

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, October 22, 2018 was called to order at 7:00PM by Keith Tidball, Chairman with a roll call for attendance, present were:

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

Others present were, Linda Zwick – Councilwoman, William Caster, Charles Shaffer – Attorney, Roland & Lewella Brown, Duane Brown, Greg Lynch, Mark Shaw. The meeting was opened with the Pledge of Allegiance

Public Notice of the meeting was posted in the Monday, October 14, 2018 edition of the Finger Lakes Times and on the Town of Fayette Website.

Public Hearings:

The Public Hearing of Betty Stein of 4057 Old Route 96, Waterloo, NY 13165, Town of Fayette, Tax Map 27-1-19.112 in regards to a Sub-Division of .456 acres from 1.9 acres to be amalgamated with abutting property tax map 27-1-35.0.

The Question was do we have enough to work with? Upon looking at the map and property dimensions it was decided yes, we do. A motion to close the public hearing was made by Dave Fitzgerald, 2nd by Teresa Bryan, all in favor, Public Hearing closed.

The Public Hearing of Duane Brown of 1661 Leader Road, Waterloo, NY 13165, Town of Fayette, Tax Map 27-1-91.21 regarding a Sub-Division of 7.38 acres of Agricultural Land to the adjoining property owner. The remaining 1.2 aces with the house will be retained for personal use.

Mr. Brown was represented by Attorney Charles Shaffer.

The is no access to the proposed Sub-Divided Property would need to be a contingency from the buyer that is be amalgamated with adjoining property. Mr. Brown has 225 feet of frontage. The Public Hearing of Betty Stein of 4057 Old Route 96, Waterloo, NY 13165, Town of Fayette,

Tax Map 27-1-19.112 in regards to a Sub-Division of .456 acres from 1.9 acres to be amalgamated with abutting property tax map 27-1-35.0.

As the Town of Fayette is a Right to Farm Municipality this would be putting back together a section of agricultural land. A motion to close the Public Hearing was made by Dave Fitzgerald, 2nd by Nelson Wise; all in favor, Public Hearing closed.

Attorney Midiri arrived and joined Mr. Stebbins from the law practice.

Preliminary Hearing

The Preliminary Hearing of Gregory and Joan Lynch of 32 Boston Avenue, Seneca Falls, NY 13148 regarding the building of either a modular or manufactured residence on 3551 North Parker, Seneca Falls, NY 13148, Town of Fayette, Tax Map 13-2-11.27.

The property is 50 feet wide and has a cottage on it. The cottage is 8 feet from the neighbor's structure. They are 41 feet to the Road. There is a shed across the road, which due to its location involves the DEC and the County (wetlands). The cottage is currently 28X6feet and they would like to go with a 20'X42'. They are 25 feet away from the waterline. They have several options: 1. Stay on the footprint, 2 go to the zoning board of appeals and ask for an area variance or 3. Move the structure to the center of the property and ask the Zoning Board of Appeals to allow for the expansion of the structure size. A motion to close the Preliminary Hearing was made by Dave Fitzgerald, 2nd by Nelson Wise; all in favor Preliminary Hearing Closed.

Public Comment:

Board member Sandy Caster recused and excused herself from the Board in regards to a lighting issue, from John's Auto. John's Auto is owned by John Pulver and located on West River Road, on the line Village of Waterloo / Town of Fayette. Mr. Pulver has put up 3 traffic lights facing directly into the Caster's property. The lights are on 24/7. It is a distraction to drivers, a health risk to those in the vicinity that may suffer migraines, seizures or any other issue. TheCaster's have moved their bedroom to a small room on the back side of the house, and have to keep their curtains closed. Mrs. Caster mentioned land use regulations 808 Signs and 814 section g.

Sandy Caster after thanking the board for their listening to the issue taking place resumed her position on the board.

Secretary Report – Katie Nelson

A motion to approve the September17, 2018 minutes with alteration of wording (done by Attorney Midiri was made by Dave Fitzgerald, 2nd by Sandy Caster; all in favor, minutes approved.

New Business:

The Public Hearing of Betty Stein of 4057 Old Route 96, Waterloo, NY 13165, Town of Fayette, Tax Map 27-1-19.112 in regards to a Sub-Division of .456 acres from 1.9 acres to be amalgamated with abutting property tax map 27-1-35.0. Straightforward Sub-Division, SEQR was agreed upon by consensus. A motion to was made by Teresa Bryan, 2nd by Nelson Wise; all in favor Sub-Division.

The Public Hearing of Duane Brown of 1661 Leader Road, Waterloo, NY 13165, Town of Fayette, Tax Map 27-1-91.21 regarding a Sub-Division of 7.38 acres of Agricultural Land to the adjoining property owner. The remaining 1.2 acres with the house will be retained for personal use.

A motion to approve the Sub-Division was made by Dave Fitzgerald, 2nd by Teresa Bryan upon contingencies of the Seneca County Planning Board and the Town of Fayette that the rear section of the property be made a portion of the adjacent property.

Jeff Trout – TOF Councilman

Mr. Trout discussed two initiatives involving Fayette.

1. Revitalization for the Hamlet of Fayette to make it more presentable and desirable. This involves a partnership with the Fayette Historical Society, local Businesses (in kind services) and the Town.
2. A rental /Landlord Registry be created. There have been numerous issues towards exportation of renters ("Slumlord", "Rent to Own") in regards to code violations, non-payment of taxes.

What / Where does the planning board stand? It is a land use issue, creation of an eyesore to the Town and does not work with the comprehensive plan and violates the land-use regulations. (page 158 Comprehensive Plan was referenced)

City of Geneva, Henrietta, Ithaca are some towns that have regulations that seem to be working in this area. Something to look at, Dave what they are doing specifically.

In regards to the preservation of the former mason building in the hamlet. The roof, windows and electric should be taken care of by Jan 1, 2019. They are hoping to get the Town of Varick involved.

Legal Report - Attorney Joe Midiri

In regards to vacation rentals reached out to Steve Venuti Town of Geneva.

The Docks & Mooring was signed off and the Town Board will have to pass a law regarding the docks and moorings Section 520 Section E and Section 540 in the Land Use Regulations from 15 feet to 10 feet. A motion to have this change enacted was made by Dave Fitzgerald, 2nd by Sandy Caster, all in favor, motion carried.

Town Board Report – Linda Zwick

Dennis Booth resigned from the county planning board and appointed Charles Brady to the Planning Board and County Planning Board at their October meeting. They also approved Mark Shaw and Dan Buck as Vacation Rental Inspectors. A notice regarding the changes will be enclosed in the tax bills.

Zoning Officers Report – Bob Steele

Introduction of Mark Shaw to the Board

Approved Permits:

Judith DeWall – Yellow Tavern Road – Storage Shed

Jim Landis – Route 366 – Remodel House
David Stoltzfus – Yost Road – porch
John Robinette – Eastview Drive – Solar Roof
William Reidsema – Christler Road – to build a residence
Peter Roloson – West River Road – Pole Barn/Garage

Dealing with complaints in regards to John's Auto 1346 West River Road.

Regional Issues:

Upcoming regional training in Batavia in November.

Add to the November agenda – Hamlet Revitalization and Property Rental Registry

A motion to adjourn was made by Nelson Wise, 2nd by Teresa Bryan, meeting adjourned at 8:51PM by Chairman Tidball.

Respectfully Submitted by

Katherine “Katie” Nelson
Town of Fayette Planning Board Secretary.

