

SENECA COUNTY PLANNING BOARD

MINUTES

April 14, 2022 – 7 PM

Health & Human Services Building
2465 Bonadent Drive, Waterloo, NY 13165

MEMBERS PRESENT:

John Swanson, Mark Lott, Kyle Black, William Dalrymple, Jon Salmon, Sally Kenyon, Charles Brady, Kathy Lutz, Michael Scaglione, Tom Scoles (Alternate), David Wood (Alternate)

MEMBERS ABSENT:

Mary Kelleher, Karen Thomson, John Pigman

STAFF:

Harriet Haynes, Sr. Planner; Joe McGrath, Deputy Director; Amanda Forney, Staff Resources Assistant of the Seneca County Department of Planning and Community Development

GUESTS:

Dan Emmo, Seneca Falls ZBA chairperson; Jaclyn Gingrich, applicant; Steven Blaisdell, applicant

The meeting was called to order at 7:10 PM by William Dalrymple, chairperson.

Tom Scoles (Alternate) was appointed to sit in for the town of Waterloo and David Wood (Alternate) sat in for the town of Lodi.

The minutes of the March 23, 2022 special meeting were approved by a motion of John Swanson and seconded by Mark Lott. Carried 11-0

PUBLIC COMMENTS: Public comments are requested before GML reviews. There were no public comments and all discussions during this meeting pertained to GML reviews.

GML REVIEWS:

1. TSF 36-2-82, Subdivision, Stephen Blaisdell

Charles Brady moved and John Swanson seconded the adoption of resolution 11-22, recommending that the area variance be left solely to local determination and that the subdivision be conditional upon the granting of the area variance. This application was reviewed because the parcel is located within 500' of County Road 116 (Lower Lake Rd). The applicants propose subdividing one parcel they own and adding a 31' strip of land to the adjacent parcel (their primary residence). The proposal would reduce the area of the pre-existing, non-conforming area and reduce the parcel frontage to non-conforming status. That would require review and approval by the Town Zoning Board of Appeals before action can be taken on the subdivision by the Town Planning Board. Mr. Blaisdell expressed that his intention was to improve the neighborhood by removing a garage that is in poor condition, decongesting the

northern property, and by adding an addition that would include an attached garage to the house. Kathy Lutz and Tom Scoles abstained. Carried 9-0

2. TW 21-3-29.12, Site Plan Review, GingBach Hospitality/KOA

John Swanson moved and Charles Brady seconded the adoption of resolution 12-22, recommending approval conditional upon confirmation that adequate water and sewer service is available for the project. This was reviewed because it is located within 500' of State Route 5&20 and the Town of Fayette municipal boundary. The applicant proposes adding 41 sites to their existing campground that currently has 57 sites. 27 of the 41 sites will be the pull-through type. A shower house with six units is also proposed, which would include a shower, lavatory, and sink. Not all of the sites will have onsite water and sewer hookups. Ms. Gingrich provided additional details about the project and stated that she will be receiving letters from the Town and Village of Waterloo that confirm that the sewer and water service will be adequate. Carried 11-0

3. TF 23-1-51, Site Plan Review, Three Brothers Winery

Sally Kenyon moved and Jon Salmon seconded the adoption of resolution 13-22, recommending approval conditional upon the Town of Fayette Planning Board being provided a receipt from the County Clerk's office demonstrating that a deed was filed merging parcels 23-1-17.122 with 23-1-51. This was forwarded for review because the parcel is within 500' of Agricultural District #8. The applicant is proposing to construct a 3,500 sq. ft. tasting room and a 1,540 sq. ft. multipurpose building to replace a building that had burned down. The applicant owns a 3 acre, landlocked parcel that contains the septic and leach field. The County Planning Department's recommendation is to merge that parcel with the adjacent parcel. Mr. McGrath spoke with the project engineer who stated that they are in the process of merging the parcels. Charles Brady and Mark Lott abstained. Carried 9-0

4. TF 25-2-30, Site Plan Review, Williams & Barbaccia

John Swanson moved and Tom Scoles seconded the adoption of resolution 14-22, recommending approval conditional upon meeting the Town of Fayette Land Use Regulations Section 303 D and Seneca County Local Law 7 of 2021. This was reviewed by the County Planning Board because it is within 500' of County Road 125 and Agricultural District #8. The applicant proposes adding an addition (office and larger kitchen) to their seasonal home to make it a year round residence for themselves. The County Planning Department believes that the amount of wastewater may increase after the property becomes a year-round residence. The Planning Department recommendation was for approval conditional upon a health department approved septic being included in the site plan presented to the Town of Fayette Planning Board. After further discussion about whether the health department makes these approvals, the resolution was amended. Charles Brady and Mark Lott abstained. Carried 9-0

