

SENECA COUNTY PLANNING BOARD

MINUTES

April 13, 2023 – 7 PM

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

MEMBERS PRESENT:

John Swanson, Mark Lott, Kyle Black, Sally Kenyon, Charles Brady (exited meeting after Seneca Housing, Inc. review), John Pigman, Michael Scaglione, Tom Scoles, Sue Sauvageau (Alternate 1), Janet Lynch (Alternate 2), Frank Ruzicka (Alternate 4)

MEMBERS ABSENT:

William Dalrymple, Jon Salmon, Mary Kelleher, Karen Thomson, Kathy Lutz, David Wood, Domenica Catalano (Alternate 3)

STAFF:

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

GUESTS:

Melissa Nesbit, Seneca Housing, Inc. representative; Patty Bartran, Village of Waterloo Board member; Dan Emmo, Seneca Falls ZBA member

The meeting was called to order at 7:06 PM by Michael Scaglione, vice chairperson.

Sue Sauvageau (Alternate 1) was appointed to sit in for Mary Kelleher, Janet Lynch (Alternate 2) was appointed to sit in for William Dalrymple, and Frank Ruzicka (Alternate 3) was appointed to sit in for Jon Salmon.

The minutes of the March 9, 2023 meeting were approved by a motion of John Swanson and John Pigman. Carried 11-0

PUBLIC COMMENTS:

GML REVIEWS:

1. TSF 04-2-31, Use Variance & Special Use Permit, Seneca Housing, Inc.

John Pigman moved and Charles Brady seconded the adoption of resolution 22-23, recommending that the request be left to local determination. The applicant has applied for a use variance for the addition of two more one-bedroom units for veterans in its existing space. The building currently houses the non-profit office for Seneca Housing as well as one apartment. For a use variance, the applicant must prove four points including not realizing a reasonable return, the alleged hardship being unique, community character not being altered, and the hardship not being self-created. Within the Seneca County Codes database, the permit was shown as being issued but was ultimately denied, therefore the information written in the report regarding the permit is inaccurate. Mr. Rearick stated the dire need for housing and listed several

benefits of this application being approved. Also, because the non-conforming use of the building would be enlarged, a special use permit would also need to be granted by the ZBA. Ms. Nesbit noted that the housing is for veterans only and is not specifically low-income housing. Years ago, Seneca Housing recognized that many local veterans had the means to pay for housing but faced the issue of availability. Ms. Nesbit also noted that Seneca Housing has significant community support in this initiative. Frank Ruzicka, Michael Scaglione, and Tom Scoles abstained. Carried 8-0

2. TSF 36-2-47, Special Use Permit, Cleo Barnell Jr.

John Swanson moved and Sally Kenyon seconded the adoption of resolution 23-23, recommending approval conditional upon the siting of the garage away from the existing sewer line and approval of any necessary area variances. The applicant has applied to demolish all accessory structures and construct a 24' x 36' two-bay garage. In the plans, it was unclear where the sewer line is exactly located. The proposed plans show the location of the garage encroaching on the 15' setbacks as well as the 30' front setback from Rambler Road. If plans are left unchanged, an area variance will be required. Kyle Black stated that if water and sewer lines are municipal, there should be an easement. Ms. Haynes noted that an easement was not reflected on the survey map. Frank Ruzicka and Tom Scoles abstained. Carried 8-0

3. TSF 38-1-49.111, Subdivision, David Manzari

Sally Kenyon moved and Mark Lott seconded the adoption of resolution 24-23, recommending approval of the request. The applicant wishes to subdivide a 4.2-acre parcel into three lots. Mr. Rearick stated there were some minor issues including the lakefront portions of parcel being within the 100-year floodplain and within the SEQR form, it was incorrectly listed as being a legislative action. Mr. Rearick stated that using the online mapper for SEQR would have resolved these issues and does encourage municipalities to utilize this tool when applications are submitted. Frank Ruzicka abstained. Carried 9-0

4. TSF 20-3-49, Use Variance, MJSP Group LLC

Sally Kenyon moved and John Pigman seconded the adoption of resolution 25-23, recommending approval conditional upon: 1) the Town Zoning Board of Appeals determining that the request is consistent with the state requirements for granting of a use variance, 2) that the property be rented to only one person or entity, and 3) that the property be used only for storage or warehousing, and that there be no retail sales at that location. The applicant is requesting a use variance so that this property can be used commercially as a retail warehouse or equipment warehouse/storage. If rented to only one tenant, there will no longer be an opportunity for the property to become a multi-storage unit facility. Other commercial facilities are located within the area. Frank Ruzicka and Tom Scoles abstained. Carried 8-0

