

Town of Fayette Planning Board  
1439 Yellow Tavern Road  
Waterloo, NY13165  
315-585-6282

## Minutes for September 26, 2016

The Town of Fayette's Planning Board September 26, 2016 meeting was called to order at 6:00PM by Keith Tidball, Chairman with a roll call for attendance, present were:

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

This was a special meeting held in conjunction with the Town of Fayette Town Board for the purpose of going of the proposed updates to the town's Land Use Regulations. In attendance from the Town Board were Coreen Lowery, William Goff, Supervisor Cindy Lorenzetti, Attorney Steve Ricci, Jeff Trout. Absent was Jimmy Johnson.

Discussion was held on the following:

- \*Section 833 Alternative Energy – Windmills, Windpumps and Wind Turnbines
- \*Section 200 Word Usage – on the definition of Private vs. Shared Driveway and Right of Way. – Attorney Ricci would be sending a clarified change of wording.
- \*Section 811 Vacation Rentals – sub section F was altered.
- \*Section 200 Word Usage - on the definition of Residential Care / Assisted – Living Facilities. A discussion was held on the actual definition of elderly.
- \*Title of our Zoning Codes Officer is actually Land Use Officer.
- \*Section 200 Word Usage – on the definition of Dock.
- \*Section 200 Word Usage – on the definition of Claymine
- \*Section 808 Signage - in regards to the size for home businesses. The original / current was suggested by Stu Brown. The size was changed at this meeting.
- \*Suggested change in the definition for Hospice would be sent by Attorney Ricci.

Chairman Tidball mentioned the purpose for the addition of a new district to be known as *The Lake Water District*.

These changes will be made available at the Town of Fayette's Board meeting on Thursday, October 13, 2016. The time line is as follows: a resolution in November 2016, public hearing in December 2016, Adoption in January 2017.

Meeting was closed at 7:18PM. The Regular meeting of the Planning Board was called to order by Chairman Tidball at 7:21PM with the following:

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

Others present were: Katie Nelson –secretary, William Caster, Bette Schubert, Don Cortina –Red Jacket Yacht Club, Daniel Roberts – Red Jacket Yacht Club, Bob & Mary Apgar, Steve Sandroni, James Dyer, Mike Hagadorn, Connie Hagadorn, Thomas Murray,

The meeting was opened with the Pledge of Allegiance.

Preliminary Hearings were opened:

Jim and Kay Dyer 4373 NY State Route 89, Seneca Falls, NY 13148, Town of Fayette, (Tax Map 30-2-23) regarding a Zoning Permit to have a 10ft x30ft deck built. The proposed deck meets all setbacks. It is located in the agricultural / residential area. No issues seen. A motion to close the preliminary hearing was made by Ron Schubert, 2<sup>nd</sup> by Mike Cecere; all in favor; hearing closed.

Constance Hagadorn 3646 NY State Route 96, Waterloo, NY 13165, Town of Fayette, (Tax Map 20-1-05.1) regarding a Sub-Division. The proposed Sub-Division would be creating a flag lot to Hagadorn Lane. Access to and from the property would be no problem. A motion to close the preliminary hearing was made by Ron Schubert, 2<sup>nd</sup> by Nelson Wise; all in favor, hearing closed.

Robert & Mary Apgar 2945 State Route 96, Waterloo, NY 13165 regarding a Special Use Permit for a storage facility for boats, cars, campers located at 3657 NYS Route 96, Waterloo, NY 13165, Town of Fayette, (Tax Map 20-1-26). The airport will be kept open for lessons and the fee will be covered by the flight instructor. They will just be cleaning up the property and putting in a fenced area. It will be for the storage of large vehicular items. A motion to close the preliminary hearing was made by Nelson Wise, 2<sup>nd</sup> by Teresa Bryan; all in favor; hearing closed.

Tom Murray – 3075 NY State Route 96, Waterloo, NY 13165, Town of Fayette, (Tax Map 6-1-05.111) regarding a Special Use Permit for a parking lot and event barn to grow his Ag

Business. Plan is to allow for parking for 60-80 cars. In regards to drainage – east and north, the pasture is before the creek. Mr. Murray will need to have a drawing showing the parking/ and the grade sloping. The current business is cheese – the renovated barn will be able to hold 300 people – A copy of the Town of Fayette Local Law 3-2015 regarding beer, wine and cider would be sent to him. It is already a DOT approved access road for the cheese business 32 feet wide. A motion to close the preliminary hearing was made by Mike Cecere, 2<sup>nd</sup> by Ron Schubert; all in favor, hearing closed.

