

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

Minutes for Tuesday, October 24, 2017

The Town of Fayette's Planning Board and the Town Board met jointly Tuesday, October 24, 2017 for a special meeting regarding the proposed Land Use Regulation Revisions on Vacation Rentals. The meeting was called to order at 6:03PM by Supervisor Cindy Lorenzetti. Attendance was done by roll call

- ✓ Mark Lott – Present
- ✓ Mike Cecere – Present
- ✓ Sandy Caster – Present
- ✓ Katie Nelson, secretary -Present
- ✓ Teresa Bryan – Present
- ✓ Ronald Schubert – Present
- ✓ Dave Fitzgerald – Present
- ✓ Keith Tidball – Present
- ✓ Joseph Midiri , attorney
- ✓ Robert Steele , zoning officer – arriving after meeting started
- ✓ Nelson Wise – absent

- ✓ Steve Ricci, attorney – Present
- ✓ Jeff Trout- Present
- ✓ Bill Goff – Present
- ✓ Cindy Lorenzetti – Present
- ✓ Coreen Lowery – Present
- ✓ Jimmy Johnson – Absent

In attendance were: Bob Haysen – Town of Varick Supervisor, Richard & Jeanne Giovannini, Andy Batty, Gordon E Thompson - Attorney, Bill Graves - Attorney, Perrin & Connie Knapp, Bette Schubert, William Caster, Linda Zwick, Alessio Evangelista, Deb Buchwald, Tom & Amy Casella, Bill Ebert, John Groff - Attorney, Kathy & Heidi Lott, Ruth Same, Rick & Donna Conley, Steve Barto – Zoning Board of Appeals Chairman, Maureen Weller, Dave Bullach, Charlie Brady, Steve Lasso (Varick), Brian Zerges – FingerLakes Premier Properties, Nikki, Don Cramer, Bart Morrisette, Joel Munson

The meeting was opened with the Pledge of Allegiance. Chairman Tidball gave a welcome and Introduction of how the meeting will proceed.

The floor was opened with a history of the land use regulations and that we are in a spot where the regulations have been reviewed and some areas need to be added, revised and / or adjusted as what leads to this meeting. Dave Fitzgerald mentioned that the regulations are more detailed than what was needed back in 2008 and he himself is a resident on Parker Road and he is in favor of business being done in Fayette.

- A. No structure shall be constructed on the waterside of the mean low water mark of the Cayuga and Seneca Canal unless such structure is for a water-dependent use or activity.
- B. Dimensional Requirements and Specifications

Structures and uses shall comply with the dimensional requirements, specifications and restrictions set forth in the Dimensional Requirements Table attached at the end of this Local Law.

SECTION 811 VACATION RENTALS

- A. All vacation rentals shall be considered conditional uses with a special use permit. All vacation rentals require a site plan review.
- B. The operator of a Vacation Rental shall not reside in the rented dwelling during rental periods.
- C. The dwelling shall not be altered in a manner which would cause the premises to differ from its residential appearance or character.
- D. Vacation Rentals shall have a maximum of 6 bedrooms. Units larger than 6 units are subject to site plan review and approval by the Town of Fayette Planning Board.
- E. Maximum overnight occupancy shall be limited to two guests per bedroom plus a total of two additional guests. Children under the age of five shall be excluded from the occupancy limitations.
- F. For homes on a septic system, the overnight occupancy shall also be limited by the system capacity, as determined by the code enforcement officer. New or proposed vacation rentals must provide documentation of the system's capacity for proposed occupancy.
- G. The above limitations may be exceeded for a period of 4 days during the Holiday Weekends of Thanksgiving, Memorial Day, July 4th, (weekend before and after if the 4th does not fall on the weekend) and Labor Day. Children under 5 are excluded from these limitations.
- H. Subject to site plan review, parking must be provided for a minimum of 1 vehicle per a bedroom. Legal on street parking can be considered. Maximum number of overnight vehicles may not exceed one times the number of bedrooms.
- I. Owner or Property Managers names, address, and 24-hour Contact Information, as well as maximum occupancy and parking guidelines shall be posted on the refrigerator.

It was stated that there is no such thing as being grandfathered.

*Andy Batty – Westfall Drive

Brought up example of 7 bedrooms = 25 plus people, 5- 13 cars and an increase of the amount of garbage. He expressed concern about septic systems. 1000 gallons for 3 bedrooms

Recognizing that it is within property owners rights that they can rent. Could there be a time frame of when places could be rented i.e.: May to September.

* Dave Bullach - Sunset Bay Varick

Expressed concern on camp trailers to rent, tiny houses. They are prohibited depending on zoning.

*Tom Casella – Bonnie Banks

Issue with noise – wondered if a noise ordinance like Glass Factory Bay in Geneva would that be helpful? All areas of land use back in 2008; noise was not of any importance then. As of to date nothing is planned, also taking into consideration Right to Farm Law.

*Charles Brady – Bonnie Banks

The area is more urban in nature due to lots only being on average 50 feet wide but in a rural setting. Referenced Geneva Lakeview with our Lakeshore District.

* Alessio Evangelista – Gusty Lane

Expressed an interest in parking and amount of cars regarding the safety, speeding concerns.