5. TW 17-1-09.2, Site Plan Review & Area Variance, Linsey Bethea

John Swanson moved and Mark Lott seconded the adoption of resolution 26-23. The resolution states: 1) that if it is determined that an area variance is needed for the location of the accessory structure, that it be left to local determination, 2) that approval is recommended of the site plan conditional upon the demonstration that the change of use meets the requirements of the New York State Building Code, and 3) that if variance for signage is pursued that it be left to local determination with the understanding that the sign will be located off the road right-of-way. The applicant wishes to operate a single chair beauty salon in an existing shed. It is noted that the structure does not appear to meet the 55' or more setback from the right-of-way line required in

the R1 zone which would require an area variance. The applicant does not intend on putting up a sign but includes it in the plans in case they choose to do so. John Pigman abstained. Carried 9-0

6. TJ 13-1-27, Site Plan Review, Fang (Mark) Lin

Tom Scoles moved and Sally Kenyon seconded the adoption of resolution 27-23, recommending approval. The applicant is proposing to install four two-story cabins to use as short term rentals in which there are currently no regulations in place for the town. Engineered drawings of the plans were submitted. Kyle Black abstained. Carried 9-0

7. TSF 36-3-29, Special Use Permit, Travis & Megan Carmel

John Pigman made a motion and Mark Lott seconded the adoption of the resolution written for this application that recommended approval conditional upon the Town of Seneca Falls approving or already having approved a short term rental application for the property. The resolution ultimately failed as there were not enough votes in the affirmative. The applicant is proposing to change the location of stairs on the north side of their property to the south. The steps will be further away from the setback in their new location. They are also replacing deck boards and supports of the existing deck. The applicants listed that this will be a short term rental. No municipal or countywide impact was found. Frank Ruzicka, Sue Sauvageau, and Tom Scoles abstained. Failed 7-0

8. TF 22-1-24, Site Plan Review, Beverly Hoover

Sue Sauvageau moved and Kyle Black seconded the adoption of the amended resolution 28-23, recommending that the request be left solely to local determination. The applicant is proposing the construction of a 10' x 16' shed in the lakeshore zoning district. The survey map provided does not show the setback distance of the proposed shed. The original resolution recommended approval conditional upon compliance with Seneca County Local Law 7 of 2021. There was discussion regarding the condition of approval and its appropriateness for this type of project. Sue Sauvageau moved and John Pigman seconded the motion to amend the resolution by removing the condition and to leave it to local determination. Mark Lott abstained during both votes. Carried 9-0.

9. VW 10-2-68, Site Plan Review & Subdivision, Roderick Coe

Sally Kenyon moved and John Pigman seconded the adoption of resolution 29-23. The resolution included two recommendations: 1) that the request for a subdivision be approved conditional upon an easement for parking access for the residential property at 2 Memorial Day Park and further conditional upon total acreage being confirmed, and 2) that the request for a site plan review be denied ensuring that any site plan submitted in the future will require GML-239 review. For the subdivision, the applicant is proposing to merge the .13 acre parcel located at 41 W. Williams Street (10-2-70) with the .84 acre parcel located at 46 W. Main Street (10-2-68), and to also merge two .14 acre parcels located at 2 Memorial Day Place into a single .28 acre parcel (tax numbers are 10-2-66 and 10-2-67). A discrepancy between total acreage on the subdivision map and acreage shown on property records will need to be resolved. For the site plan review, the applicant is proposing to demolish a house, carriage house, and two garages. In their place, a new garage would be constructed. The plan also proposes sealing off and removing a stone box culvert beneath the existing parking lot and carriage house. The applicant faces drainage issues on the property due to the stone box culvert and the applicant's engineer explained that these improvements cannot be completed until the drainage issue is resolved. The applicant is eager

for the Village of Waterloo to come up with a solution to resolve the flooding issues. Mr. McGrath stated that the Village of Waterloo is actively pursuing grant funding for stormwater issues throughout the village, including this particular property. Mr. McGrath also stated that the County Planning Department is happy to work with any municipality as necessary and appropriate in support of any infrastructure grant application. There were no impacts or issues found with the subdivision plan. The County Planning Department recommends denial for the site plan review until a proposal is received that effectively conveys stormwater from the north end of the parcel to the south, and to ensure that any revision to the site plan will be referred to the County Planning Board for GML-239 review. Carried 10-0

NEW BUSINESS: None

OLD BUSINESS: None

Adjournment: 8:46 PM

Respectfully submitted,

Amanda Forney
Secretary

DRAFT