

**SENECA COUNTY**  
**PLANNING BOARD MINUTES**  
**January 11, 2024 – 7 PM**  
Health & Human Services Building  
2465 Bonadent Drive, Waterloo, NY 13165

**MEMBERS PRESENT:** John Swanson, Mark Lott, Sally Kenyon, Charles Brady, John Pigman, Michael Scaglione, Tom Scoles, Jon Salmon, Kathy Lutz, David Wood, Frank Ruzicka (A4), Kate-Lynn Woodhouse (A5)

**STAFF:** Harriet Haynes, Sr. Planner; Jason Rearick, Planner; Caitlin Ryan, Staff Resource Assistant of the Seneca County Department of Planning and Community Development

**GUESTS:** Dan Emmo, Seneca Falls Zoning Board; Mark Bixby & Dawn Clar, applicants; Mike P., applicant

The meeting was called to order at 7:07 PM by Michael Scaglione.

Frank Ruzicka was appointed to sit in for Mary Kelleher and Kate-Lynn Woodhouse was appointed to sit in for Kyle Black.

The minutes of the December 14, 2023, meeting were approved by a motion of John Swanson and Sally Kenyon. No abstentions. Carried 12-0.

**PUBLIC COMMENTS:**

Mark Bixby and Dawn Clar identified themselves as applicants for their GML on the agenda. Mike P. identified himself as a representative for the Bridgeport Fire District for their GML on the agenda.

**GML REVIEWS:**

**1. TSF 23-1-49, Subdivision, Bridgeport Fire District**

This application was submitted to the Town of Seneca Falls and forwarded for County Review because the parcel is within 500' of State Route 414. Jason Rearick presented the GML report for the Seneca County Planning Department. Mr. Rearick advised the Town to utilize the SEQR tool online to adequately identify any concerns applicable to the parcel. Mr. Rearick confirmed with the applicant that 1-acre of the land will include a facility that will be used for a storage unit for the Fire Department, the rest of the property will be sold. As this will be a municipal building, there is no need for an Area Variance. Frank Ruzicka asked about the width of the property and the setbacks; the applicant & Mr. Rearick advised it was about 80'x544.5' and that the building is 30' from the edge of the property. Charles Brady asked about the annual Italian Festival; he was advised that they have not had it at this property in years. Mr. Ruzicka also asked about the size of the anticipated building and requested that the Fire Department be cognizant of the setbacks on all sides once plans are complete. The creek was asked about; Mr. Rearick advised that since it's not DEC controlled it should not have any impact on the plans. Charles Brady moved, and Mark Lott seconded the adoption of resolution 01-24, recommending approval conditional upon the Town considering the new information that the SEQR Mapper tool identified. Kathy Lutz, Tom Scoles, and Frank Ruzicka abstained. Carried 9-0.

**2. TSF 29-1-26./75, Area Variance & Special Use Permit, Mark Bixby**

This application was submitted to the Town of Seneca Falls and forwarded for County Review because the parcel is within 500' of State Route 89 and Agricultural District #6. Harriet Haynes presented the GML report for the Seneca County Planning Department. Ms. Haynes advised that she did not have adequate information on the height of the mobile home as it relates to the floodplain regulations. Charles Brady asked how far they need to go to get out of the flood zone; Ms. Haynes and the applicant advised it was about 2' and they are already above the regulation and plan to put it in higher than that to take advantage of storage space. Sally Kenyon asked about the mobile home size, as it differed between the resolution and the map, Ms. Haynes confirmed the dimensions in the image/map are correct, the resolution had a typo. John Pigman asked about the distance from the road and the neighbor's plan to rebuild as it relates to fire department access; he advised that word through the fire districts is that the Canal Corp and NY Thruway want to put in a pumping station off from the canal as they have had issues getting trucks there for fires; the applicant advised that as far as they are aware the neighbor plans to rebuild and that they can shift their shed back and rebuild further back from the 4' from the road that is stated in the current plan. David Wood moved, and John Pigman seconded the adoption of resolution 02-24, recommending that this request be approved conditional upon demonstration that the installation of the new Mobile Home will meet all requirements for construction in a Flood Hazard Zone. Kathy Lutz, Tom Scoles, and Frank Ruzicka abstained. Carried 9-0.

