

**MINUTES  
SENECA COUNTY PLANNING BOARD  
OCTOBER 9, 2014**

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

**MEMBERS PRESENT:** Gordon Burgess, Donald Denman, Edward Franzoni, Jack Freer, Mark Lott, Colby O'Brien (alternate), Tom Scoles, Michael Smith and John Swanson

**MEMBERS CALLED:** Keith Beck, Betty Berger, William Dalrymple and Pam Kirk

**MEMBERS ABSENT:** Sally Kenyon and Michael Scaglione

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

**GUESTS:** Geraldo Nicoletta

The meeting was called to order at 7:04 p.m. by Vice-Chairman Tom Scoles.

Vice-Chairman Scoles appointed Colby O'Brien, alternate member, to sit in for absent member, Keith Beck.

The Minutes of the September 11, 2014 County Planning Board meeting were approved by Gordon Burgess and seconded by Jack Freer. Carried 9 – 0.

**PUBLIC COMMENTS:**

Mr. Geraldo Nicoletta stated that he was in attendance to answer any questions regarding his request for property he purchased a couple of years ago and would now like to add a fourth apartment in the existing structure located on Route 89 in the Town of Seneca Falls. The apartment will be 950 square feet and has existing utilities.

**GML Reviews:**

**1) Town of Seneca Falls, Use Variance / Special Use Permit, Nicoletta, Geraldo**

John Swanson moved and Donald Denman seconded adoption of Resolution 38-14, recommending that the request for a Use Variance and Special Use Permit be left solely to local determination. The applicant, Geraldo Nicoletta, is seeking the zoning approvals to allow construction of an apartment in an existing structure located at 2781 Route 89 in the Town of Seneca Falls. The property is located in an R-3 Zone. There are currently three apartments in two structures located on the property. Ms. Haynes stated that the Town of Seneca Falls allows three and four family dwellings by permit, or multiple dwelling structures, including conversions in the R-2 Residential Zone. The property has municipal water and sewer services and is adjacent to a parcel with a total of 10 apartment units. Ms. Haynes recommended to Mr. Nicoletta to contact the Town of Seneca Falls to find out if the application will be going through the Town Zoning Board as well as the Planning Board. Carried 9 – 0.

**2) Town of Tyre, 2014 Local Law #5, Moratorium on Land Use Applications and Permits**

John Swanson moved and Gordon Burgess seconded adoption of Resolution 39-14, recommending adoption of proposed Local Law #5. Ms. Haynes stated that about a year ago, the Town of Tyre started to work on the Zoning Amendment for Subdivision Regulations and Site Plan Review which was recommended in the Town's Comprehensive Plan. Now, the Town of Tyre is waiting for the announcement regarding the proposed Lago Resort and Casino. This decision could have implications for further development in the Town of Tyre. Town officials have determined that this is the right time to carefully review the zoning for such development. Ms. Haynes stated that the Town Planning Board was working on the adoption of Subdivision and Site Plan Regulations prior to receipt of the PUD application for the Casino development which has occupied much of their time during the past year for the Tyre Town Board and Planning Board. The adoption of the six-month Moratorium will place a temporary stop to processing of certain land use applications and on the Issuance of Certain Land Use and Zoning Permits, exclusive of PUD Approvals, for Multi-Family Residential, Commercial or Industrial Developments. Agricultural uses are exempted from the Moratorium. Dr. Franzoni questioned if this is a common practice for a town to propose such a Moratorium when there is a major development project in the works. Ms.

(OVER)

Haynes stated that it is actually quite common. Mr. Freer questioned if this would include the proposed apartment complex which came before the County Planning Board a couple of months ago. Ms. Haynes stated that she has been in contact with the Executive Director of the housing agency and stated that they have decided to delay the project and resubmit at a later date. The representatives for the housing project will be meeting with the Tyre Town Planning Board in the near future to review the proposed project. Ms. Haynes stated that the Moratorium could be renewed by another local law if at the end of the six months, it is determined that more time is needed. Carried 9 – 0.

**3) Town of Fayette, Subdivision Review, Alcott Living Trust**

Gordon Burgess moved and Michael Smith seconded adoption of amended Resolution 40-14, which recommends a conditional approval for a Subdivision Review forwarded by the Town of Fayette. The applicant, Alcott Living Trust, is dealing with settling an Estate and the proposed subdivision of a total of 98.461 acres. The property is located between Route 414 and Tom Allen Road with surrounding land use of Residential and Agricultural. Ms. Haynes stated that seven parcels are shown on the Subdivision Map; however, parcels 2 and 3 have been previously divided off. Ms. Haynes stated that all parcels except Parcel #6 meet the zoning requirements. Parcel #6 is intended to be transferred to the property owner/family member that the parcel surrounds. Resolution 40-14 was amended to read “recommends approval with the condition that Parcel #6 be made part of an adjacent Tax Parcel.” Carried 8 – 0, with an abstention from Mark Lott.

**4) Town of Seneca Falls, Area Variance and Subdivision, Chalker, Robert**

Mark Lott moved and Colby O'Brien seconded adoption of Resolution 41-14, recommending conditional approval for a request of an Area Variance and Subdivision. The applicant, Robert Chalker, wishes to subdivide property he owns at 2513 and 2514 Lower Lake Road in the Town of Seneca Falls. Ms. Haynes stated that the applicant's plan to split the one lot at the road line and add the portion on the west side of the road to the adjacent residential parcel on the west side makes one lot in conformity with the minimum width, but makes the deficit of size for the other greater. The undersized lot would be approximately the same size as the two lakefront lots to the south of the property. The greatest impact that this action should have on county road and facilities is that the opportunity for the residence on the lake side to park on its property on the west side of the county road. It needs to be assured that there will still be parking for the house at 2513 Lower Lake Road that is not within the county right-of-way. The request for an Area Variance and Subdivision are conditional upon the applicant demonstrating that at least one parking space will be available with the residence that is NOT located in the county right-of-way and upon the completion of a survey map.

Ms. Haynes stated that upon review of the fifth application for GML Review listed on the Agenda, it did not require consideration by the County Planning Board.

**OLD BUSINESS:**

None.

**NEW BUSINESS:**

None.

The meeting adjourned at 7:32 p.m. by motion of John Swanson.

Respectfully submitted,

Mary E. DeStefano, Secretary  
Staff Resources Assistant