

Town of Fayette
Planning Board
1439 Yellow Tavern Road
Waterloo, NY 13165
315-585-6282

Minutes for January 25, 2016

The Town of Fayette's Planning Board January 25, 2016 meeting was called to order at 7:02 PM by Keith Tidball, Chairman with a roll call for attendance, present were:

- ✓ Ronald Schubert – Present
- ✓ Mark Lott – Present
- ✓ Nelson Wise –Present
- ✓ Teresa Bryan – Present
- ✓ Keith Tidball – Present
- ✓ Dave Fitzgerald – Excused
- ✓ Joseph Midiri , attorney – Present
- ✓ Robert Steele , codes enforcement - Present

Others present were: Katie Nelson –secretary, Charles Wimmer, Al Floro – Verizon, Bill & Sandra Caster, Dave and Terri Grifa, Colin Fazio – Verizon, Larry Campbell, Michael Karlsen, Dallyn Jen kins, Thomas Kime, Mary Lou Wise, Jason Wise, and Steve Albright

The meeting was opened with the Pledge of Allegiance.

The public hearing for MaryLou Wise 1635 County House Road, Waterloo, NY 13165, Town of Fayette (Tax Map #3-2-54.9) regarding a Sub-Divison of 1.442 shown on the map (1.8 on the application) . No one contested the Sub-Divison; the setbacks are accurate and meet the regulations. The Ag data statement, SEQR, will be adjusted to match the survey maps in regards to the amount of acreage. No questions were asked by those in the audience. A motion to close the hearing was made by Ron Schubert, 2nd by Mark Lott; all in favor, public hearing closed.

The public hearing for Thomas Kime 3784 Kime Beach Road, Geneva, NY 14456, Town of Fayette, (Tax Map 18-1-08) regarding a Sub-Division. He would like to sell to family and combine property areas to rectify compliance issues. After much discussion on property lines, right away and concerns over restrictions in the deed and concerns made by neighbor Steve Albright. A motion to suspend the public hearing of Tax Map 18-1-08 due to possible deed restrictions made by Ron Schubert, 2nd by Nelson Wise; all in favor, hearing suspended.

The Public Hearing for Verizon/ Upstate Cellular / Frank C and Dorothy M Case 4919 East Lake Road, Romulus, NY 14541 regarding a Special Use Permit for Upstate Cellular Network to have a Verizon Cellular Tower built on the following property Yale Station Road, Geneva, NY 14456, Town of Fayette, and (Tax Map 25-2-09). Representation by Al Floro and Colin Fazio.The building has been changed to a canopy style on skids and still remains in the fenced in enclosure. The 180 foot fall zone is of issue, specifically that the fall zone is part of the property line. If it was shifted 5 feet to the West that would

solve the problem. It is 12 feet from the property line to the North. Total amount of property affected is 8/10 of an acre. The property was verified agricultural and residential. (Town of Fayette Land Use Regulations, Section 823 D adequate landscaping will be provided to create a visual and sound buffer between such facilities and adjacent property. Page 87) was discussed as the fencing being chain linked. Location selection was discussed and the planning board members were referred to tabs E & F of the specification manual. A motion to close the public hearing was made by Ron Schubert, 2nd by Mark Lott, all in favor, public hearing closed.

A motion to close the public hearings was made by Dave Fitzgerald, 2nd Teresa Bryan; all in favor Public Hearing portion of the meeting closed.

Preliminary Hearings:

Grace Church Willow 3886 East Lake Road, Geneva, NY 14456, Town of Fayette (Tax Map 18-2-02) regarding a Sub-Division. Represented by Michael D. Karlsen, surveyor. The CNY Diocese wants to Sub-Divide the church from the cemetery. Currently only those with connections to the church can be buried there – looking that once it is separate that is can be made a public cemetery. It was noted that our Sub-Division Regulations article 8 doesn't include cemeteries. Attorney Midiri will check City of Geneva regulation. It was noted that it is straight forward as a subdivision, no guidelines in our Town of Fayette Regulations, and we need to refer to the Board of NY Cemeteries for their rules. A motion to close the preliminary made by Ron Schubert, 2nd by Nelson Wise; all in favor, preliminary closed.

Charles D Wimmer 3163 County Road 121, Seneca Falls, NY 13148, Town of Fayette (Tax Map 13-1-41.21) regarding a multiple Sub-Division. Mr. Wimmer already has buyers already for the properties. He would like to create parcels of 12.573 acres (Parcel B), 1.895 acres (Parcel A) and 7.655 acres (Parcel C) from 22.303 acres. The one will remain agricultural the smallest will be for him and his wife with plans to build a house. A motion to close the preliminary hearing was made by Mark Lott, 2nd by Nelson Wise all in favor, preliminary hearing closed

A motion to close the preliminary hearing portion of the meeting was made by Teresa Bryan, 2nd by Mark Lott; all in favor, preliminary hearings closed.

