

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

The Town of Fayette's Planning Board meeting on Monday, August 27, 2018 was called to order at 7:00PM by Keith Tidball, Chairman with a roll call for attendance, present were:

- ✓ Mark Lott – Absent
- ✓ Nelson Wise –Present
- ✓ Teresa Bryan –Present
- ✓ Keith Tidball – Present
- ✓ Dave Fitzgerald – Present
- ✓ Mike Cecere - Present
- ✓ Sandy Caster – Present
- ✓ Joseph Midiri , attorney – Present
- ✓ Robert Steele , land use officer–Present

Others present were: Bill Caster, Bernadette Harrison, Brian Zergg – Premier FL Properties, Nancy Locke, Roxanne Kelly, Linda David & Lori Asermily, Clayton & Dale Hemminger, Cindy Lorenzetti – TOF Supervisor, Stephen Albright, Bernie Lynch, Linda Zwick – Councilwoman, Josh Asermily, Jayme Hogan, Charles Brady. The meeting was opened with the Pledge of Allegiance.

Public Notice of the meeting was posted in the Sunday, August 19, 2018 edition of the Finger Lakes Times and on the Town of Fayette Website.

Public Hearings:

The Public Hearing of Mark & Kathleen Lott 2450 County House Road, Waterloo, NY 13165 regarding a Site Plan Review to build a 16' x16' deck at 4397 NY State Route 89, Seneca Falls, NY 13148, Town of Fayette – Tax Map 30-2-25.

No agricultural data statement has been filled out. Set back discussion took place. Motion to close the Public Hearing was made by Nelson Wise, 2nd by Mike Cecere; all in favor Public Hearing closed.

The Public Hearing of Joshua Asermily 4208 Teal Beach, Geneva, NY 14456, Town of Fayette – Tax Map 25-1-55 regarding a Site Plan Review to build a 2200 square foot single-family dwelling on .673 acres.

Residence will be built on a concrete insulated pad. A gravel infiltration ditch and the septic system is designed. In regards to drainage plans are for gutters to drain to the gravel dispersion

trench (2 feet wide x 60 feet length x 2 feet deep.. The residence will be cape cod style and will not detract from others in the area. Neighbors and (parents – living next door) have no objections. The trailer originally on property is gone and the 8x8 shed is gone. The issue with removing the garage is that it is in good condition. It was stated that the property is a pre-existing, non conforming lot also has pre existing, non conforming structures. Section 702 D Existing Undersized Lots of Record

1. Any lot of record held in single and separate ownership prior to September 11, 2008 (date of original regulation change) 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, nonconforming buildable lot and no variance therefore shall be required provided any proposed structure meets the lot line setback requirements of this Local Law.

A motion to close the Public Hearing was made by Nelson Wise, 2nd by Dave Fitzgerald; all in favor, Public Hearing Closed.

The Public Hearing of David & Bernadette Harrison 712 Sunset Blvd, Pittsford, NY 14534 regarding a Site Plan Review to build a deck and access stairs at 3523 North Parker Road, Seneca Falls, NY 13148, Town of Fayette – Tax Map 13-2-11.35.

Currently doing interior renovations and in process to get it to code have had to raise 2 feet base level. The former carport has been removed which made it non-conform currently gangplank style deck allowing stair entrance narrowest way to access the house. If doing stairs directly into the house that would make it non-conforming. Already improves the setbacks. Adding 5 feet. Decks treated as an accessory. Set backs were discussed north-side 10 feet. Open with lattice or bead-board, surface of is small pebble and to be storage for non motorized boat. Cars to be parked on a small pebbled surface.

A motion to close the Public Hearing was made by Dave Fitzgerald, 2nd by Nelson Wise; all in favor, Public Hearing closed.

The Public Hearing of Bernie Lynch 498 South Main Street, Geneva, NY 14456 regarding a Site Plan Review to build a 20'X26' deck at 3778 Kime Beach, Geneva, NY 14456, Town of Fayette – Tax Map 18-1-10. The deck will be made level with the dwelling so one is able to step out. It is a single family dwelling – 4 bedroom / 100 sq ft. The shaded area on the map is the proposed space for the deck. It is 20 feet wide to match the house and 26 feet out.

The bank is approximately 30 feet from the deck. There are railroad ties. Also having new windows, gutters and siding done. The height above the ground is about 2.5 feet. When asked about a rail - yes. Neighbor Stephen Albright took photos from his property and asked if they could be used; Chairman Tidball said with the permission from the home owner who said no as they were not all taken from his property. So no photos were added to the record for this Public Hearing. Has concerns about erosion and in 1998 a tree was lost. Attorney Midiri asked if any changes had been made to the property since the property was purchased in 1994. Mr. Lynch stated none. Mr. Albright had concerns about the amount of room on the side on the north-side of the property for navigating to the back of the property. Mr. Lynch stated that there is plenty of room to get around with the mower. Mr. Albright also had concerns about how far the deck went out to the edge of the bank.

A motion to close the Public Hearing was made by Dave Fitzgerald, 2nd by Teresa Bryan; all in favor, Public Hearing Closed.

No Preliminary Hearings for August.

Roll call was done and attendance remains the same.

