

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

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

MEMBERS PRESENT: Henry Bickel, Betty Berger, William Dalrymple, Donald Denman, David Fitzgerald, Edward Franzoni, Sally Kenyon, Mark Lott, Michael Scaglione, Tom Scoles, Michael Smith, John Swanson and Steven Trout

MEMBERS CALLED: Gordon Burgess

MEMBERS ABSENT: See Above

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

GUESTS: Eleanor Burnett and John Pulver

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

Chairman Dalrymple welcomed newly appointed Board members and introductions were exchanged.

The Minutes of the June 9, 2016 meeting were approved by a motion of John Swanson and seconded by Donald Denman. Carried 13 – 0.

PUBLIC COMMENTS:

Mr. John Pulver spoke regarding his request to allow an increase in the number of vehicles permitted at his business located on West River Road. The additional number of automobiles for repair and sales would make his business more competitive with others in the area. Currently, 10 vehicles are allowed for sale and six for repair. The vehicles for repair will be located to the rear of the premises and those for sale will be placed in the front of the property. Upon being asked if there was any opposition to the proposed project, Mr. Pulver stated that he has not been approached by any neighbors with complaints.

GML Reviews:

1) Town of Fayette, Site Plan Review, Pulver & Miguez, 1436 W. River Road

John Swanson moved and Betty Berger seconded adoption of Resolution 30-16, which recommends conditional approval for a Site Plan Review. The applicants, John Pulver and Kristine Miguez, wish to expand their business to allow the increase of vehicle sales and repair. Ms. Haynes stated that the application is lacking the following information: 1) a number of vehicles that the applicant believes is reasonable, 2) information as to the location on the site where the vehicles are to be located, 3) the nature of the surface upon which they will be parked, 4) how these areas will be delineated and 5) setbacks from adjacent properties and the county highway that will be maintained. Ms. Haynes stated that there was a fence between the adjacent property and the applicants' land that caused issues between the two owners. Mr. Pulver stated that the fence has been removed, citing that the fence was 22' from the property line instead of the required 25'. Mark Lott and David Fitzgerald, both members of the Fayette Town Planning Board, voiced concerns regarding the proposed project. Mr. Trout stated that Mr. Pulver's property is no worse than the business located on the nearby former Bero site which has an unlimited number of vehicles and is situated on contaminated land. Board member, Michael Scaglione, cited issues that the neighbors have had regarding Mr. Pulver's business. Mr. Scaglione stated that the Mr. Pulver needs to be mindful of the problems his business has created for residential neighbors. Mr. Pulver responded that there has been no recent feuding with neighbors.

Harriet stated that the recommendations of the County Planning Board will go back to the Fayette Town Planning Board for the Town's action. The Fayette Town Planning Board can always impose restrictions above and beyond what the County Planning Board has recommended.

Approval for the Site Plan Review to expand the number of vehicles allowed on the site is conditional upon: 1) definitive number of vehicles for sale and vehicles for repair be established, 2) definitive areas of identified size be determined as to where vehicles for sale, vehicles for repair, and vehicles driven by employees are to be located, 3) the intended surface of the defined parking areas be identified and a time frame for installation be established, and 4) the Town of Fayette Planning Board advising the applicant of required landscaping and remedial action to reduce impact on neighborhood character of the surrounding residential properties. Carried 10 – 0. David Fitzgerald, Mark Lott and Steven Trout abstained from voting.

2) Town of Seneca Falls, Use Variance, Zukowski, Edward, 14 E. Bayard Street

Sally Kenyon moved and Michael Smith seconded adoption of Resolution 31-16, recommending denial of a Use Variance request submitted by Edward Zukowski. The applicant is proposing to construct six apartments in the structure identified as the Old Westcott Rule Building / Old Trinity Church. The approximately .45 acre parcel is located in a C-1 Zone. Ms. Haynes stated that in researching the tax rolls and maps, it was discovered that a subdivision has already occurred and there is no record of review of that subdivision in the office of the Seneca County Department of Planning and Community Development. Ms. Haynes stated that the Short Environmental Assessment Form (EAF) indicates that 16 apartments in new structures will be constructed on an adjoining property that will also require a Use Variance. Ms. Haynes further stated that the need for apartments is unique to the area, and that a Zoning Map Amendment may be more appropriate if having this area within the Town concentrated residential is the preferred option. Denial is recommended at this time due to the lack of required evidence for granting a Use Variance. Furthermore, the County Planning Board encourages the Town of Seneca Falls to consider a Zoning Amendment if this development, and the other proposed development referred to in the EAF, is consistent with the Town's Comprehensive Plan and the will of the community. Carried 13 – 0.

