

**TOWN OF FAYETTE
PLANNING BOARD MINUTES
AUGUST 26TH, 2019**

Meeting was called to order by Chairman Tidball at 7:00 p.m followed by the Pledge of Allegiance.

Roll Call:

- Mark Lott - present
- Nelson Wise - present
- Teresa Bryan - excused absence
- Keith Tidball - present
- Dave Fitzgerald - present
- Sandy Caster - present
- Charles Brady - present
- Bob Steele- Land Use Officer - present
- Linda Zwick- Town Board Liaison - present
- Joseph Midiri-Planning Board Attorney - present

Also attending:

Kevin McIntee, Pat Collision, Charlie Collision, Richard Mahuson, Linda Mahuson, Jessica Sinicropi Elias, Mike McLane, Don Northrup, Gerald, Lynn, Penelope Lynn, Carol Wenzel, Erin Peruzzini, Charles Meyn, Rodolfo Queiroz, David McMillan, Roswell Parks, M. Weller, N. Cerjanic, Karen Kime, Tom Kime

Chairman Tidball opened the Public Hearings

* Continued from July 22, 2019. The Public Hearing of Michael & Kathleen McLane of 3712 Edgewood Drive, Geneva, NY 14456, Town of Fayette, Tax Map 18-1-34 for a Special Use Permit to operate a short-term vacation rental.

Request for 3 sleeping rooms, 6 people. Septic certification received.

Motion by Brady, seconded by Wise to close hearing

*Continued from July 22, 2019. The Public Hearing of Gerald & Penelope Lynn of 3708 Edgewood Drive, Geneva, NY, 14456, Town of Fayette, Tax Map 18-1-38 for a Special Use Permit to operate a short-term vacation rental.

Request to change 1 room to a loft, 5 parking spaces, max 6 people. Size of septic is in question (1000 or 1250)

Motion by Wise, seconded by Caster to close hearing.

*The Public Hearing of Walter Banko 3905 Bull Farm Road, Seneca Falls, NY 13148, Town of Fayette, Tax Map 22-2-31 for a special Use Permit to operate a short-term rental.

Septic undersized for 4 bedrooms

Owner not in attendance

Motion by Fitzgerald, seconded by Lott to close hearing

*The Public Hearing of Gilda Brower of 3915 Bull Farm Road, Seneca Falls, NY 13148, Town of Fayette, Tax Map 22-2-33 for a Special Use Permit to operate a short-term vacation rental.

2 sleeping rooms, 6 max, 2 offstreet parking. Septic 1250 gal certification received.

Motion by Lott, seconded by Brady to close hearing

*The Public Hearing of Angela Dimos & Andrew Wenzel of 3652 Edgewood Drive, Geneva, NY 14456, Town of Fayette, Tax Map 18-1-54 for a Special Use Permit to operate a short-term vacation rental.

Sq. footage not included in inspection report. Land Use Officer called inspector for details and requested all measurements be included on report. Septic needs certification for 1250

Motion by Fitzgerald, seconded by Brady to close hearing.

*The Public Hearing of Thomas Kime of 3792 Pastime Park, Geneva, NY 14456, Town of Fayette, Tax Map 18-2-34 for a Special Use Permit to operate a short-term vacation rental.

Owner not present for hearing.

Motion by Lott, seconded by Caster to close hearing.

*The Public Hearing of Richard & Linda Mahuson of 4387 State Route 89, Seneca Falls, NY 13148, Town of Fayette, Tax Map 30-2-24 for a Special Use Permit to operate a short-term vacation rental.

10th season of renting with 12 people. 1000 gal Septic

Motion by Fitzgerald, seconded by Brady to close hearing

*The Public Hearing of Charles & Terri Meyn of 3076 State Route 89, Seneca Falls, NY 13148, Town of Fayette, Tax Map 8-1-10 for a Area Variance and Site Plan Review.

Request to add 10' X 23' addition to enlarge bedrooms, bath and walk-in. Building set at an angle so setback is 9'3" (10' allowable)

Ross Parks upset as he was not notified of the hearing as he has abutting property.

Motion by Lott, seconded by Brady to close hearing

*The Public Hearing of Jessica Sinicropi-Elias of 1530 Marshall Road, Waterloo, NY 13165, Town of Fayette, Tax Map 3-1-06.12 for a Site Plan Review.

Wants to add-on to existing building – 2 bedrooms for residential use. Unsure of setback footage for property line. Has a contractor ready for September.

Motion by Brady, seconded by Fitzgerald to continue the public hearing while owner leaves to retrieve maps.

Motion by Brady, seconded by Caster to reopen public hearing. Owner brought back maps but still did not disclose set back as requested.

Motion by Lott, seconded by Brady to close hearing.

*The Public Hearing for the Village of Waterloo, lot on Woodworth road, Waterloo, NY 13165, Town of Fayette, Tax Map 01-1-22.12 for a Site Plan Review

Kevin McIntee, MRB and Don Northrup, Village Administrator presented plans for a maintenance building with a generator on the rear. There is a setback issue and a meeting with the ZBA has already been scheduled for August 27 at 7 p.m. Drainage was also in question and no plan has been put in place.

Motion by Fitzgerald, seconded by Caster to close hearing.

Preliminary Hearing

Rodolfo Queiroz, 3932 Willowdale Lane, Geneva, NY
Tax map 18- 2-37 – Build 24' X 32' Barn

Requesting information on procedure to erect a 24' X 32' barn.
Proposing a rain garden for drainage.

