

Town of Fayette
Planning Board – Minutes April 27, 2015
1439 Yellow Tavern Road
Waterloo, NY 13165
315-585-6282

The Town of Fayette's Planning Board April 27, 2015 meeting was called to order at 7:00 PM by Chairman Keith Tidball with the following planning board members present: Mark Lott, Co-Chairman David Fitzgerald, Teresa Bryan, Jeff Rosenkrans, Ronald Schubert. Others present were: Katie Nelson – TB Liaison/acting secretary, Robert Steele – Codes Officer, Joe Midiri-attorney, Doug, Lisie, Stacy Freier, Rob Alcott, Donald Cramer, Tamara Lott, Joseph & Dorothy Marino, Matt Baylor, Steve Ward, Dave Rauscher, Clayton VanNostrand, David Locke, Mark Wilkin, Thomas Thompson, Carrie Fischer, Andrew & Kathy Batty, Ira Martin, Joyce Nicholson.

Chairperson Tidball opened the meeting with the pledge of Allegiance and the reading of the first public hearing as advertised in the Finger Lakes Times.

A continuation of the hearing on Freier Farms Rentals LLC of 3792 Post Road, Geneva, NY 14456, Town of Fayette (Tax Map 02-1-46) regarding a Special Use Permit to start a salon in a house which is currently being renovated at 1100 West River Road, Waterloo, NY 13165 in regards to the parking situation. The parking recommendation was verified by the Seneca County Planning office as 11 spaces. This was determined as being adequate by the members of the Town of Fayette Planning Board. Motion to close this public hearing was made by Ron Schubert, 2nd Teresa Bryan – all in favor, hearing closed.

The public hearing for Dave Rauscher of 277 Route 96, Waterloo, NY 13165, Town of Fayette (Tax Map 3-1-7.111) regarding a subdivision. The Seneca County Planning Board recommends that the request be approved upon the Town receiving the correct Short EAF and completing the SEQR process. After the forms were completed a motion to close the hearing was made by Dave Fitzgerald, 2nd Mark Lott; all in favor, hearing closed.

The public hearing for Ira Martin of 2942 Knauss Road, Waterloo, NY 13165 (Tax Map 02-1-03) for a subdivision Recommendation by the Seneca County Planning Board was that it be approved as the . (to divide the house and 1.243 acres of land from the remainder of the parcel) Motion to close the hearing by Ron Schubert, 2nd Teresa Bryan ; all in favor, hearing closed.

The public hearing for David Ward of 3767 South Parker Road, Seneca Falls, NY 13165, Town of Fayette (Tax Map 13-2-57.2) for a permit to build a detached garage. Represented by Robert Alcott 1055 Leader Road, Geneva, NY 14456, who will be building it. Discussion was held in regards to run off, the second floor verifying that it was for storage not living space, and height of building. Motion to close the hearing made Dave Fitzgerald, 2nd Teresa Bryan; all in favor, hearing closed.

***this did not have to be reviewed by the Seneca County Planning Board due to the property behind this location not being in the Agricultural District and the property distant from the State Route 89.

The public hearing for Thomas Thompson & Carrie Fischer 4129 Teal Beach Road, Geneva, NY 14456, Town of Fayette (Tax map 04-01-67) regarding a Special Use Permit to change an existing dairy barn into a micro brewery. Thompson was issued a temporary building permit from the county to work on

renovations to the barn. They have been working closely with Chad Haviland – Seneca County Sr. Code Enforcement Officer as complete various upgrades. The proposed septic is under DEC evaluation. Neighbors; Joe and Dorothy Marino voiced concerns over location of leach system and their well. They are also concerned about the drainage. The field currently has drain tile but problems when we have steady or heavy rains and snow melting. The plan is for the drive and parking to be gravel. Signage – planning on a single sign in front. Given pages 76-78, section 808 on signs in the land use regulations for Town of Fayette. Motion to close the hearing made by Teresa Bryan, 2nd Dave Fitzgerald; all in favor, hearing closed.

