

**MINUTES
SENECA COUNTY PLANNING BOARD
JUNE 9, 2016**

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

MEMBERS PRESENT: Gordon Burgess, William Dalrymple, Donald Denman, Sally Kenyon, Mark Lott, Michael Scaglione, Tom Scoles, Michael Smith and John Swanson

MEMBERS CALLED: Edward Franzoni and Mary Kelleher (Alternate)

MEMBERS ABSENT: Betty Berger

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

GUESTS: Tom Fromberger, P.E., MRB Group and William Karlsen, Romulus Town Planning Board

The meeting was called to order at 7:02 p.m. by Chairman Dalrymple.

The Minutes of the May 12, 2016 meeting were approved by a motion of Gordon Burgess and seconded by Donald Denman. Carried 9 – 0.

PUBLIC COMMENTS:

Mr. Fromberger stated that he was in attendance to answer any questions raised regarding the application submitted by Finger Lakes Chrysler Dealership.

Mr. Karlsen stated that he was present regarding the application from Victor Weeks.

GML Reviews:

1) Town of Tyre, Site Plan Review, Special Use Permit, Variances & Subdivision, Crimson Creek LLC / Finger Lakes Chrysler, Dodge, Jeep & Ram Dealership:

Sally Kenyon moved and Michael Smith seconded adoption of Resolution 26-16. Mr. Fromberger of MRB Group displayed a rendering of the proposed Project which is the relocation of the Finger Lakes Chrysler, Dodge, Jeep & Ram Dealership from Seneca Falls to what will be a newly constructed 16,000 Sq. Ft. auto sales and service facility located on the east side of Route 414 in the Town of Tyre. The 5.5 acres will be subdivided from the parent parcel of 69.10 acres. The current zoning is Agriculture; however, the property is immediately adjacent to the Commercial Zone and this facility is allowable by a Special Use Permit. Ms. Haynes stated that the Town of Tyre has identified the area of Route 414 south of the Thruway and Route 318 an area for future development. Ms. Haynes stated that there is a house located on the property which is relatively close to the lot which the facility will be developed; however, the house is unoccupied. There is a tree line located on the north side of the property that will remain. The proposed building will contain offices, sales floor, service area and a wash area. A total of 305 parking spaces will include 74 spaces for employees and customers and 197 for display. There will be spaces for vehicles that are considered "temporary cars" that will either go to auction or be sold to another dealer. A two-lane access for each direction entrance/exit is to comply with preferences to minimize the total number of "curb cuts" along a state road. Ms. Haynes stated that the plans for the Project have been reviewed and approved by New York State Department of Transportation (NYSDOT). The proposed non-permeable surface coverage is 41% of the 5.5 acre parcel. Bio filtration areas are a part of the drainage system as proposed. This property is neither within the 100 yr. flood plain or an identified wetland area. Ms. Haynes stated that the storm water treatment and retention system has been designed to separate petroleum based products from storm runoff to assure that it is not diverted into the natural drainage system and environment. Ms. Haynes stated that there was some concern of the area being a critical habitat of the endangered Northern long-eared bat. A biologist visited the site and determined that it is not considered a viable area for that particular species. Ms. Haynes stated that the Project requires Area Variances for signage. A freestanding sign identifying the business and surface mounted signs on the building as

well as directional signs are proposed. The individual details of each of the Variances needs to be identified and approved by the local Zoning Board of Appeals (ZBA). An Area Variance is also requested for location of lighting outside of the front setback. It is recommended that the requests for Site Plan Review, Special Use Permit, and Subdivision Review be approved, and that Area Variances for signage and lighting be approved conditional upon only one freestanding sign other than directional signs and all signs and lighting being located off of the State Highway Right-of-Way. Carried 9 – 0.