Addition to the agenda is a Sub-Division by VanRiper on Route 89, Seneca Falls, Town of Fayette to take 1.5 acres from 8.1 involving a gorge area to be sold to Maura and Keith Tidball abutting neighbors. A motion to close the preliminary hearing was made by Dave Fitzgerald, 2<sup>nd</sup> by Ron Schubert; all in favor, hearing closed.

The business portion of the meeting; the roll call attendance stands.

A presentation by Daniel Roberts, Red Jacket Yacht Club, 3953 Red Jacket Drive, Seneca Falls, NY 13148 regarding their application pursuant to the public lands law for underwater land use for upgrades /replacement of mooring and docks for boats and other watercraft. He commented that sailing is down due to more having pontoon boats.

**Public Comment:**

Steve Sandroni was present to inform the planning board of the situation on Canoga Shores. The property owned by Hosmer's 4111 Canoga Shores, Seneca Falls, NY 13148, Town of Fayette Tax Map22-1-47 which abutts their property. The dock was built without a zoning permit, it is 10'6" from the property lines. Officer Steele met with both Sandroni's and the Hosmer's. After the Hosmers had their property surveyed, he went back to Canoga Shores and measured over the dock (land used section #520 C# and F) Current Regulation doesn't specify mobile or stationary docks. Deck/Stairs have a permit. Photo's were submitted for file with the planning board secretary. Land-Use Officer Bob Steele will be further looking into the issue.

**Secretary Report – Katie Nelson**

The minutes of the August 22, 2016 meeting were reviewed with a couple of typos corrected and approved. A motion to approve the minutes was made by Nelson Wise, 2<sup>nd</sup> by Sandy Caster; all in favor, minutes approved.

**New Business:**

Discussion on Noise Ordinance on Teall Beach and Bonnie Banks. Copies of a letter by Tom & Amy Casella was discussed (copy is in each members binder) and filed with the planning board. As the Town does not have a noise ordinance the protocol is to contact the Seneca County Sheriff's dept.

**Land Use Officers Report – Bob Steele**

Reviewed as follows:

Approved Permits

Mark & Corinne Keagle – NYS Route 96 – 14'x24" shed

John Cunningham – Canoga Island – Roof over deck

Tod Hubbard – Bull Farm Road – Single Family Home

Jonathon Hosmer – Canoga Shores – to replace existing deck and stairs

Curvin Sensenig – Miller Road – 28'x36' addition

No Denied Permits

Past Time Park complaint is under review for legal advice.

**Zoning Board of Appeals Report**

Rasmussen - MacDougall Road – results are in the binders

They received the variance to build the porch.

**County Planning Board Report – Mark Lott / Dave Fitzgerald**

Dave reported that there was no September meeting as to nothing on the agenda.

Jim and Kay Dyer 4373 NY State Route 89, Seneca Falls, NY 13148, Town of Fayette, (Tax Map 30-2-23) regarding a Zoning Permit to have a 10ft x30ft deck built. As the property meets the set backs and there is no issue of drainage problems and or view shed impediments a motion to approve was made by Ron Schubert, 2<sup>nd</sup> by Mike Cecere to approve the site plan; all in favor, Site Plan approved.

Hagadorn – Subdivision looks straightforward.

Apgar – Special Use Permit looks straightforward

Murray - Special Use Permit looks straightforward – SEQR will be done at the Public Hearing.

The mentioned above three all will be heard at the county level on October 13.

**Report - Attorney Joe Midiri**

The board was brought up to date on the court case regarding Yeo's in the Canoga Hamlet.

Attorney Morrell missed the deadline. Has been booked for with the court and was adjourned waiting for reschedule.

A motion to adjourn was made by Nelson Wise, 2<sup>nd</sup> Mike Cecere, all in favor, meeting adjourned by Chairman Tidball at 8:38PM.

Respectfully Submitted by

Katherine "Katie" Nelson

Town of Fayette Planning Board Secretary.