5. TF 10-1-03.1, Subdivision, Maybury

Sally Kenyon moved and Kyle Black seconded the adoption of resolution 15-22, recommending approval. This was forwarded for review because the parcel is within 500' of Agricultural District #8. The applicant wants to subdivide 1.9 acres of 85.38 acres of agricultural land to sell to a neighboring property owner that intends to merge it with their existing residential parcel. Charles Brady and Mark Lott abstained. Carried 9-0

6. TSF 06-4-33, Zoning Board Appeal, George Crary Jr.

John Swanson moved and Kyle Black seconded the adoption of resolution 16-22, recommending that the request be left solely to local determination. This request for an appeal to the Zoning Board of Appeals from the Heritage Preservation Commission required review because it is within 500' of State Route 5. The applicant proposes building a 2 bay garage that will be attached to the house with a bedroom above it. The County Planning Board reviewed this application in February 2022 and recommended approval conditional upon the Heritage Preservation Commission issuing a certificate of compliance. The HPC was concerned with various aspects of the site plan and the certificate was not granted. The HPC did not believe there to be an economic hardship associated with the property that would require a demolition. Alternate designs of the addition were requested that would resemble the period in which the home was constructed. In their letter requesting the appeal, the applicants cited that the decision based on "mass, size, and scale" by the HPC did not correlate with the definition of appropriateness in the Town Code. Mr. McGrath included examples of other properties in the area that are within the Historic District. The opinion of the County Planning Department is that portions of the Town Code generally translate to mean mass, size, and scale therefore recommending denial for this appeal. After discussion about the County's previous recommendation and potential discrepancies in the site plan, members voted on an amended resolution. Kathy Lutz and Tom Scoles abstained. Carried 9-0

7. 2022-1B, Zoning Amendment, Town of Varick

John Swanson moved and Charles Brady seconded the adoption of resolution 17-22, recommending approval. This was forwarded for review because it is a proposed amendment to a zoning law. This was previously reviewed by the County Planning Board in March 2022. At that time, members did not vote in the affirmative for approval after expressing that the zoning amendment should be more detailed and include definitions. The Town of Varick addressed these concerns and refined the zoning amendment. Carried 10-1

8. TW 23-1-38.1, Site Plan Review, Richard Austin/Jaynes Family Partnership/Bella's Restaurant

Michael Scaglione moved and Sally Kenyon seconded the adoption of resolution 18-22, recommending approval of the site plan, the building mounted sign, and repurposing of the existing roadside sign. This was forwarded for review because the parcel is within 500' of State Route 5&20 and County Rd 110 (Border City Rd). The applicants wish to open a restaurant at the same location that housed Emile's Restaurant. No changes to the exterior have been proposed except for signage. Carried 11-0

9. VW 12-2-26, Site Plan Review, Best Buy Auto Sales

John Swanson moved and Mark Lott seconded the adoption of resolution 19-22, recommending approval with the following conditions: 1) that it is determined that the proposed structure will be $\geq 7'$ from the property on the east or a variance be obtained, and 2) either the lots 12-2-27 and 12-2-26 are combined into one parcel or the proposed building on parcel 12-2-27 be redesigned to include restroom facilities. This was reviewed because the parcel is within 500' of State Routes 5 & 20. The applicant wants to build a new building that contains 3 offices and no restroom. A commercial facility needs to provide access to a restroom. A restroom exists for the business but is located on a different parcel. Ms. Haynes stated that the applicant is in the

process of combining the parcels. Ms. Haynes was given a new map by the applicant and the ≥ 7 ft. setback listed in the report should be read as 57. Carried 11-0

10. VW 01-1-08.3, Area Variance, Heritage Floors

Charles Brady moved and Sally Kenyon seconded the adoption of resolution 20-22, recommending that the area variance be conditional upon: 1) the determination that the location of the structure is out of the state right-of-way, and 2) the Zoning Board of Appeals making a determination that the review conditions have been met. The resolution further recommends that the site plan review be approved conditional upon the granting of the area variance. This was forwarded for review because it is within 500' of the Town of Waterloo boundary and State Route 96. The applicants want to construct an addition where a portion of the building had been torn down previously. This addition will function as a show room for their business. A porch that would be parallel to the road would be included. The distance from State Route 96 and the addition was unable to be determined from the site plan. Carried 11-0

OLD BUSINESS: Ms. Haynes stated that the County Planning Department is moving forward to modify the local law that established the Planning Board and its structure. It will be an amendment in full. It is being presented to the Planning, Development, Agriculture, and Tourism committee this month.

NEW BUSINESS: Ms. Haynes received approval to use a County vehicle to attend the Spring Local Government Workshop 2022 at the Genesee Community College on Friday, May 13th, 2022. County Planning Board members are eligible to ride with Ms. Haynes if they so choose.

Adjournment: The meeting was adjourned at 9:03 PM.

Respectfully submitted,

Amanda Forney
Secretary