

**TOWN OF FAYETTE
PLANNING BOARD MEETING
SEPTEMBER 28TH, 2020**

Chairman Tidball called the meeting to order at 7:01 PM with the Pledge of Allegiance.

***Motion from Brady and seconded from Fitzgerald to add the Partee Family to the agenda in Old Business. 6/0 Carried**

Roll Call

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

Public Hearings

- The Public Hearing of Vivian & Albert Rescorl of 4153 Sunrise Cove, Seneca Falls, NY. 13148, Town of Fayette, Tax Map # 30-3-08, regarding a Site plan review to demolish a part of the existing building and add an addition and a detached garage. Presented by Mr. & Mrs. Rescorl.

***Motion from Bryan and seconded by Lott to close the public hearing. 6/0 Carried**

***Motion from Brady and seconded by Fitzgerald to open New Business. 6/0 Carried**

Discussion and Decision:

Currently the building is 672 sq ft; the Rescorls' with the addition will be increasing the footprint to 1120 sq ft. This is a pre-existing non-conforming lot and the addition exceeds the footprint. Also, the garage, along with being on a non-conforming lot, and exceeding the footprint, will have setback issues. No public comment, but neighbors, Patrick Morrell and Michael Yells were present.

***Motion from Fitzgerald and seconded by Lott to deny application due to non-conforming lot and footprint issue. 6/0 Carried**

***Motion from Lott and seconded by Bryan to close new business and open public hearing. 6/0 Carried**

- The Public Hearing of Dorothy Bertino of 3392 Sunrise Pass, Seneca Falls, NY. 13148 Town of Fayette, Tax Map # 30-2-08.1, regarding a Minor Sub-division application. Presented by Mr. Patrick Morrell.
***Motion from Fitzgerald and seconded by Brady to close public hearing. 6/0 Carried**
***Motion from Brady and seconded by Wise to open new business. 6/0 Carried**
 Discussion and Decision:
 Straight forward Minor sub-division. No public comment

***Motion from Bryan and seconded by Lott to approve the application for a Minor Sub-division. 6/0 Carried**

Regarding the SEQR application from Bertino for the Minor Sub-division, it is determined, based on the information and any supporting documentation that the proposed action will not result in significant adverse environmental impacts. 6/0 Carried

***Motion from Wise and seconded by Bryan to close new business and open public hearing. 6/0 Carried**

- The Public Hearing of Ryan & David Darling of 3678 State Route 96, Waterloo, NY. 13165, Town of Fayette, Tax Map # 20-1-28.2, regarding a Minor Sub-division application.
***Motion from Lott and seconded by Wise to close the public hearing. 6/0 Carried**
***Motion from Bryan and seconded by Brady to open new business. 6/0 Carried**

Discussion and Decision:

Short discussion about a previous sub-division in 2013, that was the exact same property and the owner then put the land back together. This sub-division is the exact same as 2013. A straight forward Minor Sub Division.

***Motion from Lott and seconded by Wise to close the public hearing. 6/0 Carried**
***Motion from Bryan and seconded by Brady to open new business. 6/0 Carried**
Motion from Brady and seconded by Wise to approve the application for a Minor Sub-division, pending the Seneca County Planning Boards approval. 6/0 Carried

Regarding the SEQR application from Darling for the Minor Sub-Division, it is determined, based on the information and any supporting documentation that the proposed action will not result in significant adverse environmental impacts. 6/0 Carried

***Motion from Bryan and seconded by Fitzgerald to close new business and open the public hearing. 6/0 Carried**

- The Public Hearing of Catharine McCracken of 4292 Teall Beach Road, Geneva, NY. 14456, Town of Fayette, Tax Map # 25-1-42, regarding a Special Use application, for a Short term vacation rental. Presented by Ms. McCracken.

- *Motion from Lott and seconded by Wise to close public hearing. 6/0 Carried**
- *Motion from Wise and seconded by Lott to open new business. 6/0 Carried**

Discussion and Decision:

After reviewing the inspectors report, it was found that, one room is not big enough to be a bedroom. Ms. McCracken offered the following statement:

I, Catharine McCracken revise my application from 4 bedrooms to 3, from 10 people maximum to 9, and from 5 parking spaces to 4.

There were lengthy discussions about cliff safety, strangers, noise, road safety and maintenance, fireworks, Zugibe vineyards trespass and dog owners cleaning up after pets. This discussion included neighbors, Janet Wixom, Thomas DeTrie, Cheryl & Larry Wolkonoski.

***Motion from Lott and seconded by Wise to approve the Special Use Permit for a Short Term Rental with the following contingencies. (1) The permit will not be issued until the inspector does a final walk through and approves. (2) Ms. McCracken , will include/address in her rental handbook the following, dog walking on others property and cleaning up after pets, fireworks are prohibited, road safety & maintenance, & cliff safety. 6/0 Carried**

Regarding the SEQR application from McCracken for the Special Use permit, it is determined, based on the information and any supporting documentation that the proposed action will not result in significant adverse environmental impacts. 6/0 Carried

Preliminary Hearings

- Robert Pagano of 4405 State Route 89, Town of Fayette, Tax Map No # 30-2-26, regarding recommendations for updating a guest house. Presented by Guy Donahue and Robert Pagano. Guest House originally built in 1941, which part of hangs over high water line on piers. Would like to convert it to a one bedroom from a two bedroom. Board must do its research, study diagrams presented. What will the Army Corp of Engineers and the DEC say about project? Schedule another preliminary and set aside more time for discussion.
- Village of Waterloo, Kime Beach road, Town of Fayette, tax Map # 18-1-19, regarding an expansion. The Village would like to build a new building on a concrete foundation, 4000 square feet, metal building with metal roof. Would like to change the drainage in the old parking lot to get to the lake quicker. The Board had concerns about drainage, as the Board wants the water flow to lake slowed down, also suggested sumps, rain gardens, and retention basins. It was suggested, that the Village reads the Land Use 823 A-H and can answer how they are going to meet those standards.

***Motion from Fitzgerald and seconded by Wise to approve the minutes from August 24th, 2020 with a correction about the Brady family deck, the 4039 is the address, not the measurement. 6/0 Carried**

New Business

- **Spectrum-** The poles that are being installed are against Town Land Uses and the Planning Board would like the Tow Board to take a look.

Planning Board Attorney- no report.

Land Use Officer – 6 approved permits last month.

Town Board Liaison- Harassment Training-all must complete, budgeting process continues, fall clean up in October 10th from 8-3, gentle reminder, all employees are held to a higher standard.

County Planning Board-no report

Regional Issues- Brady- new law regarding renewable energy will follow up

Old Business-* It has been brought to the attention of the Board that the Maynard Sub-division is not in compliance with the setback issue. * Partees/Delaware River Solar- it was brought to the board attention that DRS may not be in compliance with Tree removal, according to the maps presented to this board.

Public Comment-none

***Motion from Lott and seconded by Wise to adjourn at 10:19 PM. 6/0 Carried**

Respectfully Submitted,

Nancy Murray