Public Comment

Complaint about rental property at 3755 S. Parker Road during Aug 23 – 25. Requesting what the process is to violators of new law. States there were 19 vehicles, 5 RV's and over 50 people. States this has been a consistent problem with this property. Discussion with Land Use Officer about enforcing violators.

Minutes from July 22, 2019

Motion by Fitzgerald , seconded by Caster to approve minutes of July 22, 2019

New Business

Discussion and decisions on above mentioned hearings:

* Continued from July 22, 2019. The Public Hearing of Michael & Kathleen McLane of 3712 Edgewood Drive, Geneva, NY 14456, Town of Fayette, Tax Map 18-1-34 for a Special Use Permit to operate a short-term vacation rental.

Motion by Brady, seconded by Caster to approve the short-term rental application.

*Continued from July 22, 2019. The Public Hearing of Gerald & Penelope Lynn of 3708 Edgewood Drive, Geneva, NY, 14456, Town of Fayette, Tax Map 18-1-38 for a Special Use Permit to operate a short-term vacation rental.

Motion by Fitzgerald, seconded by Lott to operate a short-term rental with the following contingencies:

1. Septic size validation within 30 days to Bob Steele. Needs to be 1250 gal.
2. If unable to verify, install new system
3. Or reduce occupancy from 6 to 5

*The Public Hearing of Walter Banko 3905 Bull Farm Road, Seneca Falls, NY 13148, Town of Fayette, Tax Map 22-2-31 for a special Use Permit to operate a short-term rental.

Motion by Fitzgerald, seconded by Lott to deny application for short-term rental on septic size

*The Public Hearing of Gilda Brower of 3915 Bull Farm Road, Seneca Falls, NY 13148, Town of Fayette, Tax Map 22-2-33 for a Special Use Permit to operate a short-term vacation rental.

Motion by Fitzgerald, seconded by Brady to approve the short-term rental application.

*The Public Hearing of Angela Dimos & Andrew Wenzel of 3652 Edgewood Drive, Geneva, NY 14456, Town of Fayette, Tax Map 18-1-54 for a Special Use Permit to operate a short-term vacation rental.

Motion by Fitzgerald, seconded by Wise to approve short-term rental with the following contingencies:

1. Measurements of bedrooms be documented by inspector
2. Certification of 1250 gal septic within 30 days
3. If not able to bring septic to acceptable level, drop people from 10 to 8.

*The Public Hearing of Thomas Kime of 3792 Pastime Park, Geneva, NY 14456, Town of Fayette, Tax Map 18-2-34 for a Special Use Permit to operate a short-term vacation rental.

Motion by Lott, seconded by Caster to approve short-term rental with contingency that septic size be verified within 30 days.

*The Public Hearing of Richard & Linda Mahuson of 4387 State Route 89, Seneca Falls, NY 13148, Town of Fayette, Tax Map 30-2-24 for a Special Use Permit to operate a short-term vacation rental.

Revised application from 6 to 4 bedrooms and 12 to 10 people. No comment during the public hearing.

Motion by Fitzgerald, seconded by Caster to approve with the following contingencies:

1. In order to maintain 10 people, owner agrees to upgrade septic by May 1, 2020.

2. Owner agrees not to rent from October 2019 – May 1 2020

*The Public Hearing of Charles & Terri Meyn of 3076 State Route 89, Seneca Falls, NY 13148, Town of Fayette, Tax Map 8-1-10 for an Area Variance and Site Plan Review.

Motion by Brady, seconded by Lott to deny the site plan because of setback restrictions. Recommend to go to ZBA if owner wants to maintain the current plan.

*The Public Hearing of Jessica Sinicropi-Elias of 1530 Marshall Road, Waterloo, NY 13165, Town of Fayette, Tax Map 3-1-06.12 for a Site Plan Review.

Motion by Fitzgerald, seconded by Wise to approve the site plan review with a contingency that Bob Steele verifies the setback requirements.

*The Public Hearing for the Village of Waterloo, lot on Woodworth road, Waterloo, NY 13165, Town of Fayette, Tax Map 01-1-22.12 for a Site Plan Review

Motion by Brady, Seconded by Wise to deny due to setback requirements. Recommended attendance at ZBA, and to discuss plan for storm water mitigation.

Reviewed all SEQR's submitted and approved. Dave Fitzgerald submitted documentation that going forward SEQR for vacation rentals will be exempt in the lakeshore district. Motion by Fitzgerald, seconded by Brady to approve Charles Kelsey as alternate to the Planning Board.

Planning Board Attorney Report

EPOD – Per Frank Fisher, Co Atty new map overlays are needed. Joe to review and research. Dave Fitzgerald questioned the addition of multi-unit and Sr. Living dwellings.

Land Use Officer Report

Bob Steele reported 3 approved permits and 1 denied permit (Village of Waterloo) He also raised concern about the amount of work that is being created and how busy his office has become. It is difficult for him to keep up and he voiced his frustration.

Town Board Liaison Report

The Town Board is currently in the budget process. Also asked the Planning Board for job description for a new Planning Board Secretary. It will be posted after the next Town Board meeting. The Planning Board is recommending Charles Kelsey as the new Planning Board Alternate to be presented at the next Town Board meeting for approval. Also is requesting the Town Board determine an attendance policy for both the Planning Board and the Zoning Board.

County Planning Board Report

Charles Brady presented an environmental concern about Martin's Plating that is before the county.

Regional Issues

Old Business:

Motion by Fitzgerald, seconded by Caster to go into Executive Session to discuss personnel issue.

Motion by Wise, seconded by Caster to return to regular session

Adjournment:

Motion by Lott, seconded by Wise to adjourn at 10:06 p.m.