

# TOWN OF FAYETTE

## PLANNING BOARD MINUTE

June 16, 2014

Meeting called to order at 7:00 pm by Dr Keith Tidball.

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

Excused: Mr. Rosenkrans, Mr. Schubert

Others Present: Mr. Fitzgerald, Chuck Chambers, Michael Benkovich, Victor Montaglione, Sharon Powers, Rebecca Ann Sinn, Victor Montaglione Jr, Mr. Getman and Mr. Harner, Mr. Ricci

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

Public Hearing called to order at 7:00 p.m.

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

❖ Henry and Rebecca Hartman, 1711 Leader Road Geneva, N.Y. 14456 (Tax Map # 24-1-14.11) Minor sub-division of property. Sub-divide a lot to place a mobile home on the property.

Moved by Mr. Lott and seconded by Ms. Bryan to close the public hearing at 7:05 p.m. Motion carried 6-0.

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

- ❖ Judith Turri, 3502 Ritter Road Waterloo, N.Y. 13165 (Tax Map # 09-1-15) Special use permit to operate a Tack Shop in garage. Special use permit request is rescinded.

Jennifer Hofheins, nka Sandrock, 3303 Canoga Island Fayette, N.Y. 13165 (Tax-Map #08-1-34) Pre-application conference for a building permit. Mr. Getman and Mr. Harner (engineer) is here to speak on behalf of Mrs. Sandrock. Original denied in November of 2013. Three (3) reasons for denials:

1. Mr. Harner is to address the first denial
2. Attempt to address with memorandum hopefully that the board will agree with an error on Jennifer in good faith not intend to miss lead anybody.
3. Missing permits. Mr. Getman said NYS has over ruled Seneca County denial for the permit and she has that permit at this point. NYS Department of Environment Conservation has that permit. US Army Core of Engineer doesn't have that permit because they want to see what happens at the Planning Board Meeting.

Mr. Getman has pictures of the cottage that was taken down. He says that a good stiff wind would take it down.

Mr. Harner says it will be a 48x40ft seasonal structure on Canoga Island. It would have 2 bedrooms, living room, and single story resident with a porch. It's a one story ranch style seasonal dwelling.

Structure is attached they designed an anchor system which is a 4 ft corkscrew that is put in the ground has anchor plates and stabilizers. It is above the flood plain. How to handle waste water has permit to draw water from the lake the owners would have a grey water system. This system has a filtration system on it and approved. How the toilet would be maintained Insenolet has a system that the waste goes into the toilet when it gets full the heater incinerates it and then there is a tray that you pull out that just has ashes in it. It's a self contained unit.

Board has concerns with anchoring system you need to know the specification of the soil samples to determine the anchoring system. Mr. Harner said that the previous engineer put his stamp on the paperwork for the anchoring system. Mr. Harner opinion he feels the anchoring system that the structure will not float away. Board wants specification for the anchoring system on the application. Mr. Harner will take a soil sample. Board has concerns with the structure material. Mr. Harner says no special structure material typical of any home.

The Board has issues about preexisting structure we are limited to lot size in the lakeshore district the bench mark is what we put on a lot. We were unable to determine the dimension of the structure where the structure is on the lot. Do we the board have a sense of dimension where the structure is? Mr. Harner said the structure was 16X24

from an aerial map. Proposed structure will be 34X48 plus a porch that will be 6ft. The proposed property will be centered on the property. Set back will be 15.2 ft from the corner of porch from the NW property line. Set back from the lake will be 24.5 ft from the lake. For a seasonal dwelling setback it should be 40,000 sq ft, 100 ft width, 25ft front, 25 ft rear, 10 ft side. The survey for the lot size is 13,450 ft, 71 ft shore line, 115ft rear, 146 ft sides which equals to about 1/3 of an acre. What would be needed are 15,000 more sq ft.

Mr. Getman said that the building was taken down (demolished). This building pre dated the fire code by at least 40-50 years also the intent what every is constructed will comply with the fire code. The board discussed you cannot just remove the building with concerns of the neighbors of asbestos. We the Board have reports that the building was burned down. Mr. Getman said the risk of what happened is largely on Jennifer. Mr. Getman said in the photos it looks like it was torn down. The town does require a demolition permit and the county does has specified permit.

The Board has been looking for a high water survey mark. Mr. Harner said that an elevation survey was done the floor is 388 ft. They are 2 ft above the water elevation.

They will reapply for variance.

Motion to close public hearing by Ms. Bryan and seconded by Mr. Battley approved and carried 6-0 at 7:44.

Mr. Tidball asked for Roll call at 7:45.

- Nelson Wise: Present
- Teresa Bryan: Present
- Ron Schubert: Excused
- 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 Mr. Wise 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 – Reached a final agreement on Water District #5 in Fayette and water District #3 in Varick both boards approved. Presentation of storage of LP Gas adjunct to Seneca Lake Shoreline and resolution was put forth opposing it all members to

agreement with resolution. We received application for assessor. Phil Griswald last day will be July 1, 2014.

**County Planning Board Report:** None

**Regional Issues:** Landfill moratorium has been passed in May 2014. It is in effect for one (1) year.

**Old Business:** Neighbors are concerned with Ken Witter buying property on River Road having a business of selling 5 used cars. We have two (2) additional letters by the neighbors with their concerns. The letters are opposed to the car dealership. We are waiting for Mr. Witter to address all of the issues that were unanswered and a completed survey. Neighbors are commenting on the noise and all of the other used car dealership in that area. Ken Witter needs to have all of the issues and the completed survey to the Board by July 1, 2014. A motion was made by Dr. Tidball and seconded by Ms. Bryan to have everything to the Board by July 1, 2014. Approved and carried 6-0.

**New Business:** If Jennifer Sandrock comes back with the reasonable proposal that is consistent with the original footprints of the pre-existing/non-conforming than that is fine and the exact same square footage they need to center it on the lot.

Henry and Rebecca Hartman, 1711 Leader Road Geneva, NY 14456 (Tax- Map#24-1-14.11) Minor sub-division of property. A motion to approve by Mr. Battley and seconded by Mr. Lott. Approved and carried 6-0. Subject to state and local regulations of a mobile home placement and safety.

Dr. Tidball asked for vote to approve at 8:25 pm.

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

**Close of meeting:** Motion by Mr. Lott and seconded by Mr. Wise at 8:30pm.

The next scheduled meeting of the Town of Fayette will occur Monday, July 28, 2014 at 7 p.m.

Respectfully Submitted,

Melanie Morabito.

Town of Fayette Planning Board Secretary