The Preliminary Hearing for David W. Locke of 4180 Teall Beach Road, Geneva, NY 14456, Town of Fayette (Tax Map 25-1-59) for a Special Use Permit to open a Bed & Breakfast. Would like to convert his home which has 5 bedrooms –using 4rooms; two per a room. 2 bath rooms each to be shares by two rooms. 8 people max. The septic is a sand filter system. Owner will reside in the house. Parking the attached garage owner will park. Other garage area will allow for outside parking along with the wide driveway area. The drive is stone and already existing. Will be scheduled for site plan review on 5/18/2015 with the following a letter citing water and septic is sufficient and parking clearing defined on a map. Motion to close the preliminary hearing made by Teresa Bryan, 2nd Mark Lott; all in favor preliminary hearing closed.

The Preliminary Hearing for H. Andrew Batty Jr. and Kathy Batty 3849 Westfall Drive, Seneca Falls, NY 13148, Town of Fayette (Tax Map 22-2-17) for a building permit for a screen room. Represented by Mark Wilken room to be 18 x 20 drainage will be addressed by a water garden. Motion to close by David Fitzgerald, 2nd Mark Lott; all in favor, preliminary hearing closed.

The Preliminary Hearing for Clayton VanNostrand 2712 Route 96, Waterloo, NY 13165, Town of Fayette (Tax Map 3-1-06.112) regarding a Special Use Permit to build an additional storage unit to property he purchased. At this time he needs to start at the beginning due to the original owners permit expiring, will need a site plan review and special use application. Motion to close the preliminary hearing by Mark Lott, 2nd Teresa Bryan; all in favor, preliminary hearing closed.

Donald Cramer Jr , trustee of Gloria T Cramer 223 St. Johns Drive, Rochester, NY 14626 (Tax Map 13-2-29 and 13-2-59.2) Lot Line Adjustment of property located at 3725 Parker Rd, Seneca Falls, NY 13148. Citing Town of Fayette Land Use Regulations Section 702 (page 64-66) *It is the intent of this Local Law to permit non-conforming uses to continue. Lots, structures, uses of land and characteristics of uses which lawfully existed at the time of the enactment of this Local Law and which would be prohibited or restricted under the terms of these regulations may be continued subject to the following provisions.*

A. General Regulations

1. A pre-existing, non-conforming lot shall not be further reduced in size except in conformity to the requirements set forth in Paragraph D.3 of this Section.
2. A pre-existing, non-conforming use shall not be enlarged, increased, nor extended to occupy a greater area of land than was occupied at the effective date of the adoption of this Local Law.
3. A pre-existing, non-conforming use may be changed into a conforming use. When a non-conforming use is changed to conform to the requirements of this Local Law, the use of the building or parcel of land shall not be changed again except in accordance with this Local Law.

4. Should any structure be moved for any distance for any reason, it shall thereafter conform to the requirements for the land use district in which it is located after it is moved, except that a pre-existing, non-conforming manufactured home may be moved to a lot to replace a pre-existing, non-conforming manufactured home. Non-conforming farm labor housing on farms in any Seneca County Agricultural District shall be exempt from this provision.

(B-C ---Not Applicable)

D. Existing Undersized Lots of Record

1. Any lot of record held in single and separate ownership prior to the adoption of this Local Law and whose area and/or width and/or depth are less than the minimum requirements specified herein for the land use district in which the lot is located shall be considered as complying with this Local Law, shall be considered a pre-existing, non-conforming buildable lot, and no variance therefore shall be required provided any proposed structure meets the lot line setback requirements of this Local Law.
2. In any district where residences are permitted, such undersized non-conforming lots may be used for not more than one single-family dwelling.
3. A lot of non-conforming size may be subdivided if each and every subdivision of such lot is purchased by the owner or owners of the adjoining properties to increase the size of said owner's or owners' property or properties.

Side notation in future these will be down without having to go through the planning board meeting cited from Town of Fayette Land Use Regulations (page 23) Article II, Section 210 Definitions
Minor Lot Adjustment: A category of property subdivision where no new lot is created and only a transfer of property of less than one-quarter acre in size or strip of property less than 20 feet wide, to the adjacent land owner as long as the transferring lot is not, and will not, become non-conforming under current lot size requirements of this Local Law and the New York State Uniform Fire Prevention and Building Code. Minor lot adjustments do not require action on the part of the Town Planning Board although the Town Planning Board must be informed in writing of such minor lot adjustments and requires a letter signed by the chairman of the Planning Board acknowledging such adjustment

Regular meeting was called to order by Chairman Keith Tidball with a Roll Call of members as follows:

- ✓ Mark Lott – Present
- ✓ Nelson Wise – Absent
- ✓ Teresa Bryan – Present
- ✓ Dave Fitzgerald – Present
- ✓ Keith Tidball – Present
- ✓ Jeff Rosenkrans – Present
- ✓ Ronald Schubert – Present

Review of the January 5, 2015 minutes (regarding the addition of the microbrewery to the land use regulation and for a local law and the March 23, 2015 minutes. A motion by Jeff Rosenkrans to approve both, 2nd Dave Fitzgerald, all in favor and motion carried.

