

**MINUTES
SENECA COUNTY PLANNING BOARD
JUNE 14, 2018**

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

MEMBERS PRESENT: Betty Berger, Gordon Burgess, William Dalrymple, Edward Franzoni, Sally Kenyon, Mark Lott, Tom Scoles and John Swanson

MEMBERS CALLED: Henry Bickel, Michael Enslow, Mary Kelleher (Alternate) and Michael Smith

MEMBERS ABSENT: Michael Scaglione and Steven Trout

STAFF: Harriet Haynes, Sr. Planner; Joe McGrath, Grants Management Specialist; and Mary DeStefano, Staff Resources Assistant, Department of Planning and Community Development

GUESTS: David Wood

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

The Minutes of the May 10, 2018 meeting were approved by a motion of John Swanson and seconded by Sally Kenyon. Carried 8 – 0.

PUBLIC COMMENTS:

Mr. David Wood from the Town of Ovid introduced himself and stated that he was present to observe and become familiar with the County Planning Board. Ms. Haynes stated that Mr. Wood has volunteered to become a member of the Board. County Planning Board members and Planning staff introduced themselves.

GML Reviews:

1) Town of Romulus, Proposed Zoning Amendment for Large Scale Solar Installations

Tom Scoles moved and John Swanson seconded adoption of Resolution 23-18, recommending adoption of a Zoning Amendment regarding large scale solar installations. Ms. Haynes stated that this amendment provides a definition of larger scale solar collection systems that is being considered by the Romulus Town Board that will carry out the official adoption. The regulations will require storm water and retention review plans and establishes a maximum of 50% coverage of the site. Additionally, the regulations will establish the need for a decommissioning plan and a timeline when it would be implemented. Large scale solar systems that are part of a farming operation will be exempt from Site Plan approval if the system does not exceed 110% of the anticipated electrical needs of the on-farm equipment. Ms. Haynes stated that less than 25KW systems are allowed in all zoning districts. Large scale systems are only to be allowed by Special Use Permit in the Agriculture, Industrial Warehousing, Institution/Government, and Warehouse/Industrial/Transportation/Energy Zones. Ms. Haynes cited some areas of the Regulations that perhaps minor changes could be made for clarification without being resubmitted for review to the County Planning Board. These minor changes are not recommended as conditions for approval. Carried 8 – 0.

2) Town of Tyre, Amended and Restated Land Subdivision Regulations

John Swanson moved and Sally Kenyon seconded adoption of Resolution 24-18, which recommends approval of adoption of proposed Local Law #1 of 2018. Mr. McGrath stated that the Amendment will be for minor and major subdivisions which will provide more clarity in the process and will enhance the provisions for better and more consistent enforcement. The amended Subdivision Regulations will better tie into the Town's Comprehensive Plan and community concerns. The Regulations will outline the administration of the entire processes. Carried 8 – 0.

3) Town of Tyre, Moratorium Extension

Gordon Burgess moved and Mark Lott seconded adoption of Resolution 25-18, which recommends that the Town of Tyre adopt proposed Local Law #2 of 2018 to extend the Moratorium on Large Scale Solar development by 90 days. The Town would like to extend the nine-month Moratorium on development of larger scale solar projects which could impact properties within the entire Town of Tyre. Ms. Haynes stated that the Moratorium will not

restrict small residential scale solar units. Ms. Haynes stated that the Town has been working on the needed legislation but requests the additional time to move through the adoption process which includes holding public hearings. Carried 8 – 0.

4) Town of Tyre, Site Plan Review, Magee Country Diner

Sally Kenyon moved and Betty Berger seconded adoption of Resolution 26-18, recommending that the request of a Site Plan Review submitted by Gary Schlegel, owner of Magee Country Diner, be left solely to local determination. Mr. Schlegel is proposing a 2,025 sq. ft. addition to the building. The addition will function as a screened porch with space for four to five more tables. A doorway will exist between the primary dining area and the addition. The screened window areas will also have the possibility of adding plexiglass inserts to extend the use of the room into the spring and fall. There are no access or parking concerns. Increased traffic onto Route 414 should have minimal impact on traffic. Mr. McGrath stated that he does have concerns regarding a proposed barbeque area that is addressed in the application. The owner states that in the future, he would like to add an outside barbeque area. Mr. McGrath stated that fire suppression and proper ventilation are always major concerns with this type of use. Mr. McGrath also wanted to make sure that it is understood that the installation of a barbeque pit will need to be addressed in a separate application than what is being reviewed at this time. There was a question regarding whether the restaurant has private or public sewer and water. Ms. Haynes stated that the Magee Diner did hook into the public water and sewer at the time when the connection for Petro was established through the Industrial Development Agency. Mr. Tom Scoles, Seneca County Principal Public Health Sanitarian, confirmed that the Diner is on public water and sewer. Carried 8 – 0.

