

**MINUTES
SENECA COUNTY PLANNING BOARD
MARCH 12, 2015**

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

MEMBERS PRESENT: Keith Beck, Betty Berger, Gordon Burgess, William Dalrymple, Donald Denman, Edward Franzoni, Jack Freer, Sally Kenyon, Mark Lott, Colby O'Brien (Alternate), Michael Scaglione, Tom Scoles and John Swanson

MEMBERS CALLED: Michael Smith

MEMBERS ABSENT: Pam Kirk

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

GUESTS: Doug Freier, Lisie Freier, Stacy Freier, Adele Hughes, Jamie Hughes and Steve Hughes

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

Chairman Dalrymple appointed Colby O'Brien, Alternate, to sit in for absent member, Pam Kirk.

The Minutes of the February 12, 2015 meeting were approved by a motion of John Swanson and seconded by Donald Denman. Carried 13 – 0.

PUBLIC COMMENTS:

Mr. Doug Freier stated that he and his family were present regarding the request for a Special Use Permit and Site Plan Review.

Mr. Steve Hughes spoke regarding the request of Jamie Hughes for a Use Variance to allow the operation of a canine boarding kennel located on Garden Street in the Town of Seneca Falls. The approximately 30 acres is located in an R-1 neighborhood.

GML Reviews:

1) **Town of Fayette, Special Use Permit & Site Plan Review, Freier Farms Rentals LLC**
Michael Scaglione moved and Sally Kenyon seconded adoption of Resolution 7-15, which recommends conditional approval for request of a Special Use Permit and Site Plan Review, with the correction of parking spaces changed from 19 to 11. The applicant, Freier Farms Rentals LLC, is owner of property located at 1100 West River Road in the Town of Fayette. The property consists of 1.25 acres of which a house structure is situated and is proposed to have the house renovated so that 70% of the first floor would be converted to a seven-chair beauty salon. The remainder of the house would be living quarters for the owner of the shop. Under Fayette Town Zoning, this conversion would be considered a Class B Home Business. Ms. Haynes stated that under the Zoning, it is required that the owner of the business reside in the house. Board member, Tom Scoles, stated that he has concerns with the septic system as it will be a big increase in the use of water supply. Ms. Haynes stated that the application does not indicate any specifications for proposed parking. The applicant advised the Board that the proposal was for a four-chair salon. Ms. Haynes explained the computation for figuring allowed parking spaces; however, in doing so, Ms. Haynes had made the calculations on there being 7 chairs – the reduction in chairs decreases the number of parking spaces to the correct number of 11 parking spaces. Ms. Haynes also stated that signage was not addressed in the application. Conditional approval is recommended based upon: 1) The owner of the business living in the residence at that location, 2) Meeting parking requirements in Section 800 of the Local Land Use Law, 3) Has a minimum of 11 parking spaces for the residential and commercial uses combined, and 4) Meets the signage requirements as put forth in Section 808. Carried 12 – 0. Board member, Mark Lott, abstained from voting.

2) Town of Seneca Falls, Use Variance, Hughes, Jamie

Tom Scoles moved and Edward Franzoni seconded adoption of amended Resolution 8-15, recommending conditional approval of a request for a Use Variance submitted by Jamie Hughes from the Town of Seneca Falls. The applicant has a contract to purchase 29.6 acres of land located at 88 – 92 Garden Street. The property is zoned R-1 Residential and the applicant wishes to construct and operate a canine boarding kennel which is a use not allowed in an R-1 Zone. In order to obtain the Use Variance to allow operation of the boarding kennel, the Town Zoning Board of Appeals would have to grant the Variance once the applicant has demonstrated hardship. Ms. Haynes stated that the applicant did not address the hardship issue in the application.

Ms. Hayne stated that Mr. Hughes would like to be allowed to further explain the proposed project. It was the general consensus of the Board to allow Mr. Hughes five minutes to provide details of the project.