There was no additional public comment except in earlier in discussion; the following topics were addressed:

What was the status of water going to East Lake Road.

Citizens are extremely concerned as there is an increase in persons riding their bicycles and walking regarding the speed of traffic on East Lake Road and with a new business going in it is sure to get worse. Both inquiries will be brought to the Town Board at the May 14 meeting by board liaison Katie Nelson.

Zoning Officers Report – Bob Steele

2 permits were approved. Hofhiens-Sandrock on Canoga Island and David McMillian on East Lake Road. Appeared in Court regarding the Cornwell property on 96A. Working on list of Land Use Regulations for some recommendations for minor changes.

Town Board Liaison Report – Katie Nelson

Jim Cleere – Town Assessor has found almost \$1 ½ million in just property improvements in looking like the reevaluation will be in two years. All agricultural exemptions are in and the information sent to the county. Continues to work with the county. The highway department will be replacing one of the trucks on our rotation system. There has been a slight increase in the CHIPS funding for roads. The town clerk handled 42 dog licenses, 10 death certificates. The county is still looking for applicants for the county manager position, bids have opened for the court house renovations. The door to the office here will be replaced and hopefully no more problems with it locking us either in or out. Next meeting is May 14.

As a liaison it made perfect sense to the town board that I act as secretary until next year when the position will become part of the Town Clerks duties. The savings will allow us to purchase a lap top with capabilities that will enhance our efficiencies as a planning board.

County Planning Board Report – Mark Lott

No report

Regional Issues – Ron Schubert

No report

Teresa brought to everyone's attention that the yellow brochure on training in May had some really informative workshops. She and Katie are both planning to attend at this time.

OLD BUSINESS:

Canoga Island – Hofhiens-Sandrock they met the requirements and were issued a permit.

Revisions to land use regulations – Keith will send out his most current updated list and the board will need to review in May or June.

NEW BUSINESS:

Freier Farm Rentals LLC (Tax Map 02-1-46) - Special Use Permit

A motion to approve for a Special Use Permit by David Fitzgerald, 2nd Jeff Rosenkrans, all in favor motion carried.

Dave Rauscher (Tax Map 3-1-7.111) – Sub-Division

Motion to approve the subdivision by Jeff Rosenkrans, 2nd Mark Lott; all in favor, motion carried.

Ira Martin (Tax Map 02-1-03) – Sub-Division

Motion to approve the Sub-Division by Ron Schubert, 2nd Teresa Bryan, all in favor, motion carried.

David Ward (Tax Map 13-2-57.2) Building Permit

A motion to approve the building permit by Jeff Rosenkrans, 2nd Mark Lott, all in favor, motion carried.

Thomas Thompson / Carrie Fischer (Bottomless Brewery) (Tax Map 04-01-67) – Special Use Permit

A motion to approve contingent upon the following:

- a topographical map of the property,
- drainage plan addressing and follow through addressing concerns of neighbors to the south of property,
- signage details
- copy of the temporary building permit (issued by Seneca County)
- parking plan

by David Fitzgerald, 2nd Mark Lott, all in favor, motion carried.

A motion by Jeff Rosenkrans to allow the Chairman Keith Tidball (see above – prelim. Cramer) to handle and sign lot line adjustments) 2nd Mark Lott, all in favor, motion carried.

Donald Cramer Jr., (Tax Map 13-2-29 & 13-2-59.2) – Lot Line Adjustment.

Approved by Keith Tidball, Town of Fayette Planning Board Chairman

A motion to adjourn was made by Jeff Rosenkrans, 2nd Dave Fitzgerald all in favor at 8:42PM.

Next meeting is May 18, 2015 at 7PM

Respectfully Submitted

Katherine "Katie" Nelson

Town of Fayette Councilwoman / Planning Board Liaison