5) Town of Tyre, Minor Subdivisions, Martin, Zehr, Nolt

John Swanson moved and Gordon Burgess seconded adoption of Resolution 27-18 which recommends conditional approval. The 3.389 acre parcel is located at 1215 Gravel Road. Jacob and Kaylene Martin intend to purchase a home on the property currently owned by Peter and Lawanda Zehr. The Martins also have a purchase agreement with the neighboring property owners, Carl and Mary Nolt, to subdivide a portion of their property and subsequently combine the two parcels, creating one lot with road frontage of 200'. The minimum road frontage in the Town of Tyre in any district is 150'. Mr. McGrath stated that the application did not provide any SEQR documents or an Agricultural Data Statement; therefore, conditions are recommended that approval is based upon proper documents being submitted to the Town of Tyre. Carried 8 – 0.

6) Town of Fayette, Minor Subdivision, Seamans, Janette

Sally Kenyon moved and Tom Scoles seconded adoption of failed Resolution 28-18 recommending approval of a Minor Subdivision. The property owner, Janette Seamans, owns approximately 99.9 acres on Miller Road. She is proposing to sell off 97.8 acres and retain the smaller parcel of 1.37 acres to build a smaller house. The larger parcel will be sold to a farmer who intends to use the property for agricultural purposes. A vote was taken and with an abstention from Mark Lott, Resolution 28-18 failed as no action could be taken due to the lack of affirmative votes. Failed 7 – 0.

7) Town of Romulus, Special Use Permit, Buckholder, Darren

John Swanson moved and Mark Lott seconded adoption of Resolution 29-18 recommending the request for a Special Use Permit be left solely to local determination. Mr. Buckholder is seeking the Permit to allow a retail operation from his residence located at 6599 Baptist Church Road. He is proposing to have a hunting store in a 240 sq. ft. area on the first floor of his residence (1,383 total sq. ft.). The residence is located towards the dead end of Baptist Church Road. The 15' X 16' room consists of three windows and will have an external door for accessing the "Indian Creek Outdoors" store. Ms. Haynes stated that the applicant holds all necessary federal permits to sell firearms. Ms. Haynes stated that the anticipated low volume of traffic should have no impact, and the use will not remove property from agricultural use. Carried 8 – 0.

OLD BUSINESS: None.

NEW BUSINESS:

Election of Officers:

Chairperson Dalrymple asked for volunteers to serve on the Nominating Committee. John Swanson offered to serve on the Committee. There being no other volunteers, Mr. Burgess was appointed to serve on the Committee along with John Swanson. Recommendations for Chairperson and Vice Chairperson will be given at next month's meeting.

Training Workshop:

Ms. Haynes stated that planning is under way in scheduling the local training workshop that is co-sponsored by the Wayne and Seneca County Planning Departments each year. The training will be held this year in Seneca County at the training facility in the former BonaDent building which is now a county office building. Ms. Haynes has had a preliminary conversation with the Wayne County Planner who has agreed that a representative from NYSERDA to discuss solar installations would be a much needed topic as such proposed projects are becoming more prevalent within the communities. Ms. Haynes asked that if anyone has a suggestion as to a topic that he/she would like addressed, please contact the Planning office. As always, the training will be scheduled sometime in late September or October and the four-hour workshop will count as the NYS mandated time for annual training.

Review Funding for Local Communities:

Board member, Edward Franzoni, asked whether there were funds available for local communities facing applications for large scale development projects.

Joe McGrath explained that under the Article 10 process, such as the proposed incinerator in the Town of Romulus, there are two times when the community is provided with some funds for use for reviewing projects.

For projects not covered under Article 10, Ms. Haynes indicated that towns can charge back to the applicant funds for review under the SEQRA documents. Harriet also explained that the Town of Tyre has adopted legislation that allows the Town to require applicants' projects to establish an account to pay for town review of the proposal.

There are no known funds available to towns facing Article 78 challenges.

The meeting adjourned at 7:50 p.m. by motion of John Swanson.

Respectfully submitted,

Mary DeStefano, Staff Resources Asst.
Secretary