

**MINUTES  
SENECA COUNTY PLANNING BOARD  
APRIL 12, 2018**

**FORMER OFFICE FOR THE AGING  
COUNTY OFFICE BUILDING  
WATERLOO, NEW YORK**

**MEMBERS PRESENT:** Betty Berger, Henry Bickel, Gordon Burgess, William Dalrymple, Michael Enslow, Mary Kelleher (Alternate), John Pigman, Jr. (Alternate), Michael Scaglione, Tom Scoles, Michael Smith and John Swanson

**MEMBERS CALLED:** Edward Franzoni, Sally Kenyon and Mark Lott

**MEMBERS ABSENT:** Steven Trout

**STAFF:** Harriet Haynes, Planner and Joe McGrath, Grants Management Specialist, Department of Planning and Community Development

**GUESTS:** Daniel Compitello, Cypress Creek Renewables; Joseph Smith, Cypress Creek Renewables (Phillips Lytle LLP); Michael Stanton, Cypress Creek Renewables; and Laura Van Niel

The meeting was called to order at 7:05 p.m. by Chairperson William Dalrymple.

Chairperson William Dalrymple appointed Alternate John Pigman to sit in for Edward Franzoni and Alternate Mary Kelleher was appointed to sit in for Sally Kenyon.

The Minutes of the February 8, 2018 meeting were approved by a motion of John Swanson and seconded by Gordon Burgess and the March 8, 2018 meeting Minutes were approved by a motion of Mike Smith and seconded by John Swanson. Carried 11 – 0.

**PUBLIC COMMENTS:** There were no public comments from attendees but will be asked to answer questions when their projects are presented.

**GML Reviews:**

**1) Town of Fayette – Proposed Local Law #2**

Harriet Haynes introduced the first GML as amendments to the Fayette Town Zoning Ordinance to be adopted in its entirety, instead of piece by piece. Ms. Haynes listed the amendments made to regulate uses of Vacation Rentals, Alternative Energy, and Outdoor Appliances. Ms. Haynes explained that these outdoor appliances are in reference to exterior wood burning stoves that are becoming more and more popular.

Ms. Haynes explained that the proposed vacation rental policy was relatively strict. Ms. Haynes stated that a yearly permit must be obtained for operators of short-term rentals annually at a cost of \$500. She explained further that the regulations require that the rentals will be limited to the littlest of 10 persons or the number of bedrooms multiplied by two. Furthermore, the vacation rentals will be required to have one parking space per bedroom.

Ms. Haynes expressed that the Town was often receiving complaints from other property owners regarding noise and parking.

The new regulations on recreational vehicles parked within the town states the new regulations would restrict long-term occupancy in the hamlet and lakeshore districts to no more than 30 days.

Ms. Haynes went on to summarize the new solar regulations being adopted at the town level. Smaller scaled units of up to 25 Kw will have to meet setback standards as if an accessory structure and have a maximum height of 25 feet. The amendments will require a decommissioning plan but at this point does not require a bond. Ms. Haynes also expressed that the Town should consider adopting the Unified Solar Permit.

Ms. Haynes concluded her review by stating that overall she thought the proposed amendments were appropriate and that any changes she would consider would be minor modifications of style and so on.

Mary Kelleher asked if the lakeshore requirements could be countywide at some point. Ms. Haynes replied that there were no intentions for other communities to adopt similar regulations as of now in Seneca County. She also went on to explain that these regulations came from a community in Ontario County experiencing similar concerns on the western shore of Seneca Lake.

Gordon Burgess moved to adopt Resolution 8-18 and Betty Berger seconded. Carried 11 – 0.

## **2) Town of Seneca Falls, Site Plan Review Modification and Subdivision**

Dalton / Donati Solar LLC, and Saik / Sangolqui Solar LLC, 2763 Route 318 and 1651 Gravel Road, have been sent up for Site Plan Review due to changes resulting from changing the solar collectors from fixed to tracking systems. This in turn modifies the orientation of the rows between the collectors.

Tom Scoles spoke expressing the opinion that this was not an ideal location for this type of development and moved that the proposed resolution be amended to read that the Site Plan Review be denied. There was further conversation focusing on the drainage from the site and its potential impacts on Montezuma Refuge. Representatives from the company pointed out that the Drainage Plan has been reviewed and accepted by the Town Engineers, and they will be planting all areas under the collectors with "Pollinator Friendly Species".

