

**MINUTES
SENECA COUNTY PLANNING BOARD
APRIL 11, 2019**

**FORMER OFFICE FOR THE AGING ROOM, 1ST FLOOR
COUNTY OFFICE BUILDING
WATERLOO, NEW YORK**

MEMBERS PRESENT: Betty Berger, Henry Bickel, Charles Brady, Gordon Burgess, William Dalrymple, Sally Kenyon, Mark Lott, Michael Scaglione, Tom Scoles, Michael Smith, John Swanson and David Wood (Alternate)

MEMBERS CALLED: Michael Enslow and Mary Kelleher (Alternate)

MEMBERS ABSENT: John Pigman, Jr. and Melvin Wagner

STAFF: Harriet Haynes, Sr. Planner; Joe McGrath, Grants Management Specialist; and Mary DeStefano, Staff Resources Asst.

GUESTS: Jeff Cassim, Resident of Seneca County

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

Chairperson Dalrymple appointed Alternate David Wood to sit in for Michael Enslow who is absent.

The Minutes of the March 14, 2019 meeting were approved by a motion of John Swanson and seconded by Sally Kenyon. Carried 12 – 0.

PUBLIC COMMENTS:

Mr. Jeff Cassim stated that he owns a farm on Yost Road in Seneca County. Mr. Cassim stated that he is very familiar with Fingerlakes Agronomics and has an interest in learning about the proposed project.

GML Reviews:

1) Town of Seneca Falls, Site Plan Review, Fingerlakes Agronomics

Henry Bickel moved and Mark Lott seconded adoption of Resolution 16-19, recommending approval of the Preliminary Site Plan. Fingerlakes Agronomics, LLC has submitted a Preliminary Site Plan for review of development of Lots 3, 4, and 5 located on Rodman Drive in the Deer Run Industrial Park in Seneca Falls. The Industrial Park is located north of the former Village of Seneca Falls. The lots to be developed are at the east end of the park, adjacent to the railroad. The site will be utilized to operate a fertilizer and seed business. Ms. Haynes stated that the application includes a preliminary layout of the proposed operation which identifies that all of the proposed buildings will meet the required setbacks from lot lines of the three parcels; however, all structures would not. Ms. Haynes further stated that if the property is transferred in one deed and as one parcel, the setbacks of interior lot lines will be mute. Ms. Haynes stated that initial review of this proposal is that it would go through subdivision review but it received formal subdivision approval years ago and has remained on one tax map because of one owner. Ms. Haynes stated that the project is being located at the east end of the Industrial Park so it will have access to the railroad as it is the intention for a railroad spur to be installed for receiving and shipping of products/materials. Ms. Haynes stated that for a project of this size, the Town of Seneca Falls would be well advised to require a Full Environmental Assessment Form be completed and then initiate a full coordinated review. Ms. Haynes stated that while the preliminary plans seem to be in line with county plans and purposes, additional information is needed prior to final approval. Such information includes: current and final proposed topography, traffic information and added environmental information (related to wetlands and how the endangered species associated with the Indiana Bat will be addressed). A storm water/drainage plan will need to be designed and approved. Ms. Haynes reiterated that this review is conceptual, and that due to the additional information necessary for the final site plan, the resolution states: *encourages the Seneca Falls Planning Board to determine that this project will require the development of a Full Environmental Assessment Form (FEAF) and to start coordinated review upon receipt of Part one of the FEAF; that the County Planning Board recommends that this Preliminary Site Plan be granted approval; and that the Seneca County Planning Board advises the Town Planning Board that the recommendation is solely for the Preliminary Plans and the project will need further review by the County Planning Board before Final Site Plan approval is granted.* Carried 12 – 0.

