

SENECA COUNTY PLANNING BOARD

May 14th, 2020

**Remote via
GoToMeeting
Video conferencing software**

MEMBERS PRESENT: Michael Scaglione, Betty Berger, Charles T. Brady, William Dalrymple, Sally Kenyon, Tom Scoles, Melvin Wagner, John Swanson, Mary Kelleher (Alternate), David Wood (Alternate)

MEMBERS ABSENT: John Pigman, Mark Lott, Gordon Burgess

STAFF: Harriet Haynes, Joe McGrath, Justin Gahn,
Department of Planning and Community Development

GUESTS: Don Northrup (Village of Waterloo), Kingsley Kabari, Dave Evert,
Pat Nicoletta (MRB), Timothy Freitag (Bohler Engineering).

The meeting was called to order at 7:01 p.m. by Chairperson, William Dalrymple.

Motion was made by Sally Kenyon and Seconded by John Swanson to approve the minutes of the March 12, 2020 minutes. Carried 10-0

Motion was made by Mary Kelleher and Seconded by John Swanson to approve the minutes for the April 9, 2020 minutes. Carried 10-0

PUBLIC COMMENTS: Applicants will make presentations at the start of review on their proposals.

GML Reviews:

1) VW 4-2-21.1, Site Plan Review & Area Variance, MRB group for Waterloo Central School District

Moved by Michael Scaglione and Seconded by Charles Brady to approve Resolution 12-20 this would approve the site plan review and area variance on parcel 4-2-21.1 (Old School) in the Village of Waterloo. The applicant is requesting a Site Plan Review of a proposal to develop the Main Street School Building as a 35 Unit multi residential complex. Ms. Haynes introduced Pat Nicoletta from the MRB group. He explained the majority of the work will be internal construction to convert the building primarily to apartments. Additionally, there will be upgrades to the parking area and landscaping. The auditorium will remain available for public use. The proposal includes 37 parking places on the building 1.5 acres. The project also includes a one-acre area across Williams St. which as previous been a playground. Ms. Haynes then explained parking. But that is not included in the proposal at this time. Historically there was also parking used along the north side of W. Williams St. used by school staff. The proposed parking is consistent with what many apartments are finding as needed, but as it is less than the 2 required in the code, therefore an Area Variance will also be needed. No detailed floor plans have been developed at his time. The proposed Site Plan has no change to the footprint of the structure. The statutory requirements for granting the area variance has not been addressed and will need to be provided to the ZBA. Ms. Haynes then reviewed the proposed recommendations with the Planning Board. Carried 10-0

2) VW 3-1-16, Use & Area Variances, Finger Lakes Regional Land Bank Corporation

Moved by Charles Brady and Seconded by Sally Kenyon to approve Resolutions 13-20 this request for Use and Area Variances is located in the Village of Waterloo and requires review under Section 239 of the General Municipal Law because it is within 500 feet of NYS Route 96. Ms. Haynes gave an overview of the proposal and explained that the home at 101 Virginia St also known as the Judge J. K. Richardson House which is one of the most prominent homes in the Village (one of very few with Mansard roof, and eligible for the National Historic Register. Since taking ownership of the property in the fall of 2018, the Land Bank has worked with the Village in trying to find a path forward in rehabilitating the structure and avoid demolition. Ms. Haynes introduced Joe McGrath as President and CEO of the Finger Lakes Regional Land Bank Corp. Mr. McGrath explained The Land Bank (FLRLBC) received a grant from the Land Mark Society of WNY for the purposes of hiring a consulting firm to do a feasibility study of the full renovation of the home. Due to the extensive work needed, InSite Architecture, aware to the up to 3-unit regulations, was unable to make numbers work with 3-units. Four units is what will be required for the project to work financially. The total estimated project cost is \$655,800. The Land Bank (FLRLBC) intends to issue RFPs from private developers. In addition of funding from the future developer, the project will likely take advantage of IDA Loan, and historic tax credits. Mr. McGrath then explained that there will be 7 parking spaces located at the building. This would be 6 spaces for the 4 apartments and a 7th space for short term visitor parking. Mr. McGrath explained that they have come with the best possible way to obtain the spaces. Mr. McGrath then explained that the proposed exterior work will open the view of this structure, and remove the drastically overgrown Hemlocks that partially block sidewalks along Wright and Virginia St. There was some discussion that took place about the need for 4 apartments and the parking situation, and questions were directed to Mr. McGrath. Ms. Haynes then reviewed the proposed recommendations. Carried 10-0

3) TT 12-1-33.1, Subdivision & Site Plan Review, Bohler Engineering on behave of Love's Travel Stop & #S Gateway

Moved by Charles Brady and Seconded by John Swanson to approve Resolution 14-20 for Subdivision Review and Site Plan Review is located in the Town of Seneca Falls and requires review under Section 239 of the General Municipal Law because it is within 500 feet of NYS Route 414, Route 318, NYS Thruway, and Agricultural District #6. Ms. Haynes gave an introduction of the resolution. Ms. Haynes introduced Timothy Freitag from Bohler Engineering. He explained the project as well. He explained that the Love's Truck Stops wish to purchase the 13 acres that is immediately south of the Thruway and has Route 414 Frontage. It is proposed that a driveway/road/utility access be developed immediately south of the parcel to be purchased by Loves' to provide access to this project and to others to be developed on the larger parcel in the future. This access is being proposed directly across from the car entrance to Petro. No DOT approval has been received at this time. He further explained Access to the Truck Stop is proposed off Route 414 onto what will become an interior road/drive for the larger project area. There will be different entrances off that access for cars and for truck. Toward Route 414 and in front of the Primary structure will be the gasoline pumps and auto parking. Some parking spaces in that front area are presumably long enough for a long gas-powered vehicle or one pulling a trailer. The truck entrance will be further west off the access drive and will provide parking for tractor trailers trucks. Love's has indicated to the Town of Tyre that they wish to allow overnight parking. Ms. Haynes then went over the recommendations that were proposed. There was some discussion about the DOT approving this as related to traffic flow. It was noted by Ms. Haynes that this resolution was only be voted on based on the Subdivision and site plan review (basic layout of the structure.) There would be further discussion once approved by the town about signage and lighting plans. Carried 10-0