* Steve Lasso – Varick

Was wondering about a limitation of nights, not just holidays and numbers of days.

* Brian Zerges – Finger Lakes Properties

265 managed properties majority are in Fayette and Varick. Private owners often have tried renting on their own and not able to manage. Special Use Permit are they required at this time? He has a rental agreement – rules and policies on their website.

* Maureen Weller – Parker Road

Families are spending times on the lake 1-2 weeks. After summer you see the parties often with 14-16 car. She has personally called law enforcement.

*Nicki – not on the lake, Fayette Resident

What are the various types of permits in Fayette? How are those permits regulated / enforced?

Keith explained the various districts that make up Fayette, Special Use Permits, Zoning Permits, and Site Plan Reviews about the Planning Board – public hearings, zoning board of appeals, follow-ups, court.

* Don Cramer – Parker Road

Next door to a rental – which was originally a family of 4 cottage now it often has 14 people – concerns about septic, parking on the leech lines, and on the road.

*Perrin Knapp - Westfall Drive

Concern about maintaining the current residential character

* Andy Batty – Westfall Drive

The way he interprets the regulation they are prohibited by the current Land Use Regulations. It is being made legal by new rules and how enforced. Unknown knowns and known unknowns. Keith reminded that we (Planning Board & Town Board) represent all we service. Our town attorney Steve Ricci has spent a good amount of time researching this.

* Gordon E Thompson - Attorney, Bill Graves – Attorney

Both attorneys spoke.

Supervisor Lorenzetti reminded those in attendance that anyone can challenge.

*Rick Conley – lives in Fayette, and has lake property in Varick.

Stated we don't need to regulate tourism but how we going to regulate adequate parking and the septic systems. It needs to be county wide. May want to impose the room tax to offset and a sales tax on the rentals.

*Ruth Same – Bonnie Banks

Stated they are situated between two places the traditional small seasonal cottage; it's not their retirement home – they have a new septic, 3 bed room place. If all family is there for a weekend it is 23 people in all. Neighbor bought his to be used as a rental. The lake is there to recreate. The Yacht Club down the way has parties until 3 AM.

*Dave Bullach

Not to prohibit but to regulate. Friendships have been made over years

- Maureen Weller - not against rentals as she in the past has rented – size of parties renting IE. Weddings / toll on septics

*John Groff – Attorney for Gusty Lane

The diconomy concept of incidental rentals but commercialized businesses – people buying to rent. Regulation regarding holiday, permits, monitoring and penalties for violations - not consistent with realities. Parking, of trailers, jet skis, they come with toys which also require space. He suggested a moratorium which he hasn't heard mentioned would allow for control while working on the regulations. Maybe one year permit with renewal - something with "teeth".

* Bart Morrisette – Gusty Lane

Wonders about the devalue of the properties. Buses, hotels – the rental business will grow and grow forcing those with properties to sell out.

*Joel Munsen – South Parker

He's located near the end by Pete's Paradise (rental) now bought on other side and another to the south. Knocking down and rebuild for purpose of renting. Road Maintenance – paid for by those that are members of the association if they have one.

*Steve Ricci – Attorney Town of Fayette.

Attorney Ricci stated that Skaneateles has 300+ pages online. They were reviewed along with other Towns that have lakeshore properties.

*Donna Conley - Fayette Resident

The health dept should be involved and the sales tax needs to be paid.

* Nicki –

Commented on the size of the buildings being built is this being regulated. Yes, they are required to come before the Town of Fayette Planning Board for a Site Plan Review and then to our Zoning Officer.

*Varick Town Supervisor Bob Haysen in attendance at this time was recognized – he has no comments to be made.

*Andy Batty

Rental for past 5 years – every weekend until this September due to legal action has 25 people, septic is located on his property, they have put in speed bumps to slow down the traffic, extra garbage, trespassing on neighbors' properties, peeping toms, loud, rude behaviors, fireworks and no owner or manager present. Supervisor Lorenzetti stressed fireworks, trespassing, peeping toms – call the sheriff's dept. She stated she too lives on the lake and has a B&B 2 doors down.

Comments from the Planning Board Members:

Mark Lott – We know we have issues – some will be happy and some won't

Dave Fitzgerald - Reminded those in attendance all new builds of any type need to have site plan review done, special use permits, zoning applications need to be applied for.

Comments for the Town Board Members

Coreen Lowery – The board is taking it all into consideration.

Jeff Trout – Farmers pay taxes. He was on the board when the comprehensive plan was being done. It was key that it protects the flavor of our rural area - they on the board are committed to listening to the public. Keep in mind increases to the budget for attorneys and enforcement equals tax increase.

Full time codes / land use officer, water expansion, county sewer all equal \$\$\$

* Ruth Same - thanked the Town of Fayette Planning Board for their work and both boards for having this meeting. She wished even more had come – she had only heard about it from a friend.

Chairman Tidball stated the past two meetings the planning board held were committed to listening to you and your concerns regarding vacation rentals and your property rights. He thanked the support of our Town Board on this issue.

The Meeting was adjourned by full agreement of both the Planning Board and the Town Board.

Respectfully submitted by
Katherine "Katie" A Nelson
Planning Board Secretary