2) Town of Tyre, Site Plan Review, del Lago Resort & Casino

Charles Brady moved and Sally Kenyon seconded adoption of Resolution 17-19, which recommends the request of Site Plan Review be left solely to local determination. This is the second review of a proposed addition to the smoking area at the del Lago Resort and Casino. The proposal has been modified since its first review by this Board. The casino and BME Associates have redesigned the proposed addition to the casino by bringing the total square footage to 6,600 from the existing 1,280. Mr. McGrath stated that the new design includes an open air portion of the patio on the west side which will not be covered by the canopy. Mr. McGrath stated that at the February 2019 meeting, concerns were raised by members of the County Planning Board regarding the NYS Smoking Ban and the proposal's lawfulness. The Seneca County Public Health Department is the entity designated to enforce that law. In the documents provided by BME Associates, the engineering firm states that the submitted plans and renderings "are as revised per recent meetings with the County Public Health Department and County Code Enforcement Department." Mr. McGrath stated that the County Public Health Department has not yet received these renderings or plans nor has a permit been issued by the Public Health Department for this purpose. The Seneca County Code Enforcement Department has received these plans and they are to the standards of the Unified Building and Fire Code. Mr. McGrath stated that the Code Enforcement Department staff does have ongoing concerns regarding fire exits and the remodeling of the Vine Restaurant into a sports betting venue. These concerns are to be addressed with the submission of final plans for the sports betting venue. There may be a future impact to the design of the smoking patio as a result. The proposal would eliminate 21 parking spaces in the lot adjacent to the proposed smoking area which is the same amount given in the previous application. The County Planning staff does not foresee impacts on any county or state facilities, the NYS Thruway, or State Route 414. The circulation of traffic patterns for patrons and emergency vehicles is unchanged from the previous submittal. Ms. Haynes stated that if there is no change to the footprint as currently laid out, there will be no need for resubmission for review by this Board. Carried 9 – 1. Gordon Burgess voted nay. Henry Bickel and Tom Scoles abstained.

3) Town of Seneca Falls, Area Variance, Young, Ron and Linda

Sally Kenyon moved and Betty Berger seconded adoption of Resolution 18-19, which recommends approval for an Area Variance request. The applicants are seeking the variance for an 8'X10' porch/sunroom addition to their existing 12'X32' two level cottage located at 2783 Lower Lake Road. The Seneca Falls Town Zoning requires a 30' rear setback. The existing cottage is a pre-existing nonconforming structure with a 23' setback. The 8' addition will reduce the setback to 15'. Mr. McGrath stated that because the parcel sits on a hill, it does not appear that any neighboring properties will have their views impacted. The northern side setback is in compliance and the southern setback is also pre-existing nonconforming. The increase in lot coverage brings the total percentage covered to 19.03% under the maximum allowed amount of 25% in the Residential-1 District. It is not anticipated that the development would cause any impacts to County Road 116 in terms of traffic or parking. The development does not remove or negate any existing parking spaces. Ms. Haynes stated that it is very common for variances to be sought for properties along Lower Lake Road. It is unknown if this property is used as a short-term vacation rental. Carried 9 – 2. Gordon Burgess and Michael Scaglione voted nay and Tom Scoles abstained.

4) Town of Varick, Subdivision Review, Sherman, Lillian & Arthur

Gordon Burgess moved and John Swanson seconded adoption of Resolution 19-19, recommending conditional approval for a Subdivision of 1.05 acres at 5053 East Lake Road. The Shermans own two adjacent parcels, both of which have just over 147' of frontage. The applicants propose to subdivide the southerly parcel to create a lot with the minimum frontage of 100', and a 47' wide strip which they intend to add to the parcel to the north. The parcel that has their house will then have the greater acreage. The application does not indicate any future development for the parcels. Ms. Haynes stated that the final Survey Map has not been submitted with the application. There is no anticipated negative impact on county plans or purposes. Approval is conditional upon: a) the completion of the survey map and b) the 47' side strip along the northern property line is attached to an adjacent parcel. Carried 12 – 0.

5) Town of Fayette, Subdivision Review, Witmer, Jeffrey

Tom Scoles moved and Michael Smith seconded adoption of Resolution 20-19, recommending that the Subdivision request be left to local determination. The applicant intends to subdivide 79+ acres into two parcels located at 3703 State Route 414. Mr. Witmer will retain the 14.08 acres which includes the house and other buildings. The 65 acres will be conveyed to the farmer who has been using the land for agricultural production. Ms. Haynes stated that while the 60' of frontage proposed for the large parcel is adequate for an access drive/road, it does not meet the minimum standards for road frontage, and that this application likely also requires an Area Variance. There is adequate space to the south of the barn for the access strip to be enlarged. This should be considered by the Fayette Town Planning Board and the applicant. It is recommended that the request for Subdivision be left to local determination, and that any necessary variance needed for road frontage be left to local determination. The

Seneca County Planning Board encourages the Town of Fayette Planning Board to work with the applicant to increase the access strip to the larger parcel. Carried 10 – 0. Charles Brady and Mark Lott abstained.

OLD BUSINESS: None.

NEW BUSINESS: Chairperson Dalrymple commended the staff of the Planning Department for the inclusion of maps, sketches, site plans, etc., with the distributed reports and resolutions.

The meeting adjourned at 7:45 p.m. by motion of John Swanson III.

Respectfully submitted,

Mary DeStefano, Staff Resources Asst.
Secretary