

**MINUTES
SENECA COUNTY PLANNING BOARD
NOVEMBER 12, 2015**

**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, Pam Kirk, Mark Lott, Michael Scaglione, Tom Scoles, Michael Smith and John Swanson

MEMBERS CALLED: Mary Kelleher (Alternate)

MEMBERS ABSENT: Jack Freer and Sally Kenyon

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

GUESTS: John Giovannini

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

The Minutes of the October 8, 2015 meeting were approved by a motion of John Swanson and seconded by Gordon Burgess. Carried 12 – 0.

PUBLIC COMMENTS:

Mr. John Giovannini stated that he resides on Black Brook Road in the Town of Seneca Falls and is seeking permission to transfer a small parcel of land to a neighbor.

GML Reviews:

1) Town of Seneca Falls, Minor Subdivision Review, Giovannini, John

John Swanson moved and Donald Denman seconded adoption of Resolution 46-15, which recommends that a request for a Minor Subdivision be approved conditional upon the parcel being transferred as part of the adjoining property. The subdivision is to transfer .157 acre of a 4+ acre parcel to an adjacent neighbor located on Black Brook Road. The property is located within 500 feet of County Road 102 and Agricultural District #6. The action should have no impact on traffic, county or state uses, community character, drainage or community facilities. Carried 12 – 0.

2) Town of Fayette, Special Use Permit, Sinicropi-Elias, Jessica

Michael Smith moved and Edward Franzoni seconded adoption of Resolution 47-15, recommending that the request for a Special Use Permit to operate a hair salon at 1530 Marshall Road be left solely to local determination. The property is situated on the corner of Route 96 and Marshall Road and previously housed an insurance agency. Most recently, the property was being held for Pathway Home of the Finger Lakes, Inc., but then never followed through with the intended use of the facility. The operation will include a four-station hair salon which will include services for spray-tan and special occasion services. Board member, Gordon Burgess, questioned if the private sewer used at the location would be suitable for the various hair products used at the salon. Board member, Tom Scoles, and Public Health Inspector for Seneca County, stated that the applicant would have had to work with County Code Enforcement as a change of use for the building. The 1.26 acre parcel is surrounded by mixed land use including auto service shop, school, church and residential. The applicant has installed a sign the same size where the previous business sign was located. Vinyl lettering is to be placed on the front door to provide name, phone number and hours of operation. No additional access drives are proposed. The applicant has indicated that there is parking for at least ten cars. Currently, the parking lot surface is gravel; however, it is the intention to have the parking area sealed and lined in the spring of next year, and handicapped parking will be identified at that time. Carried 11 – 0. Board member, Mark Lott, abstained from voting.

3) **Town of Seneca Falls, Use & Area Variances, Special Use Permit, Turri, Greg**

Gordon Burgess moved and Pam Kirk seconded adoption of Resolution 48-15, recommending denial for action to allow having three or more dogs for breeding and more than three dogs for a sled team. Mr. Turri's property is situated on .34 acre at 1587 Auburn Road (Routes 5&20). Surrounding land use includes commercial (sales and signs), power lines, agriculture and residential. Ms. Haynes stated that the limit of having only three dogs is not established as a zoning restriction within the Town of Seneca Falls but is instead defined under a separate Local Law, the "Dog Control Law of the Town of Seneca Falls." Therefore, the Seneca Falls Town Zoning Board of Appeals is not the appropriate form of appeal if the intent is that the dogs will live in the residence. Ms. Haynes further explained that the applicant's request; however, for more than three adult dogs and breeding makes the application fall under the zoning definition of "Pet Breeder" in the zoning code. Pet Breeders are only allowed in the A-1 or A-2 Zones in the Town of Seneca Falls – this property is located in the Highway Commercial Zone. Additionally, the applicant has given no indication of attempting to meet the requirements for the conditions for Special Use Permit which are provided in 300-68 of the Zoning Code and the application has given no indication of attempting to meet these requirements. Also, the property does not meet the standard of section 300-68 A8: "A pet breeder can only be established on at least five acres of property located at least 100 yards from any adjoining property lines." Ms. Haynes stated that in order to demonstrate that this is a reasonable use at this location, it becomes the burden of the applicant to identify why the location and area restrictions should not be required in this case and to make those arguments via the standards as set forth in case law for use and area variances. Ms. Haynes stated that if the applicant intended to own (without breeding) more than three dogs that would be housed within the residence, then the relief would need to come through processes established in the "Dog Control Law of the Town of Seneca Falls." Ms. Haynes stated that Mr. Turri shows no facility for pet breeding in the application. The sketch map only shows a fence with gates. Board member, Bill Dalrymple, stated that he previously owned sled dogs for 30 years, and indicated that sled dogs are not typically used for indoor pets, usually being kept outside tethered or in a pack.

OLD BUSINESS: None.

NEW BUSINESS: None.

The meeting adjourned at 7:30 p.m. by motion of John Swanson.

Respectfully submitted,

Mary DeStefano, Secretary
Staff Resources Asst.