

TOWN OF FAYETTE

PLANNING BOARD MINUTE

May 19, 2014

Meeting called to order at 7:05 pm by Chairman Schubert.

Present: Mr. Schubert, Ms. Bryan, Mr. Wise, Mr. Lott, Dr. Tidball, Mr. Battley

Absent: Mr. Rosenkrans

Others Present: Mr. Steele, Mr. Fitzgerald, Charles Wimmer, Victor J. Montaglione, Victor L. Montaglione, Judy Turri, Kenneth Witter, Henry Hartman, Guy Donahue, Robert J. Pagano Jr.

Reading of Town of Fayette Planning Board Public Notice by Mr. Schubert as posted in the *Finger Lakes Times* Sunday, June 8, 2014.

Public Hearing called to order at 7:10 p.m. Mr. Schubert asked for Roll Call.

- Mark Lott: Present
- Nelson Wise: Present
- Teresa Bryan: Present
- Ron Schubert: Present
- Dr. Keith Tidball: Present
- Michael Battley: Present
- Jeffrey Rosenkrans: Excused
- David Fitzgerald: Present

❖ Kenneth Witter, 1422 W. River Road, Waterloo, NY 13165 (Tax Map #02-1-53.2) – Special use permit to operate Auto Sales Business. Wants to sell 5 used vehicles facing the road on his property. Dr Tidball asked if he looked at Regulations for Automotive sales for the Town of Fayette for the resolution for the requirement for office structure including some kind of sanitary facilities for consumers. Copy of Regulation# 814 was given to Ken for office structure with sanitary facilities for the consumers which is letter H. He needs to purpose to use what is going to be done. Victor J. Montaglione objects to Ken having a Used Car Business they are neighbors and do not want to look at used cars because there are already many Used Car lots around them. They are concerned that the value of their property will decrease. Dr Tidball asked about lighting and discussed the regulations with Ken. Has a garage on property will be for personal use and not for repairs on used cars. Victor L. Montaglione Jr. objected about the placement of the cars and the hours of operation. Ken said that the hours of operation will be 7 (seven) days a week. Victor L. Montaglione also asked about signage that is going to be put up.

Ken received copies of regulations numbers 800(off street parking) need total of 10 additional parking spots, 802 (off street loading commercial) need ability for 2 cars to pass, 808(signage), 809(buffers and screening) landscaping, trees and also 814 letter E suitable landscaping area 5 feet deep along all street frontage not used as driveway such that it will prevent vehicles to access the property thru the landscaping area.

Moved by Mr. Lott and seconded by Ms. Bryan to close the public hearing at 7:50 p.m. Motion carried 7-0.

- Ms. Bryan- Present
- Mr. Wise- Present
- Mr. Schubert- Present
- Mr. Battley- Present
- Mr. Lott- Present
- Dr. Tidball- Present
- Mr. Fitzgerald-Present
- Mr. Rosenkrans-Excused

❖ Nathan Spano, 3464 State Route 89, Seneca Falls, New York, 13148 (Tax Map#13-1-02.11) Retroactive Minor Sub-Division.

Charlie Wimmer here to speak on behalf of Nate Spano. Charlie purchased the property of 4 acres in 2008 and Nate had 6 months to file with County Clerk for the closing which Nate did not. Nate did file new application. Charlie said that the application was approved at the September 2008 but no information was found from that meeting.

Moved by Mr. Lott and seconded by Dr. Tidball to close the public hearing at 8:00p.m. Motion carried 7-0.

Mr. Schubert asked for Roll Call at 8:00pm

- Ms. Bryan- Present
- Mr. Wise- Present
- Mr. Schubert- Present
- Mr. Battley- Present
- Mr. Lott- Present
- Dr. Tidball-Present
- Mr. Fitzgerald- Present
- Mr. Rosenkrans-Excused

- ❖ Henry and Rebecca Hartman, 4281 MacDougall Road, Waterloo, N.Y. 13165(Tax Map 24-1-14.11) Preliminary Hearing of Minor Sub-Division of single parcel of land at 1711 Leader Road, Geneva, N.Y. 14456. Sub-Divide 3.8 acres to place a double wide trailer on it.

Henry Hartman wants to put a double wide trailer on it to live in.

Moved by Mr. Lott and seconded by Dr. Tidball to close the preliminary hearing at 8:10p.m.
Motion carried 7-0.

Mr. Schubert asked for Roll Call at 8:10pm

- Ms. Bryan- Present
- Mr. Wise- Present
- Mr. Schubert- Present
- Mr. Battley- Present
- Mr. Lott- Present
- Dr. Tidball-Present
- Mr. Fitzgerald- Present
- Mr. Rosenkrans-Excused

- ❖ Judy Turri, 3502 Ritter Road, Waterloo, New York, 13165 (Tax Map# 09-1-15) Preliminary Hearing of Special Use Permit to operate Tack Shop in garage.

Judy Turri wants to operate a business out of her home for a Tack Shop for horse accessories not all new stuff but used and consignment items. It will be placed in the old garage space is 22 by 24. There is a door in the garage that will let you in and also a door that leads into a bathroom for changing and a restroom. There is a lot of parking for customers. Judy will be the only one working at her shop. She will have regular hours of operation.