2) Town of Romulus, Special Use Permit, Weeks, Victor

John Swanson moved and Mark Lott seconded adoption of Resolution 27-16, forwarded by the Town of Romulus. The applicant, Victor Weeks, is requesting the Special Use Permit to allow him to host various outdoor events, e.g., weddings, picnics, parties, fundraisers, etc., on property located at 6748 – 6754 Route 96A. The property consists of 13.10 total acres and tax rolls in the Seneca County Real Property Tax office indicates the current owner resides in South Carolina. Ms. Haynes stated it is unknown if the applicant has standing to hold such events on the property. There was a lengthy discussion regarding the legal ownership of the property. The applicant received paperwork from the Romulus Town offices but never followed through with submitting a complete application to the Town and proceeded to have the event “Trishstock” without the proper permits in place. Tom Scoles of the County Public Health Department stated that the inspection for food service was done. Ms. Haynes stated that County Code Enforcement personnel met with the event promoter to ensure criteria through their office was met. Mr. William Karlsen, member of the Romulus Town Planning Board, stated that the event was held Friday, June 3 and Saturday, June 4 without Romulus Town officials having any knowledge or giving approval of the event. As a result, no traffic control was in place and the local emergency services, such as the fire department and ambulance services were uninformed. Romulus officials received many complaints regarding the event – loud music, vulgar language, traffic problems, the smell of marihuana, and the report of approximately 200 to 300 persons in attendance. Mr. Karlsen stated that the property is in an Agriculture area but houses are in close proximity of one another. Ms. Haynes stated that she reviewed the allowable uses under Special Use Permit requirements in an Agricultural District as listed in the Romulus Town Zoning, and this particular use is not listed as an allowable use; therefore, the applicant would have to apply for a Use Variance. Ms. Haynes stated that if the Town vacates the application and advises the applicant that he needs a Use Variance, officials can inform him that he will be in violation if any future events occur. Following that, conversations can occur between Town officials and the Sheriff’s office. Ms. Haynes stated that it was unfortunate that it was presented by the Town as the applicant needing a Special Use Permit instead of a Use Variance. Ms. Haynes also contacted the Department of State and consulted for advice. It was suggested that the Romulus Town Board might consider a moratorium law for any gatherings of certain sizes. Mr. Karlsen stated that the next event is advertised for July 27, 28 and 29. Ms. Haynes cited information and documentation that should be included for consideration by the Town for any further review of the proposed Project. Resolution 27-16 recommends that this request be denied based on it not being an allowed use under the Town of Romulus Zoning, and that the County Planning Board finds that the proposed activity will require a Use Variance under the Romulus Zoning Code. Carried 9 – 0.

3) Town of Waterloo, Site Plan Review, Hoover, Tim

Michael Scaglione moved and Gordon Burgess seconded adoption of Resolution 28-16, which recommends that a request for Site Plan Review be left to local determination. The applicant, Tim Hoover, is proposing to build a 1,200 Sq. Ft. structure to operate a fabric and craft retail store. The property location is 1025 Route 96. The 29 acre parcel consists of a residence and pole barn. A 25’ wide driveway will be located approximately 65’ from the west property line at the road frontage which will be used only for the business. The Project has received its New York State Department of Transportation (NYSDOT) permit for the two-lane access drive. Thirty (30) spaces have been designated for parking. The Project has received permits from the County Health Department for necessary sanitary systems. Carried 8 – 0. Board member, Michael Smith, abstained from voting.

4) Town of Waterloo, Site Plan Review, Emerson, Stephen

John Swanson moved and Donald Denman seconded adoption of amended Resolution 29-16, which recommends conditional approval for a Site Plan Review. Stephen Emerson is proposing a three-phase development consisting of 30 duplex units (60 total apartments) on the west side of Powderly Road, north of Route 96 that consists of approximately 24 acres. Ms. Haynes stated that he initially submitted an application for this Project in 2015, and at that time, several issues were not addressed. Mr. Emerson indicated in this application that he will construct units in a systematic approach starting with units closest to Route 96. The first year would include getting utilities to the site, establishing stone surface roads, and the construction of three to ten units. Subsequent years would include the construction of the additional units, paving of roadways and landscaping. Four (4) play areas are proposed on the site as well as a “green infrastructure area”. The location has a neighborhood of mixed uses – agriculture, residential, undeveloped and a school. Ms. Haynes stated that the application includes a letter from the Town of Waterloo granting permission of the applicant to hook into the Town water line. Board member, Michael Smith,

stated that Mr. Emerson has not been granted permission to connect into the Waterloo municipal sewer. Tom Scoles, Principal Public Health Sanitarian, stated that only a preliminary review of the sanitary system for the initial phase of the proposed construction has been done by the Seneca County Public Health Department. Tom stated that a detailed review would have to be completed prior to the Project moving beyond the initial planning stage. He also stated that as currently proposed, there is insufficient space for the entire build-up of an adequate septic system. A lengthy discussion pursued regarding the sanitary sewer system. Ms. Haynes cited a letter included in the application from Jane Shaffer of 3 S Gateway, LLC, giving tentative permission for connection to the existing sewer line crossing the Sessler property located on Route 96N. Resolution 29-16 was amended to read "the applicant has identified ways in which he is complying with many of the recommendations of this Board when the Project was reviewed in April 2015, be it therefore Resolved, that the Seneca County Planning Board recommends that approval of this matter be conditional upon either a) approval to connect to the municipal sewer or b) a septic system approved by the Seneca County Health Department." Carried 8 – 0, with an abstention from Michael Smith.

OLD BUSINESS:

Membership:

Ms. Haynes stated that names of persons for appointment / reappointment were reviewed at the Board of Supervisors Planning, Development, Agriculture & Tourism Committee meeting and the resolution will be presented for vote by the full Board of Supervisors on June 14.

NEW BUSINESS:

None.

The meeting adjourned at 8:18 p.m. by motion of John Swanson.

Respectfully submitted,

Mary DeStefano, Staff Resources Asst.
Secretary