

**SENECA COUNTY PLANNING BOARD  
JANUARY 8, 2015**

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

- MEMBERS PRESENT:** Keith Beck, Gordon Burgess, William Dalrymple, Donald Denman, Edward Franzoni, Jack Freer, Mary Kelleher (Alternate), Sally Kenyon, Pam Kirk, Mark Lott, Colby O'Brien (Alternate), Tom Scoles, Michael Smith and John Swanson
- MEMBERS CALLED:** Betty Berger and Michael Scaglione
- STAFF:** Harriet Haynes, Planner and Mary DeStefano, Staff Resources Asst., Department of Planning and Community Development
- GUESTS:** Ms. Leslie Mauro, Esq., Harter, Secrest & Emery

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

Chairman Dalrymple appointed Mary Kelleher, Alternate, to sit in for absent member, Betty Berger, and Colby O'Brien, Alternate, to sit in for absent member, Michael Scaglione.

The Minutes of the November 13, 2014 meeting were approved by a motion of John Swanson and seconded by Donald Denman. Carried 14 – 0.

**PUBLIC COMMENTS:**

Ms. Leslie Mauro, Attorney with Harter, Secrest & Emery, was present on behalf of Dr. Thomas Thompson's proposed project in establishing a microbrewery in the Town of Fayette. Ms. Mauro stated that the pending Fayette Town Zoning Amendment in relation to farm breweries is of interest pertaining to Dr. Thompson's plans.

**GML Reviews:**

- 1) **Town of Fayette, Zoning Amendment Regarding Farm Breweries, Etc.**  
Tom Scoles moved and Michael Smith seconded adoption of amended Resolution 1-15, which recommends adoption of the proposed Zoning Amendment regarding Farm Breweries, etc. Ms. Haynes stated that the Town of Fayette had received Dr. Thompson's application for a proposed microbrewery which did not fall under the definition of a farm operation. As a result, Harriet stated that she has been working with the Town of Fayette in creating a Zoning Amendment to amend Section 500 D (Uses allowed by Conditional Use Permit in Agricultural/Rural Residential District) by adding: "#23 – Farm Breweries, Farm Cideries, Farm Distilleries, and Farm Wineries, as defined by the New York State Alcohol Beverage Control Law and which may include tasting areas, sales, food service, distribution, and retail of related products." Section #854 listing the conditions would also be added. Ms. Haynes reviewed the proposed zoning text with Board members. Ms. Haynes stated that the types of requirements pertaining to the proposed zoning address lighting, parking, landscaping, access drives, sound, etc. Board members had concerns with #7 under Requirements for Special Use and Operation – "No public address system shall be permitted, except where such system will not be audible at any property line." Ms. Haynes stated that #11 under Requirements for Special Use and Operation states "normal hours of operation for retail and food service activities shall not be before 9:00 a.m. and shall not be after 7:00 p.m." and #12 states "special event hours shall not be before 8:00 a.m. and shall not be after 11:00

p.m.” Members had concerns regarding bands which might perform at Special Events. Ms. Haynes also stated that #13 addresses disputes and neighbor concerns which may be heard by the Town of Fayette Agricultural Advisory Committee as provided in *The Right to Farm* in the Town of Fayette Local Law #1 of 2008. A lengthy discussion followed regarding the public address system and where it should not be audible at any property line. Resolution #1-15 was amended to add “RESOLVED, that the Seneca County Planning Board has concerns regarding the feasibility and enforceability of Item #7 in the proposed Zoning Amendment and recommends further consideration of the wording for the sound standards.” Carried 13 – 0. Board member, Mark Lott, abstained from voting.

2) **Town of Fayette, Minor Subdivision Review, Ward, Christine V.** John Swanson moved and Colby O’Brien seconded adoption of Resolution 2-15, recommending conditional approval of a Minor Subdivision Review request submitted by Christine Ward from the Town of Fayette. Ms. Haynes stated that the subdivision will allow the sale of 3.5 acres to the rear of the property on State Route 414 to an adjacent farmer. Ms. Haynes stated that because the rear acreage has no road access, it should be attached to an adjacent parcel. The lot to be retained is larger than the required size of the zone that it is located in. Conditional approval is recommended upon the rear parcel being attached to an adjacent parcel. Carried 13 – 0. Board member, Mark Lott, abstained from voting.

3) **Town of Tyre, Area Variance, Hoover, Kenneth & Irwin** Sally Kenyon moved and Gordon Burgess seconded adoption of Resolution 3-15, which recommends approval of an Area Variance forwarded by the Town of Tyre. The property owners, Kenneth and Irwin Hoover, are seeking the Area Variance to allow property on County Road 101A to be subdivided. Ms. Haynes stated that the property is currently bisected by the New York State Thruway; however, under the Town Zoning, it is considered one piece of property. The proposal will divide the property into two parcels, the 5.9 acre portion north of the New York State Thruway, and the 6.3 acre portion south of the Thruway which includes a residence. The proposed lot north of the Thruway does not have the required road frontage because a strip of land was taken at the time the Thruway was constructed to contain the slope of fill placed to construct the ramp up to the County Road 101 bridge over the Thruway. The property extends nearly 600’ north from the Thruway but only has direct road access for the northern most 52’ along County Road 101. The Town of Tyre has a minimum road frontage of 150’. This property has functionally been two parcels since the construction of the Thruway. The only change this action will make is to allow the parcels to be held under separate ownership. Approval is recommended for the owners to obtain an Area Variance to allow subdivision of Tax Parcel 13-1-06 along the New York State Thruway. Carried 14 – 0.

**OLD BUSINESS:** None.

**NEW BUSINESS:**

**Update on Proposed Projects:** Dr. Franzoni questioned if the County Planning Board should be proactive and request updates on proposed development projects for Seneca County. Such projects could include an update for the Lago Casino and the development proposed by the Sessler. It was the general consensus that this would be a good idea. Ms. Haynes will make the necessary contacts.

The meeting adjourned at 7:55 p.m. by motion of John Swanson.

Respectfully submitted,

Mary DeStefano, Secretary  
Staff Resources Asst.