The record shows the following members were in attendance at the business portion of the meeting;

- Ronald Schubert – Present
- Mark Lott - Present
- Nelson Wise – Present
- Teresa Bryan - Present
- Keith Tidball – Present
- Dave Fitzgerald – Excused

Attorney Joe Midiri was present and Codes Officer Bob Steele was present.

New Business:

MaryLou Wise 1635 County House Road, Waterloo, NY 13165, Town of Fayette (Tax Map #3-2-54.9) regarding a Sub-Division of 1.442 acres shown on the map (1.8 on the application) . A motion made to

approve the Sub-Division as setbacks are accurate and follows regulations and the acreage is adjusted on the application to reflect the same as on the survey maps was made by Ron Schubert, 2nd by Nelson Wise, all in favor, Sub-Division approved.

Frank C and Dorothy M Case 4919 East Lake Road, Romulus, NY 14541 regarding a Special Use Permit for Upstate Cellular Network to have a Verizon Cellular Tower built on the following property Yale Station Road, Geneva, NY 14456, Town of Fayette, and (Tax Map 25-2-09). Representation by Al Floro and Colin Fazio. The SEQR was completed and reviewed. A motion was made to approve Special Use Permit contingent upon the location be moved 5 feet to the west, with new maps being submitted to reflect the change by Mark Lott, 2nd by Ron Schubert; all in favor,

Thomas Kime 3784 Kime Beach Road, Geneva, NY 14456, Town of Fayette, (Tax Map 18-1-08) regarding a Sub-Division. It was stated by Chairman Tidball that the property will have no change of use which was verified by Mr. Kime. He has no plans except down the road to maybe to put in a road. An alternative plan was discussed with planning board members and surveyor Michael Karlsen earlier in which new maps will need to be brought for the continuation of his public hearing on Monday, February 22, 2016. Chairman Tidball went on the record to state that the combining of 1 & 2 solves incompliant issues

Public Comment

David and Terry Grifa of West River Road brought before the board their questions regarding Section 814 of the Town of Fayette Land Use Regulations regarding side yards the definition and setbacks. The planning board directed Codes Officer Bob Steele to go and measure the distances and the stone areas.

Secretary Report – Katie Nelson

The December 28, 2015 minutes had two word tenses and a spelling error corrected leading to a motion to approve by Teresa Bryan, 2nd by Mark Lott, all in favor, the minutes were approved.

The minutes of the November 23, 2015 meeting were reviewed and with the addition of one small word a motion to approve was made by Mark Lott, 2nd by Dave Fitzgerald; all in favor, minutes approved.

Zoning Officers Report – Bob Steele

Bob reported the 6 following permits were approved:

David C Rauscher – Route 96 – 12' X 24' barn/ lean to

Jeff Cassim – Yost Road – Solar Array rooftop

Greg Schmitter – Cherokee Lane – 20'X 24' pole barn

John Pulver – West River Road - fence

Geanne Leonard – Woodward Rd – 27' x 5' deck

Larry Wolkonowski – Tealle Beach – Solar Array rooftop

No denied permits.

Visited the Pagano project on NYS Route 89 – all is compliant

Legal Report - Attorney Joe Midiri

Regarding Yeo's Court Case (Canoga Hamlet). Judge Sapio dismissed it . The Planning Board can appeal it. Attorney Midiri will send to Katie the Decision and Order of the Court, who in return will send to the planning board members.

Update on Advertisement for new members – appeared in two Sunday issues of the Finger Lakes Times. To date have received two applications which have been passed down to Chairman Tidball. .

Town Board Report – Katie Nelson

No Liaison as of yet as one hasn't been appointed.

County Planning Board Report – Mark Lott

Mark was out of town but the county recommendations are in the binders.

Regional Issues –

The Seneca County Agricultural Enhancement Board is supposed to meet at least quarterly or monthly. They have not met in a year. A letter should be drafted to the county and to Seneca County Cornell Cooperative Extension to encourage them to meet. This is important in matters of farmland protection. and in the Right To Farm Law – 7 district in the county, need to recertify every 3 years. Discussion was held.

Old Business:

Proposed Micro Brew on Route 89 - looks like it will not be happening due to the water system that county is requiring is way more than for the amount they will be using.

Comprehensive Plan – needs to be revisited after land-use regulations are complete. A lot of things have changed within 10 years. Notation was made that in the Sub-Division Regulations cemeteries need to be addressed (Fayette has 18)

Dallyn Jenkins – Town of Fayette Dog Control Officer in discussion regarding a possible puppy mill situation will draft reasonable regulations for the planning board to consider at the February 2nd work meeting. Dave Fitzgerald will look into kennel regulations.

A motion to adjourn was made at 9:27 PM by Mark Lott, 2nd by Nelson Wise; all in favor, meeting adjourned.

A reminder will be sent regarding the scheduled work session on February 2, 2016 at 7PM

Respectfully Submitted by

Katherine “Katie” Nelson
Town of Fayette Councilwoman / Planning Board Liaison