3) Town of Fayette, Subdivision Review, Taylor, Harold/Estate of, State Route 96

John Swanson moved and Donald Denman seconded adoption of Resolution 32-16 which recommends conditional approval. The Estate of Harold Taylor is seeking the subdivision to divide an undeveloped lot into two parcels. The property is located immediately south of 2756 Route 96. A property owner adjacent to the parcel wishes to acquire a portion of the lot. Ms. Haynes stated that half of the parcel will be deeded to the property owner on the south side and the other half of the lot on the north side will be transferred to remain with the parcel that has the house and out buildings owned by the Estate. Ms. Haynes stated that neither piece of land would be large enough to be a lot unto itself. Therefore, conditional approval is recommended upon both parcels being created is made a portion of an adjacent lot, and that any necessary Area Variances be granted with the same condition. Carried 11 – 0, with abstentions from David Fitzgerald and Mark Lott.

4) Town of Tyre, Subdivision Review, Crimson Creek LLC, Route 414

Sally Kenyon moved and Mark Lott seconded adoption of Resolution 33-16, recommending approval for Subdivision Review. Ms. Haynes stated that at the June County Planning Board meeting, the application for Site Plan and Special Use Permits were reviewed as well as the Subdivision Review. Since then, the boundaries of the subdivision have been modified at the request of the seller. Ms. Haynes stated the subdivision varies from the previous proposal by reducing the road frontage by 10.5' and extending the parcel approximately 189' further west. The change in the subdivision means that the property line will be further from the existing house. Ms. Haynes stated that by adding over an acre of additional land to the west, the applicant will use some fill from this parcel for site development rather than having to import fill to the property. The footprint, layout, access and design of the proposed facility will remain unchanged. Carried 12 – 0. Board member, Henry Bickel, abstained from voting.

OLD BUSINESS:

New Byrne Dairy Store Site:

Board member, Edward Franzoni, stated that he was passing by the newly constructed Byrne Dairy Store on the corner of Routes 318 and 414 and saw what appeared to be a monument located to the rear of the store. Mr. Franzoni stated that the dumpster for the store is situated rather close to the monument which seems to be in poor taste and disrespectful to the deceased. Mr. Franzoni inquired as to whom or what group oversees the burial site as well as maintaining it. Ms. Haynes stated that the burial site has been there for a number of years. She stated that strict guidelines are mandated for removal of a burial site. Ms. Haynes stated that since the private burial site was not moved, provisions were probably established between the purchaser for Byrne Dairy and the previous landowner. Board member, Henry Bickel, also member of the Tyre Town Planning Board, commented that as part of the Site Plan Review by the Town of Tyre, it was indicated that Byrne Dairy will maintain the cemetery and assure access.

Update – Town of Romulus, Special Use Permit, Weeks, Victor:

Tom Scoles, Board member and Principal Public Health Sanitarian, stated that he learned another concert is scheduled to occur at the same location as was held in June. Mr. Scoles inquired as to whether there is an update from the Town of Romulus on the matter. Ms. Haynes stated that the Town of Romulus is sending a letter to the property owner informing him that he does not have the appropriate permits for such activity, that it is not an allowed use in the Town of Romulus and is in violation of the Town's Zoning. Ms. Haynes stated that the Romulus Town Supervisor and Town Attorney are addressing the matter and believes they have been in communication with the County Sheriff's Department. Ms. Haynes stated that a few non-discretionary permits are being acquired but no land permit from the Town of Romulus has been issued, and that the applicant will have to adhere to the Use Variance requirements.

NEW BUSINESS:

Election of Officers:

Chairman Dalrymple indicated that nominations for election of officers would be taken from the floor. Betty Berger made the motion to nominate William Dalrymple as Chairman and Tom Scoles as Vice-Chairman and John Swanson seconded. No other nominations were forthcoming. John Swanson moved and Betty Berger seconded to direct the secretary to cast one ballot. Carried 13 – 0.

Establishment of Dates and Time of Upcoming Meetings:

Chairman Dalrymple stated that the dates and time of County Planning Board meetings need to be established. The current schedule is for meetings to be held the second Thursday of each month at 7:00 p.m. It was the consensus to keep the schedule as is – second Thursday of the month at 7:00 p.m. in the Heroes Conference Room at the County Office Building unless otherwise specified. Michael Smith made the motion for establishment of dates, time and location of upcoming meetings, and Sally Kenyon seconded. Carried 13 – 0.

The meeting adjourned at 8:07 p.m. by motion of John Swanson.

Respectfully submitted,

Mary DeStefano, Secretary
Staff Resources Asst.