

**MINUTES
SENECA COUNTY PLANNING BOARD
APRIL 14, 2016**

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

MEMBERS PRESENT: Betty Berger, Gordon Burgess, William Dalrymple, Donald Denman, Edward Franzoni, Mary Kelleher (Alternate), Pam Kirk, Mark Lott, Michael Scaglione and John Swanson

MEMBERS CALLED: Keith Beck, Sally Kenyon, Tom Scoles and Michael Smith

MEMBERS ABSENT: Jack Freer

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

GUESTS: Harry Bennett, Eleanor Burnett, Menzo Case, Bill Caster, Sandra Caster, John Pulver, John Sheppard and Don Trout

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

Chairman Dalrymple introduced Seneca County Manager, Mr. John Sheppard. Mr. Sheppard stated that he has been on the job as County Manager for the past six months. Mr. Sheppard thanked Board members for their contributions and work on behalf of Seneca County.

The March 10, 2016 meeting minutes were approved by a motion of Gordon Burgess and seconded by Donald Denman. Carried 9 – 0.

PUBLIC COMMENTS:

Ms. Sandra Caster of 1449 West River Road stated that she lives across the road from Mr. Pulver at 1436 West River Road. Ms. Caster stated that in 2013, Mr. Pulver was granted a special use permit and at that time, the Village of Waterloo never got notified. Ms. Caster stated that the number of vehicles on the property for sale and repair exceed the number allowed under the permit. She further stated that fencing and landscaping should have been done to block the view of the property, citing that vehicles are being parked everywhere. Ms. Caster stated that Mr. Pulver was to be the only employee and now there are three workers. There are safety concerns regarding customers walking the property amongst all the vehicles. Ms. Caster also cited vehicles racing up and down the road, vulgarity being used, and a growing business in a predominant residential area. Ms. Caster submitted a petition signed by 38 petitioners who oppose the current request.

Mr. Pulver spoke regarding his request to build an 18' X 18' addition to the existing building for office space. He stated that he cannot park on the concrete slab as parking is not allowed within 10' of the side property line. Mr. Pulver also stated that he cannot build on the east side of the building because the utilities are located there. Mr. Pulver stated that there are currently 16 vehicles on the premises.

GML Reviews:

Generations Bank Presentation:

Chairman Dalrymple called upon Mr. Case for a briefing of the proposed Generations Bank Project. Mr. Menzo Case, President and CEO, introduced himself and Mr. Harry Bennett, Security and Facilities, of Generations Bank. Mr. Case displayed a rendering of the proposed renovations which include a 160 sq. ft. addition that will enhance the front exterior foyer of the building located on Cayuga Street in Seneca Falls. Mr. Case stated that the Project has been reviewed and approved by the Seneca Falls Town Heritage Preservation Commission. The parking and traffic flow will remain unchanged. Proper lighting will be provided as specified by New York State Law.

Chairman Dalrymple appointed alternate member, Mary Kelleher, to sit in for Sally Kenyon.

1) Town of Seneca Falls, Site Plan Review, Generations Bank

John Swanson moved and Betty Berger seconded adoption of Resolution 15-16, which recommends approval for a Site Plan Review submitted by Generations Bank. Ms. Haynes stated that the small addition to the front of the building will serve as an entrance vestibule and modify the façade to give it a more modern look. The entryway will be of glass and the corner of the building near the entrance will be given a new exterior appearance. There will be a change of location for the existing signage. No impact on traffic flow or parking will occur. Carried 9 – 0. Mary Kelleher abstained from voting.

2) Town of Fayette, Site Plan Review, Pulver & Miguez

Ms. Haynes read an email communication dated April 9, 2016, which she received from Dave and Terri Grifa who reside at 1450 West River Road and are neighbors of the applicant, Mr. Pulver. The statement cites concerns of the proposed Project. The email includes copies of photos showing the proximity of Mr. Pulver's garage and vehicles to the Grifa property.

Gordon Burgess moved and John Swanson seconded adoption of modified Resolution 16-16 which recommends conditional approval. Mr. Pulver is seeking approval of the Site Plan Review to allow construction of an office for his business at 1436 West River Road by building an 18' X 18' addition to the existing structure. Ms. Haynes reiterated that the current application is for only the office space addition. Ms. Haynes displayed the diagram, stating that this is the first submitted application that has included a map of the property with measurements. The map indicates the dimensions from the property line to the 18' addition. The reading of the survey map indicated that there was not a 25' side setback. However, Ms. Haynes stated she learned from the applicant prior to tonight's meeting that the 41'.8" dimension was to the corner of the proposed addition and not the existing structure. Therefore, no area variance is needed for the proposed addition and Resolution 16-16 will reflect modifications to remove the condition requiring an area variance for side yard setback.