New Business:

Mark & Kathleen Lott of 2450 County House Road, Waterloo, NY 13165 regarding the building of a 16'X16' deck on 4397 NY State Route 89, Seneca Falls, NY 13148, Town of Fayette – Tax Map 30-2-25. The setbacks are well met. No view-shed issues. Bob has been on this site and saw no issues. A motion to approve the building of the deck with no contingencies was made by Dave Fitzgerald, 2nd by Mike Cecere; all in favor, Site Plan approved.

Joshua Asermily 4208 Teal Beach, Geneva, NY 14456, Town of Fayette – Tax Map 25-1-55 regarding a Site Plan Review to build a 2200 square foot single-family dwelling on .673 acres. After discussion and commenting that Mr. Asermily had some good points the board members were asked their thoughts: Dave – this had many improvements being made, Teresa – had good designs, Sandy liked the plans and liked the improvements that are being made, Nelson thought the intentions for the property were good. Options to consider if denied. A motion was made to deny the site plan and recommend that is go to the Town of Fayette Zoning Board of Appeals for an area variance by Dave Fitzgerald, 2nd by Teresa Bryan; all in favor, Site Plan denied.

If approved by the ZBA; he will not have to come back to the Planning Zoning unless the site plans change.

David & Bernadette Harrison 712 Sunset Blvd, Pittsford, NY 14534 regarding a Site Plan Review to build a deck and access stairs at 3523 North Parker Road, Seneca Falls, NY 13148, Town of Fayette – Tax Map 13-2-11.35. It is a straightforward project and where they are gaining 5 feet on the set back on an accessory structure of a deck. A motion to approve the Site Plan of the deck and stairs with the following contingencies of 1. The surface under the deck remains impervious and the 2. SEQR is completed by Mike Cecere, 2nd by Sandy; all in favor, Site Plan approved.

Bernie Lynch 498 South Main Street, Geneva, NY 14456 regarding a Site Plan Review to build a 20'X26' deck at 3778 Kime Beach, Geneva, NY 14456, Town of Fayette – Tax Map 18-1-10. Chairman Tidball stated we have heard concerns from a neighbor regarding View shed, erosion under the deck, and access to the front of the property. The setbacks meet code. A railing is required if it 30" off the ground. The surface under the deck will be impervious and is stabilization of the water from gutters will go where? Retain and slow down and help prevent eroding of bank. Examples of various methods are available. Legitimate concern of workers trespassing on the neighbor's property will carrying supplies. Surface under deck and Stabilization concern A motion to approve the Site Plan for the deck with the following contingencies: 1. that Bob Steele is comfortable with property access , 2. A drainage plan be devised to slow down the flow of water to the lake, ie; gutters, sump pumps, rain gardens, etc.,3. That access to the property can be made without workers trespassing on the neighbors properties c, 4. The bank / slope is stable or is stabilized to prevent erosion was made by Dave Fitzgerald, 2nd Sandy Caster; all in favor, Site Plan Approved.

Secretary Report – Katie Nelson

A motion to approve the July 27, 2018 Planning Board minutes with corrections done before the meeting was made by Nelson Wise, 2nd by Dave Fitzgerald; all in favor, minutes approved

Public Comment:

Brian Zerges of FL Premier Property Rentals has a question in regards to property owners getting notices of when needing to comply with regulations, not being able to get applications yet, are waivers happening. His questions were answered by Chairman Tidball and Planning Board Liason Linda Zwick and Supervisor Cindy Lorenzetti.

Dale and Clay Hemminger have a rental expressed concerns regarding the new vacation rental regulations and lot size amendments. Their concerns were addressed.

Charles Brady - Bonnie Banks due to the rains the drainage has been of concern. They have been in contact with Soil & Water.

There were no further Public Comments

Zoning Officers Report – Bob Steele

Approved Permits:

Rhett Ticconi – Parker Rd – 20'X24' Carport

David & Judith DeWall – Yellow Tavern Road – Deck

Dervin Zeiset – Fayette Varick-Townline Road – Addition with Roof

Steven Jones – Maple Lane – 12' X 20' Storage Shed

Rick Covert - Leader Road – Pool Deck

Nathan Spano – NYS Route 89 – In-ground Pool

Seneca Stone – County Road 121 – 50' X 11' enclosure

Seneca Stone – County Road 121 – New Bathroom structure

Seneca Stone – County Road 121 – 2 60' X 70' X 32' structures

Seneca Stone – County Road 121 – 29' X 24' Break room

Legal Report - Attorney Joe Midiri

Yeo Court Case is done

Docks & Moorings was signed by the governor.

Town Board Report – Linda Zwick

The application for Vacation Rental was reviewed with some changes she and Bob made after meeting.

#1 removed

2. The addition of 2 story each level

4. should be fuel burning heaters

6. opening is accessible

8. removal of Engineers Certification just certification

Removal of Notary

Discussion if more bedrooms then refered to ZBA for a specific vac/rental variance. Size and proximity of neighbor(s) will have to be worked out with the ZBA & Town Board by end of September.

Time was discussed

The description of the Land Use Inspector was reviewed and discussed. An actual line in the Town Budget has been created.

The Town Board is currently having budget workshops for the 2019 budget.

Regional Issues

County Planning Board Report – Mark Lott

No Report

A motion to adjourn was made by Mike Cecere, 2nd by Nelson Wise; meeting adjourned at 9:43 PM by Chairman Tidball.

Joint meeting with ZBA, Town Board Oct 11 at the Fayette Fire Dept, NYS Route 414.

Respectfully Submitted by

Katherine "Katie" Nelson
Town of Fayette Planning Board Secretary.

