

SENECA COUNTY
PLANNING BOARD MINUTES
Thursday, February 8, 2024 – 7 PM
Health & Human Services Building
2465 Bonadent Drive, Waterloo, NY 13165

MEMBERS PRESENT: John Swanson, Mark Lott, William Dalrymple, Karen Thomson, Sally Kenyon, Michael Scaglione, Tom Scoles, Sue Sauvageau (A1), Janet Lynch (A2)

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

GUESTS: Roberta Bilia, Fayette Planning Board; Dan Emmo, SF ZBA; Sidney Pendelberry, applicant

The meeting was called to order at 7:15 PM by William Dalrymple.

Sue Sauvageau was appointed to sit in for John Pigman and Janet Lynch was appointed to sit in for Charles Brady.

The minutes of the January 11, 2024, meeting were approved by a motion of Sally Kenyon and John Swanson. Carried 9-0.

PUBLIC COMMENTS: Sid Pendelberry announced his presence as an applicant up for review.

GML REVIEWS:

1. TSF 36-4-06, 06.5, Area Variance & Special Use Permit, Sidney Pendelberry

This application was submitted to the Town of Seneca Falls and forwarded for County review because the parcel is within 500 feet of County Road 116. Jason Rearick presented the GML report for the Seneca County Planning Department. Mr. Rearick stated concerns regarding the setbacks from the back and the front of the properties. He also stated concerns with the codes with regard to height and the possibility of needing an Area Variance specific to height, but it would be up to the codes officer to interpret. The proposed site meets the requirements for the 100-year flood line. Karen Thomson asked about resistance from neighbors regarding height; the applicant responded that they haven't expressed any concerns and were happy that the previous building was gone and advised that the build plans were shorter than the neighbor. Karen Thomson moved, and Sally Kenyon seconded the adoption of resolution 07-24, recommending that the request of Sidney Pendelberry be approved conditional upon: 1-the applicant merge the two parcels into one; 2-if it is determined that the applicant will need a front yard setback Area Variance, that it be left to local determination only if no obstructions are present within the County Right-of-Way; and 3-they adhere to NYS Building Code, specifically for habitation occurring within the 100-year flood zone and allowing for free-flow of flood waters below habitation level. Tom Scoles abstained. Carried 8-0.

2. TSF 33-1-06.41, Area Variance, Emily Wheaton with WD Partners on behalf of Brian Brody with Wal-Mart Real Estate

This application was submitted to the Town of Seneca Falls and forwarded for County review because the parcel is within 500 feet of NYS Route 414, County Road 106, Seneca County IDA-improved property, Seneca County Office Building, Seneca County Public Health Building, and the municipal boundary of the Village and Town of Waterloo. Jason Rearick presented the GML report for the

Seneca County Planning Department. The applicant is proposing to increase the number of signs from 18 to 27, but they are decreasing the square footage from around 800 down to under 600. Mr. Rearick advised that it seems that the proposed change will create a more efficient experience. He also advised that they have not been in conformance with the Town, but they are moving in the right direction for overall dimensions. John Swanson moved, and Mark Lott seconded the adoption of resolution 08-24, recommending that this request of Emily Wheaton with WD Partners, on behalf of Brian Brody of Wal-Mart Real Estate Business, be approved. Tom Scoles abstained. Carried 8-0.

3. TSF 38-1-7.211, Subdivision, Linda Lawrence

This application was submitted to the Town of Seneca Falls and forwarded for County review because the parcel is within 500 feet of Agricultural District #8. Harriet Haynes presented the GML report for the Seneca County Planning Department. Ms. Haynes advised that there were no concerns with the two smaller divisions, however, the larger of the three parcels might encounter issues for the Town due to not having a large enough frontage of the property. At this time there are no further plans to further subdivide, and it is not on a county road; the only reason it comes to the County Planning Board is the Ag District and would not cause a significant impact on County plans and purposes or the Ag District. Sue Sauvageau asked how many houses there were; Ms. Haynes confirmed there was only one house. Ms. Sauvageau further asked if they could re-design the sub-division; Ms. Haynes confirmed yes, they could do so. Mark Lott stated that the one building was a shop, with a total of two buildings (1 shop and 1 house) on the property and suggested maybe that was why they were subdividing. Bill Dalrymple stated they could resolve the issue with another subdivision; Harriet confirmed yes, but they may have to contend with a variance due to the road frontage. Mark Lott moved, and Michael Scaglione seconded the adoption of resolution 09-24, recommending that the request of Linda Lawrence for subdivision of land be left solely to local determination and that if the road frontage of the 70+ acre parcel is determined to need an Area Variance, that the Area Variance also be left to local determination. No abstentions. Carried 9-0.

4. TV 9-1-45.11, 45.2, Subdivisions, John & Annie Bachman and Lakeshore Winery, Inc.

This application was submitted to the Town of Varick and forwarded for County review because the parcel is within 500 feet of State Route 89 and Agricultural District #8. Harriet Haynes presented the GML report for the Seneca County Planning Department. Ms. Haynes advised that a portion of the property is being transferred to a neighboring property that would avoid having a narrow frontage. The property is being divided so that the property with the pond on it could also deal with the drainage issues relating to the pond. After further conversations with the applicant and the Town, that occurred after the report was completed and sent out, a different access driveway has already been put in without causing an issue with right-of-way access that would cause a condition in our recommendation. Therefore, the condition as reflected in the report is no longer needed; the language in the resolution reflects the current recommendation. John Swanson moved, and Sally Kenyon seconded the adoption of resolution 10-24, recommending that this request be approved (without conditions). No abstentions. Carried 9-0.

OLD BUSINESS: No old business.

NEW BUSINESS: Harriet Haynes advised that we should not be having sidebar conversations; if it is a comment or question for the full board to hear, please project so everyone can hear.

ADJOURNMENT: 7:45 PM, motioned by John Swanson

Respectfully submitted,
Caitlin Ryan, Secretary