

**SENECA COUNTY PLANNING BOARD  
MINUTES**

**October 13, 2022 – 7 PM**

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

**MEMBERS PRESENT:** John Swanson, Mark Lott, Kyle Black, William Dalrymple, Mary Kelleher, Sally Kenyon, Kathy Lutz, John Pigman, Michael Scaglione, Tom Scoles, David Wood, Frank Ruzicka (Alternate 4)

**MEMBERS ABSENT:** Jon Salmon, Karen Thomson, Charles Brady, Sue Sauvageau (Alternate 1), Janet Lynch (Alternate 2), Domenica Catalano (Alternate 3)

**STAFF:** Harriet Haynes, Sr. Planner; Jason Rearick, Planner; Amanda Forney, Staff Resources Assistant of the Seneca County Department of Planning and Community Development

**GUESTS:** Dan Emmo, Seneca Falls Zoning Board Chair

The meeting was called to order at 7:02 PM by William Dalrymple, chairperson.

Frank Ruzicka (Alternate 4) was appointed to sit in for Jon Salmon.

The minutes of the September 8, 2022 meeting were approved by a motion of John Swanson and seconded by John Pigman. Carried 12-0

**PUBLIC COMMENTS:**

**GML REVIEWS:**

**1. TV 05-1-04, Subdivision, Hayssen & Martin**

Sally Kenyon moved and Mary Kelleher seconded the adoption of resolution 44-22, recommending approval. The applicant is proposing to purchase 1.05 acres that will be subdivided from a 163.87-acre parcel. Acreage will be taken from agricultural production but will not add to the population density in the area. There are no negative impacts on County plans or purposes. Carried 12-0

**2. TSF 2022-B, Zoning Amendment – Signs, Town of Seneca Falls**

Kyle Black moved and John Swanson seconded the adoption of resolution 45-22, recommending approval conditional upon 1) the Town Board considering the value of restricting the number of temporary signs in C6 & C7 to no more than three (3) in light of Arlington County Republican Committee v. Arlington County, VA, 983 F.2d 587 (4<sup>th</sup> Cir.1993), and 2) resolution of an apparent conflict between C7 & E1 in relation to the restriction on noncommercial speech. The Town is reorganizing sections of this zoning chapter and definitions are included. There were concerns amongst members regarding Section H stating that “no mobile unit shall be placed in an R-1 zone for advertisement purposes.” There was a concern about the definition of a mobile unit and if business

owners with advertising on their vehicles would be permitted to park at their homes or other R-1 areas. Ms. Haynes also noted the Arlington County Republican Committee v. Arlington County, VA case as there may not be legal standing if signs are limited to three (3). Ms. Haynes also noted a conflict between C7 & E1. Carried 11-1

**3. TSF, Zoning Amendment – Short Term Rentals, Town of Seneca Falls**

John Pigman moved and John Swanson seconded the adoption of resolution 46-22, recommending approval. The Town currently has no policy on short term rentals. Mr. Rearick noted that this is a step in the right direction and discussed various ways to further limit, control, or prohibit such uses if the Town desired that. Mr. Rearick discussed the Village of Skaneateles and the Town of Queensbury and their use of definitions to limit, control, or prohibit this use. The importance of requiring septic system inspections at these properties after initial application and renewal was also discussed. Carried 12-0

**4. TSF 2022-C, Zoning Amendment – Anaerobic Digesters, Town of Seneca Falls**

John Swanson moved and Kyle Black seconded the adoption of resolution 47-22, recommending approval conditional upon the removal of the word “solely” and the phrase “to offset utility costs” from the definition of small anaerobic digester. The standards proposed would restrict the development of anaerobic digester facilities to those which are designed and developed solely to generate power to offset utility costs for farms. There were concerns by many members for two reasons: 1) In order to fully utilize digestion as a method of treating all the waste generated by a single farm, the operation may produce more than the energy used by that single farm, and 2) the farm being prohibited from selling the dried solid by-product of digestion that can be utilized as a potting soil. The County Planning Department recommendation was for approval. A motion and second was made by Frank Ruzicka and John Pigman and subsequently failed by a vote of 3-9. The amended resolution was carried by a vote of 12-0.

**5. TSF 38-1-86.8, Area Variance, Lennea Brown**

Sally Kenyon moved and David Wood seconded the adoption of resolution 48-22, recommending approval conditional upon the Town’s ZBA making a determination on awarding the area variance request by weighing the five factors laid out as per the NYS statute in Town Law section 267(1)(b). The plans as submitted are nonconforming. To conform, the garage could be replaced with livable space to exceed the square footage requirements, however, the minimum width could not be met as easily without significant change in construction plans. Additionally, no dimensions were submitted to indicate where the proposed dwelling will be located. Mary Kelleher, Kathy Lutz, Tom Scoles, and Frank Ruzicka abstained. Carried 8-0

**NEW/OLD BUSINESS:** Ms. Haynes reminded members that there is an upcoming training event on November 3, 2022 at del Lago Resort & Casino by the Genesee Finger Lakes Regional Planning Council.

**Adjournment:** The meeting was adjourned at 8:36 PM

Respectfully submitted,

Amanda Forney  
Secretary