4) TSF 19-2-07(b) Use Variance, Kingsley Kabari

Moved by Melvin Wagner and Seconded by John Swanson to approve resolution 15-20 requests for a Use Variance is located in the Town of Seneca Falls and requires review under Section 239 of the General

Municipal Law. Ms. Haynes introduced Kingsley and let him introduce his proposal. Mr. Kabari would like to turn 5 classrooms on the second floor of the building into 5 apartments. He understands that the current zoning would only allow for a one apartment on that floor, he would like the approval for a use variance to allow for multifamily units to be constructed. There was some discussion about the issue of a use variance or zoning amendment. There was additional discussion among the board about other structures in the area being single family and multifamily rental units. A question was raised about parking for additional apartments. Mr. Kabari said that there will be spaces designated in the current parking lot for the 5 apartments. They would be signed and dedicated to that. Ms. Haynes explained the law that allows Mr. Kabari to show and demonstrate that the spaces would be available, not only for apartments, but for the wellness center that is there as well. Ms. Haynes explained that certain of the site facilities are already committed to use for the Wellness center. There was no analysis of available parking or open/recreational space available to residents provided. The applicant needs to demonstrate adequate parking for ALL proposed uses per the required parking as required in Section 300-56 Off-Street parking and loading for the Seneca Falls Zoning Code. Before use of this property for any uses in addition to previous approvals is granted, the site should be reviewed for traffic and parking implications. There is no required density or outside space for the uses (other than parking) that were granted in the 2019. Section 300-60 multiple dwellings and conversions establish for multiple dwellings. The applicant has not provided direct evidence of complying with these standards. The Town should require this project meeting those standards. It is recognized that this location may have challenges that limit its development as an allowed use within the district; however, the applicant did not fill out the Statement of Hardship that is a part of the application. The Town Zoning Board of Appeals will need to make a full review of the reputed hardship to determine if granting a variance is appropriate. The Zoning Board of Appeals could grant the Variance but also require that the project go through Site Plan Review once more detailed plans and engineering has been developed. Some questions were asked about the apartment size. Mr. Kabari explained that they would be a combination of the 1- and 2-bedroom apartments. Mr. Kabari explained the size of the existing rooms and how he would make them apartments. There was some discussion with Mr. Kabari about the outdoor space allowed for 5 apartments and if that could be met. The board then discussed that there needs to be more development of the plan and renderings explain the whole proposal. Ms. Haynes overviewed the proposal again and then discussed her recommendations. Resolution did not pass no action taken 7-0, 3 abstentions from Michael Scaglione, Tom Scoles, and Mary Kelleher.

5) TSF 02-1-07 Subdivision Review Dowd, Daniel P.

Moved by Mike Scaglione and Seconded by John Swanson to approve Resolution 16-20 for Subdivision Review located in the Town of Seneca Falls and requires review under Section 239 of the General Municipal Law. Ms. Haynes explained that the zoning for this location is a C-2 Highway Commercial; the applicant proposes to divide the parcel into two lots. It appears on first look that the rear acreage will be land locked. The applicant has however indicated the intent to attach parcel B to a parcel that has road frontage and is east of this property and owned by the same person at this time. Ms. Haynes further stated the Seneca County Planning Board to recommend approval of this subdivision conditional upon Parcel B being made a part of an adjacent property. Carried 8-0 with 2 abstentions from Mary Kelleher and Tom Scoles

6) TF 07-1-01.1 Subdivision Review & Area Variance Maynard, Brent & Maria

Moved by John Swanson and Seconded by Sally Kenyon to approve resolution 17-20 for Subdivision Review located in the Town of Fayette and requires review under Section 239 of the General Municipal Law. Ms. Haynes explained that this property is part of the old county house farm with frontage on County House Road and Disinger Rd. The zoning for the location is Agricultural Rural Residential. The applicant proposes to divide the parcel into two lots, for the purposes of creating a building lot for them to construct a home of their own use. The Proposal is for a “flag lot” with access near the southern property line and the residence being near the “tree line”. The Town of Fayette has very particular flag lot regulations with the “pole” needing to be 40’ wide with the actual drive being no closure to the property line than 10’. Flag lots also require that the “flag” portion be 3 times the size of the minimum required lot

size for the use in that district. Thus, the main portion of the lot would need to be 2.76 Acres (not including the area of the “pole”. There are 2 options for this project to proceed: 1) the applicant choices to increase the size of their proposed residential lot, or 2) the applicants attempt to be granted an area variance allowing for the size of the lot to not meet the requirements from section 708A of the Fayette Zoning. What size the “flag” portion of the lot is has little impact on county plans or purposes. Ms. Haynes recommendation for the residential parcel to be created being greater than 1 acre not counting the access strip of 40’ width, and 2) that a completed survey map be prepared. Should the parcel be less than 2.76 acres (not counting the access strip) and therefore need an Area Variance, it is recommended that the County Planning Board leave action on said variance to local determination. She then went over other recommendations Carried 9-0 one abstention from Charles Brady.

OLD BUSINESS: None

NEW BUSINESS: None

The meeting adjourned at 8:48 p.m. by motion of John Swanson III.

Respectfully submitted,

Justin M Gahn
Secretary