Moved by Dr. Tidball and seconded by Mr. Lott to close the preliminary hearing at 8:20p.m.
Motion carried 7-0.

Mr. Schubert asked for Roll Call at 8:20pm

- Ms. Bryan- Present
- Mr. Wise- Present
- Mr. Schubert- Present
- Mr. Battley- Present
- Mr. Lott- Present
- Dr. Tidball-Present
- Mr. Fitzgerald- Present
- Mr. Rosenkrans-Excused

Mr. Schubert asked for a motion to close the public hearing. Moved by Dr. Tidball and seconded by Mr. Lott. Motion carried 7-0

Mr. Schubert asked for Roll Call at 8:30 pm.

- Mark Lott: Present
- Nelson Wise: Present
- Teresa Bryan: Present
- Ron Schubert: Present
- Dr. Keith Tidball: Present
- Michael Battley: Present
- Dave Fitzgerald: Present
- Jeffrey Rosenkrans: Excused

Regular Meeting called at 8:30 p.m. Mr. Schubert asked for Roll Call.

- Mark Lott: Present
- Nelson Wise: Present
- Teresa Bryan: Present
- Ron Schubert: Present
- Dr. Keith Tidball: Present
- Michael Battley: Present
- Jeffrey Rosenkrans: Excused
- Dave Fitzgerald: Present

Approval of Minutes from May 19, 2014 meeting: A motion was made by Mr. Battley and seconded by Ms. Bryan approve the Board minutes of May 19, 2014. Approved and carried 6-0.

Public Comment: None

Zoning Officer's Report: Review of Robert Steele, Land Use Officer, letter written by zoning officer.

Town Board Liaison: Councilman Nelson – At the last meeting we had a formal hearing on the formation of Water District #7. Secord was submitted and the Town of Fayette is the lead agency. Public hearing on proposed Local Law # 1 enacting a one year moratorium on Waste management facilities. ASPCA will be a pilot sight for testing and micro chipping of dogs being done by Cornell Vet College students. Highway has started Chip sealing. Grievance day will be May 28 (Wednesday) from 4:00pm till 8:00pm at Town of Fayette building. If your assessment is changing you should have got something in the mail. Next meeting will be June 12, 2014.

County Planning Board Report: None

Regional Issues:

Old Business: Robert and Sue Pagano construction of new garage concerns were addressed thru e-mail. Guy Donahue addressed all of the concerns. A storm water concern for drainage was submitted to engineer and the drainage analysis of areas that were removed, areas added pavement to, replace pavement with building. They came up with a net increase of impermeable surfaces of 1165 feet. The drainage tile was put in 1939 by the state. The tile is working at full capacity. In thirteen years since Bob has lived there has caused problems once with the 18 inch tile coming into the 12 inch tile because of back up of trees and branches. They want to take the impermeable surfaces to rain gardens. The rain garden with the down spout on the west side of the building that garden is connected to the roof surfaces on the front of the garage and on the rear of the garage we are able to send it to the rain garden on the SE corner of the garage.

Mr. Schubert asked for a motion to close the public hearing. Moved by Dr. Tidball and seconded by Mr. Lott. Motion carried 6-0.

Mr. Schubert asked for Roll Call at 8:45 pm.

- Mark Lott: Present
- Nelson Wise: Present
- Teresa Bryan: Present
- Ron Schubert: Present
- Dr. Keith Tidball: Present
- Michael Battley: Present
- Dave Fitzgerald: Present
- Jeffrey Rosenkrans: Excused

New Business: Robert and Sue Pagano have addressed the concerns. Mr. Schubert asked for a motion to approve. Moved by Mr. Battley and seconded by Mr. Lott. Mr. Fitzgerald abstained.

Mr. Schubert asked for vote to approve at 9:04 pm.

- Mark Lott: Yes
- Nelson Wise: Yes
- Teresa Bryan: Yes
- Ron Schubert: Yes
- Dr. Keith Tidball: Yes
- Michael Battley: Yes
- Dave Fitzgerald: Abstained
- Jeffrey Rosenkrans: Excused

Kenneth Witter- Move to continue. He needs to present a plan to address all of the sections that was given to him. He needs a completed survey of mapping everything. Mr. Wise second the motion to move to continue.

Mr. Schubert asked for vote for motion to move to continue at 9:14 pm.

- Mark Lott: Yes
- Nelson Wise: Yes
- Teresa Bryan: Yes
- Ron Schubert: Yes
- Dr. Keith Tidball: Yes
- Michael Battley: Yes
- Dave Fitzgerald: Yes
- Jeffrey Rosenkrans: Excused

Nate Spano- Move to approve by Dr. Tidball and seconded by Mr. Lott.

Mr. Schubert asked for vote to approve Sub-Division at 9:20 pm.

- Mark Lott: Yes
- Nelson Wise: Yes
- Teresa Bryan: Yes
- Ron Schubert: Yes
- Dr. Keith Tidball: Yes
- Michael Battley: Yes
- Dave Fitzgerald: Yes
- Jeffrey Rosenkrans: Excused

Close of meeting: Motion by Dr. Tidball and seconded by Ms. Bryan at 9:30pm.

The next scheduled meeting of the Town of Fayette will occur Monday, June 16, 2014 at 7 p.m.

Respectfully Submitted,

Melanie Morabito.

Town of Fayette Planning Board Secretary