**3. TF LL#4-2023, Local Law Moratorium Review, Town of Fayette**

This application was submitted by the Town of Fayette to the County for review because it will potentially impact the entire town. Harriet Haynes presented the GML report for the Seneca County Planning Department. Charles Brady moved, and Sally Kenyon seconded the adoption of resolution 03-24, recommending that the request of the Town of Fayette adopt the proposed Local Law to extend by six months the moratorium on permits for retail development. No abstentions. Carried 12-0.

**4. TT 12-1-36/24a, Site Plan Review, del Lago Resort & Casino**

This application was submitted to the Town of Tyre and forwarded for County review because the parcel is within 500' of State Route 414. Harriet Haynes presented the GML report for the Seneca County Planning Department. Ms. Haynes advised that previously they planned (in the original plans) to put in a childcare facility but are now changing to a maintenance storage facility; with this change in plans, the only necessary utility service would be electricity. David Wood moved, and Charles Brady seconded the adoption of resolution 04-24, recommending that the request of del Lago Resort & Casino for a Site Plan Review be approved. No abstentions. Carried 12-0.

**5. TSF 38-1-57, Area Variance, Roland Nageldinger**

This application was submitted to the Town of Seneca Falls and forwarded for County review because the parcel is within 500' of the Seneca County Airport. Jason Rearick presented the GML report for the Seneca County Planning Department. Mr. Rearick stated a concern that there are too many structures on the property, as well as a concern with the setbacks of the proposed structure as well as the height limit to the air space. Mr. Rearick advised that the structure is not close enough to the air space where it could cause concerns with the airport and the runways nearest to the property. Charles Brady asked where the airport runway was on the map; Mr. Rearick confirmed it is a grass strip and it is 2000' from the main runway for the airport. Mr. Rearick also mentioned that the airport is currently going through a Master Plan Update, which may come into play in the future, but is not a concern at this time. John Pigman moved, and Mark Lott seconded the adoption of resolution 05-24, recommending that this request for an Area Variance be approved. Tom Scoles abstained. Carried 11-0.

**6. TV 14-1-05, Minor Subdivision, Jonas Peachey**

This application was submitted to the Town of Varick and forwarded for County review because the parcel is within 500' of State Route 414 and Agricultural District #8. Jason Rearick presented the GML report for the Seneca County Planning Department. Mr. Rearick advised that the Town should utilize the SEQR tool online to adequately identify any concerns applicable to the parcel, as wetlands were not identified in the report, nor the endangered short-haired owl. Mr. Rearick advised that the conversion of certain pieces of the parcels to agricultural land would require permits. David Wood and Charles Brady asked for confirmation of the wetlands area on the map. Mr. Brady asked about a specific line on the map; Mr. Rearick confirmed it seems to be an overlap of wetlands. Mark Lott advised that Mennonites and Amish do not have to follow restrictions with regards to wetlands and agriculture, as they do not participate in government programs and do not need to adhere to those restrictions. John Pigman moved, and Charles Brady seconded the adoption of resolution 06-24, recommending that this request be approved conditional upon: (1) consideration and discussion of wetlands as identified under SEQR Mapper and (2) a Minor Subdivision Survey Plat shall be conducted by a licensed surveyor as required under Varick Town Subdivision Law. No abstentions. Carried 12-0.

**OLD BUSINESS:** No old business.

**NEW BUSINESS:** The Spring 2024 training held by Genesee Finger Lakes Regional Planning Council will be on May 16, 2024, in Batavia, NY.

**ADJOURNMENT:** 7:57 pm, motioned by John Swanson

Respectfully submitted,

Caitlin Ryan,  
Secretary