Mr. Hughes explained that his daughter, Jamie, had worked at the Boarding Kennel, Reigning Cats & Dogs, which is now closed and in litigation. Mr. Hughes solicited property owners that owned at least 11 acres within Seneca County to inquire whether they would be interested in selling. He stated that the interest was not there, especially in the Towns of Junius and Tyre, due to the pending construction of the Lago Resort and Casino. Mr. Hughes stated that his daughter has been caring for dogs for the past three years, working for the Reigning Cats and Dogs Kennel and the Second Chance Rescue Shelter. Mr. Hughes stated that they are currently boarding a dog at their home, and his daughter is continually receiving calls to take care of pets while the owners are out of town. Mr. Hughes stated that the purchase offer is contingent upon receiving the Use Variance, and is in effect until the end of April. Mr. Hughes reputed that at such time, if this project is not moving forward, the owner will sell to the Cayuga Nation. Mr. Hughes distributed to Board members handouts with photos and details of the proposed project. The kennel will be a state-of-the-art facility and will be made to be soundproof. Mr. Hughes stated that he has spoken to neighbors of the property and they are okay with the proposal. The kennel will be located at least 400' from any neighboring property. The operation will be a boarding kennel with grooming services available. This will not be a breeding operation. Mr. Hughes reiterated that the facility is a necessary need in the community and stated that this has been their only option for purchasing the necessary land.

Ms. Haynes further explained the need for demonstrating of hardship, and that the hardship cannot be self-created. After a lengthy discussion, Gordon Burgess made the motion to accept the recommendation of the Department of Planning and Community Development for the request of Jamie Hughes be denied based on insufficient demonstration of the statutory requirements for the granting of a Use Variance. Betty Berger seconded. After a roll call vote of 6 ayes and 6 nays with one abstention, Ms. Haynes explained that no action is taken as there must be 8 ayes for the motion to carry. After further discussion, a second roll call vote was taken for an amended Resolution; this action carried 12 – 1, with Board member, Gordon Burgess, voting nay. Amended Resolution 8-15 recommends that this request be approved conditional upon the Town of Seneca Falls determining that the statutory requirements for granting a Use Variance have been met.

3) Town of Fayette, Minor Subdivision Review, Martin, Ira G.

John Swanson moved and Colby O'Brien seconded adoption of Resolution 9-15, recommending approval of a Minor Subdivision Review request submitted by Ira Martin from the Town of Fayette. The applicant is proposing to create two lots from a total of 125.4 acres on West River Road with frontage on Knauss Road. Parcel A will consist of 1.243 acres and Parcel B will be 123.15 acres. The parcel to be divided off is surrounded by agricultural land. The parent parcel is surrounded by both residential and agricultural uses. Each parcel will have a house situated on it. Carried 12 – 0. Board member, Mark Lott, abstained from voting.

4) Town of Romulus, Zoning Amendment

Tom Scoles moved and John Swanson seconded adoption of Resolution 10-15, recommending adoption of the Zoning Amendment submitted by the Town of Romulus. Ms. Haynes stated that portions of the Zoning Amendment involve the full Town and other portions involve the area of the Former Army Depot which is between Route 96 and 96A. Originally, the Romulus Town Zoning included a Redevelopment Plan for the Army Depot. Ms. Haynes stated that the Town of Romulus has worked with the Town of Varick for a planning process regarding the area of the former Seneca Army Depot and now is putting forward a Zoning Amendment as a result of the work. At the same time, they are making modifications to definitions that they have over time identified as needing clarification. Ms. Haynes stated that the Consultant, Stuart Brown Associates, Inc., assisted in preparing the Zoning Amendment. Ms. Haynes stated sometime in the future, a proposed zoning amendment will be forwarded by the Town of Varick. A colored map of the Proposed Zoning Map Revisions and the Summary from the Zoning Revisions were distributed to Board members. Carried 13 – 0.

OLD BUSINESS: None.

NEW BUSINESS: None.

The meeting adjourned at 8:10 p.m. by motion of John Swanson.

Respectfully submitted,


Mary DeStefano, Secretary
Staff Resources Asst.