Ms. Haynes stated that the original plans for the business were submitted in 2012 and 2013. This is a partial resubmission of the application reviewed by this Board in February 2016. Ms. Haynes stated that the enclosed salvage area which shows on the current map was not shown or applied for in any previous application. She stated that the Town of Fayette should request that the Zoning Board of Appeals (ZBA) give a determination as to if the salvage yard would be included in the wording of Section 814F of the Fayette Land Use Regulations. If it is determined by the ZBA that the salvage yard needs to meet the setback, then appropriate action should be taken to have the situation corrected.

Ms. Haynes stated that the previously granted special use permit allows on the property ten vehicles to sell and six vehicles to repair. The applicant's personal vehicles and plow truck are not included in that number.

A lengthy discussion pursued with members voicing various concerns of the existing business and expansion. Board member, Mark Lott, who also serves on the Fayette Town Planning Board, stated that the applicant's property has been an ongoing issue with the neighbors and there have been several complaints over the years. Ms. Haynes reminded members that recommendations need to be made on the basis of any impact on county or state highways or facilities.

Gordon Burgess moved and John Swanson seconded adoption of modified Resolution 16-16 with a vote of 7 – 0; abstentions from Edward Franzoni, Pam Kirk and Mark Lott. The motion was not carried because there were insufficient affirmative votes. After further discussion and clarification of the implications of insufficient affirmative votes, Gordon Burgess again moved Resolution 16-16 as modified and John Swanson seconded it. The vote and the motion was carried 8 – 0 with abstentions from Edward Franzoni and Mark Lott. It is recommended that the Site Plan Review be only approved conditionally upon: 1) the ZBA making a determination if the salvage yard is required to be 25' from the side yard line by section 814F of the Town of Fayette Land Use Regulations, 2) any remedial action required by #1 being taken, and 3) the Town of Fayette Planning Board advising the applicant of required landscape and remedial action to reduce impact on neighborhood character of the surrounding residential properties.

3) Town of Waterloo, Site Plan Review, Trout, Don

Michael Scaglione moved and Mark Lott seconded adoption of Resolution 17-16, recommending that the request for Site Plan Review be left solely to local determination. Mr. Trout is seeking approval for the purpose of operating a used auto facility that will accommodate up to 70 vehicles. The request will also allow impounded vehicles to be kept on the property. The 1.13 acre lot is located at 927 Waterloo-Geneva Road and is surrounded by a mixture of residential and commercial uses; therefore, there will be no impact on neighborhood character. In response to some questions being raised in reference to the impound lot, Mr. Trout stated that the impound lot is for only vehicles that are abandoned, and the vehicles will be impounded at the rear of the property. Mr. Trout further stated that the impounded vehicles are used for parts, and that automotive fluids are not removed from those vehicles. Carried 10 – 0.

4) Town of Waterloo, Site Plan Review, Janes, Jonathan/Apgar

Michael Scaglione moved and Gordon Burgess seconded adoption of Resolution 18-16, recommending that the Site Plan Review request be left solely to local determination. The prospective owner, Jonathan Janes, intends to purchase the property at 994 Waterloo-Geneva Road to operate a used automobile business which is the current use of the parcel. The applicant plans on having up to 40 vehicles for sale on the premises. Ms. Haynes stated that a perimeter of blacktop surrounds the building where the vehicles will be parked. It is intended that an automotive waste disposal company will dispose of automotive fluids. The applicant has already acquired approval by New York State. Ms. Haynes stated that there should be no significant change to neighborhood character or to traffic on Route 5&20. Carried 10 – 0.

5) Town of Seneca Falls, Site Plan Review, Pilat, Daniel

John Swanson moved and Don Denman seconded adoption of Resolution 19-16, which recommends conditional approval. The applicant proposes to construct a building situated on 3.7 acres on Route 414, north of the Auto Auction site. The approximately 6,335 sq. ft. building will house a signage business. The property is currently vacant, and the new construction will be 100' from all property lines. Ms. Haynes stated that a New York State Department of Transportation (NYSDOT) permit will be necessary to allow for new curb cuts for the access drive to the site. Ms. Haynes also stated that while researching the property, it was discovered that there is a discrepancy between the location number that the applicant is using and the location of the property; therefore, the County E911 office was contacted to decipher if a new number assignment is necessary. Conditional approval is recommended upon approval of NYSDOT for a proposed access drive. Carried 9 – 0. Mary Kelleher abstained from voting.

OLD BUSINESS: None.

NEW BUSINESS: None.

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

Respectfully submitted,

Mary DeStefano, Secretary
Staff Resources Asst.