESS:

None.

The meeting adjourned at 8:13 p.m. by motion of John Swanson.

Respectfully submitted,

Mary DeStefano
Staff Resources Asst.