Tom Scoles moved to adopt Resolution 9-18 and Michael Smith seconded. Ayes – 7, Nays – 3, Abstained – 1. Motion failed – no action taken.

The applicants also requested approval of a subdivision that will be required of Seneca Falls Tax Parcel 28-1-15.11, so that a parcel can be transferred to NYSEG which requires that connection to their lines be made on their property.

John Swanson moved to adopt Resolution 10-18 and Gordon Burgess seconded. Ayes – 8, Nays – 2, Abstained – 1. Motion carried.

## **3) Town of Romulus, Moratorium on Approvals for Waste Handling, Storage and Processing**

Harriet Haynes introduced the proposed moratorium and explained that it was in response to the well-publicized Waste to Energy proposal. She went on to state that the town has begun to tackle these concerns in their proposed zoning amendment which currently is in the final public hearing and review. Ms. Haynes went on to say that the proposed moratorium is for a six-month period which will allow for the adoption of the proposed zoning amendment and then for any acts seen as necessary.

John Swanson asked if this moratorium could stop the state siting board from acting on the project. Ms. Haynes replied that no, it cannot; however, it is hoped that the state siting board would take this into account during its review process.

John Swanson moved to adopt Resolution 11-18 and Betty Berger seconded. Carried 11 – 0.

## **4) Town of Seneca Falls, Area Variance, Armao and Price, 2273 Lake Road Spur**

Harriet Haynes explained that this house burned and now the applicants are applying to rebuild. Various board members then voiced a collective remembrance of the fire as it was well publicized and involved various departments from the area. Ms. Haynes then went on to explain that the replacement structure would need an area variance as it does not conform to the setback standards or lot coverage standards but it is a substantial improvement from the previous structure.

Gordon Burgess asked if this project would impact parking in the neighborhood because parking has become a major issue within that neighborhood. Parking should be improved due to a larger road side setback.

John Swanson asked if they were decreasing their setbacks and increasing their square footage, and did that mean that the building would be taller than the previous structure. NO, the new structure will occupy a greater portion of the yard on the side that was previously (and still will be) in compliance regarding setbacks.

Henry Bickel moved to adopt Resolution 12-18 and Michael Scaglione seconded. Carried 11 – 0.

**5) Town of Waterloo – Site Plan Review – Passalacqua – 327 Border City Road**

The applicant proposes to operate a used car business on the property and also to have vehicles parked on the adjacent bowling alley property, which has the same landlord. The application does not delineate the boundaries of the use of the Bowling Alley property. This could yield to parking issues if the business expands and to potential roadway access problems. The Planning Department recommended denial of the Site Plan Review. It was pointed out that this property received an approved Site Plan Review by a different party within the last year.

Gordon Burgess moved to adopt Resolution 13-18 and Mary Kelleher seconded. Ayes – 7, Nays – 0, Abstained – 4. Motion failed – no action taken.

**6) Town of Fayette – Area Variance – Seneca Stone Corporation – 2747 Canoga Road**

Chairperson William Dalrymple recused himself from this vote as Seneca Stone is owned and operated by members of his family. He also was unaware that they were applying for anything.

Ms. Haynes described the application for an area variance for a proposed sign. The regulation is 36 square feet and they are proposing a new sign of 44 square feet. Henry Bickel asked for a clarification of the sign regulation in Fayette and Ms. Haynes explained that the regulation is for 36 square feet per side and clarified that the sign could be facing two directions. It was asked why does it matter that this one particular company wanted a larger sign and Ms. Haynes explained that not enforcing the sign regulation and granting this variance would set a precedent, and create a situation much like the one in the commercial district of Seneca Falls where each sign application asks for and receives an area variance for signage. It is the Planning Department's recommendation for denial of the application. Gordon Burgess moved to adopt Resolution 14-18 and Michael Smith seconded. Ayes – 7, Nays – 3. Motion failed – no action taken.

**OLD BUSINESS:** None.

**NEW BUSINESS:**

**Upcoming Training:**

The pamphlets for the Genesee Finger Lakes Regional Planning Council May 18<sup>th</sup> training were distributed.

The meeting adjourned at 8:35 p.m. by motion of John Swanson.

Respectfully submitted,

Harriet A. Haynes, Sr. Planner  
Acting Secretary