

**MINUTES  
SENECA COUNTY PLANNING BOARD  
JULY 10, 2014**

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

**MEMBERS PRESENT:** Keith Beck, Betty Berger, Gordon Burgess, William Dalrymple, Donald Denman, Edward Franzoni, Jack Freer, Mary Kelleher (alternate), Sally Kenyon, Lawrence Kesel, Pam Kirk, Mark Lott, Michael Scaglione, Michael Smith and John Swanson

**MEMBERS CALLED:** Tom Scoles

**MEMBERS ABSENT:** Colby O'Brien (Alternate)

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

**GUESTS:** Colleen Booth, Brian DeMillo and Bill White

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

The Minutes of the June 12, 2014 meeting were approved by a motion of Michael Scaglione and seconded by Jack Freer. Carried 15 – 0.

**PUBLIC COMMENTS:**

Mr. Brian DeMillo stated that he was present regarding the application from EZ Properties which involves land that he is selling located on Garden Street Extension. The property will be used to expand the Rivermist Apartment Complex.

**GML Reviews:**

Chairman Dalrymple appointed Mary Kelleher, alternate member, to sit in for absent member, Tom Scoles.

1) **Town of Seneca Falls, Subdivision Review & Use Variance, EZ Properties / Zukowski**  
John Swanson moved and Sally Kenyon seconded adoption of Resolution 28-14, recommending that a request for Subdivision be approved and conditional approval is recommended for a Use Variance request. The applicant, EZ Properties LLC (Edward Zukowski), has a contract to purchase approximately 1.5 acres located on Garden Street Extension, to the rear of 55 – 57 Stevenson Street in the Town of Seneca Falls. Parcel B will consist of the remaining 8.9 acres. The applicant intends to construct two additional structures for apartment units. The Use Variance is being sought to allow the zoning to be changed for the piece of property – this action requires either a Use Variance or a Zoning Map Amendment. Ms. Haynes stated that the Seneca Falls Town Code Enforcement Officer advised the applicant to apply for a Use Variance to allow the use of the parcel as Multiple Residential rather than Single Family Residential as currently zoned. Ms. Haynes stated that the Town of Seneca Falls will have to ensure that the applicant will meet all statutory requirements for hardship. Ms. Haynes stated that the applicant is purchasing the property contingent upon the zoning issues for the project is resolved. Ms. Haynes stated that the request for Subdivision will be presented to the Seneca Falls Town Planning Board and the Use Variance request will be forwarded to the Zoning Board of Appeals. The entrance to the property will be accessed from Stevenson Street. Approval is recommended for the request of EZ

(OVER)

Properties LLC to allow subdivision of Tax Parcel 21-1-01. The request for the Use Variance for the westerly 1.5 acres of Tax Parcel 21-1-01 is recommended for conditional approval upon: 1) the Town of Seneca Falls Zoning Board of Appeals finding that the statutory requirements for granting a Use Variance have been met and 2) the Town of Seneca Falls making it clear to the applicant that he will need to apply for and obtain a Special Use Permit for the multiple dwelling structures per the requirements of Section 300-60 of the Seneca Falls Town Zoning. Carried 14 – 0. Board member, Mary Kelleher, abstained from voting.

**OLD BUSINESS:**

**Review of Special Use Permit & Site Plan Review for Seneca Meadows, Inc.:**

Board member, Mike Smith, inquired as to whether the Seneca County Highway Superintendent had any comments regarding the Burgess Road crossing in relation to the proposed Meadow View Mine in the Town of Waterloo which was reviewed at the June 12 County Planning Board meeting. Ms. Haynes stated that contact was made with the New York State Department of Transportation's Regional Office in Syracuse and it was determined that the anticipated traffic on Burgess Road will be within the standards. Board member, Mary Kelleher, questioned if reducing the speed limit from 55 is being considered for that area. Ms. Haynes stated that she has no knowledge of reducing the speed limit for that area.

**Role of County Planning Board:**

Board member, Edward Franzoni, revisited last month's discussion regarding concerns he has regarding the general public's perception of what the role is of the County Planning Board. Dr. Franzoni suggested that perhaps a few members of the County Planning Board make up a sub-committee to work with staff from the County Department of Planning and Community Development to draft a one or two-page narrative indicating what role the County Planning Board plays and what actions the Board can take and cannot take. Ms. Haynes stated that she has contacted staff from Wayne County Department of Planning as to whether they have some similar language. Dr. Franzoni stated that he thinks there is a high expectation of the County Planning Board and that the public is not aware that the Board serves as only an advisory board. Dr. Franzoni stated that a statement which simply and clearly defines the role of the Board will assist in any lack of knowledge the general public may have. After a lengthy discussion, it was decided that a sub-committee consisting of members, Edward Franzoni, Pam Kirk and Lawrence Kesel, will work with Planning Department staff to develop a statement explaining the County Planning Board's function.

In another matter pertaining to the County Planning Board, Ms. Haynes distributed a Draft Policy Regarding Authority to Speak. Ms. Haynes requested to see the language set forth by the Seneca County Board of Supervisors under Rule 34, where the Board of Supervisors allows petitioners to speak to the Board. Petitioners scheduled to speak prior to the Board of Supervisors meetings must give notice 54 hours in advance. Ms. Haynes stated that some county Planning Boards found it more advantageous for someone to speak before the review rather than allowing everyone to speak before the meeting. Under the Board of Supervisors policy, there is no limit of number for persons to speak. Time allowed for each petitioner is five (5) minutes. If such a policy is adopted by the County Planning Board, it must be strictly adhered to by all petitioners. Board member, Mary Kelleher, questioned if the Planning Board would be able to limit the number of speakers and Ms. Haynes stated that she would have to confer with the County Attorney. A lengthy discussion pursued. No decision was made regarding the proposed Draft for Policy.

**NEW BUSINESS:**

**Election of Officers:**

Chairman Dalrymple asked for volunteers to serve on the Nominating Committee. John Swanson and Michael Scaglione were appointed to serve as the Nominating Committee. The Committee recommended to nominate William Dalrymple as Chairman and Tom Scoles as Vice Chairman. Michael Scaglione made the motion for nominations and Michael Smith seconded. Carried 15 – 0. Chairman Dalrymple opened the floor for additional nominations and none were forthcoming. Mary Kelleher made the motion that the Secretary be directed to cast a single ballot for slate of officers and Gordon Burgess seconded. Carried 15 – 0.

**Establishment of Dates and Times of Upcoming Meetings:**

Ms. Haynes 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 general 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 announced. John Swanson made the motion for establishment of dates, time and location of upcoming meetings, and Donald Denman seconded. Carried 15 – 0.

The meeting adjourned at 7:48 p.m. by motion of John Swanson.

Respectfully submitted,

Mary E. DeStefano, Secretary  
Staff Resources Assistant