

**TOWN OF FAYETTE
PLANNING BOARD
October 26th, 2020**

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

- **Roll Call**

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

- **Public Hearings**

- The Public Hearing of Kurtz Family Farm (owner)/NOCO (tenant), 1975 Route 336 Romulus, NY 14541, Town of Fayette, Tax Map # 27-1-15, regarding a Special Use Permit application to erect a 20,000 gallon above ground storage tank for on and off road diesel, on a concrete pad with metal canopy covering it.

***Motion from Brady and seconded by Fitzgerald to close Public Hearing. 6/0 Carried**

Left public hearing and opened New Business

Discussion and Decision:

Short discussion about increase in traffic, spill containment, and local Fire Departments involvement with project. Merlin Kurtz/Land owner, Dana Davis/contractor, Alan Bush and Patrick McClean/NOCO, all addressed board. No public comment. Per poll of board members this project fits into location and is compatible and fitting with Fayette Planning Board Land Use regulations D-17-C.

***Motion from Fitzgerald and seconded by Lott to approve the Special Use Permit, with one contingency: to either use swales or rain gardens to control the flow of rainwater off from the canopy. 6/0 Carried**

***Regarding the SEQR application from Kurtz/NOCO 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**

Return to Public Hearings

- The Public Hearing of Finger Lakes propane, 3605 State Route 96, Waterloo, New York 13165, Town of Fayette, Tax Map #20-1-36, regarding a Special Use Permit application to install a 45,000 gallon propane tank for storage.

***Motion from Wise and seconded by Lott to close Public Hearing. 6/0 Carried
Left Public Hearing and opened New Business**

Discussion and Decision:

Christen Zimmerman/owner, Gary and Stacey/Hiltz Propane Systems. Former restaurant building will not be used. The site is just for storage and will not be attended. There will be a 6 foot chain link fence around the valves, and may be an uptick in traffic on Route 96. There will be fabric under the gravel, but no drainage studies have been done. Public Comment: William and Barb Judd- concerns with how the storage tank will affect property value. No affect Jeff Cassim-New Tank? Refurbished and certified. Steve DiDuro-has a risk assessment and SEQR been completed. Both are completed. Per poll of board members this project fits into location and is compatible and fitting with Fayette Planning Board Land Use regulations D-17-C.

***Motion from Brady and seconded by Lott to approve the application for a Special Use Permit, with the following three contingencies. 1- A copy of the Actual Inspection Plate for this tank must be on file. 2- Hiltz propane must provide 1st responder training for the local Fire Department. 3- The Fayette land Use officer will see that the contingences are met, before permit is issued. 6/0 Carried**

***Regarding the SEQR application from Finger Lakes Propane 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**

Return to Public Hearings

- The Public Hearing of the Village of Waterloo, 3754 Kime Beach Road, Waterloo, NY 13165, Town of Fayette, Tax Map # 18-1-6.2, regarding a Site Plan Review for the construction of a new building for Water Treatment.

***Motion from Brady and seconded by Wise to Close Public Hearing. 6/0 Carried
Left Public Hearing and opened New Business**

Discussion and Decision:

George Kalkowsky/MRB group gave a presentation, at which time, Chairman Tidball thanked him for taking the Planning Boards recommendations from last month and implementing them into the final plan. This includes, but is not limited to; increased down spouts, minimizing impervious surfaces, a dry swale. Also reviewed 823 in the Land Use Regulations and have met the character of the existing neighborhood. Public Comment - Tom and Karen Kime, adjoining property; stated that the Village has addressed all of their concerns and they are agreeable to the project going forward.

***Motion from Brady and seconded by Kelsey to approve the application for a Site Plan Review, following the recommendation of the county. 6/0 Carried**

***Regarding the long SEQR application from Village of Waterloo for a Site Plan Review permit, it is determined, based on the information and any supporting documentation that the proposed action/negative declaration will not result in significant adverse environmental impacts. 6/0 Carried**

Return to Public Hearings

- The Public Hearing of Mark & Kathleen Lott, 3632 Yost Rd, Waterloo, NY 13165, Town of Fayette, Tax Map # 20-1-09.1, regarding a minor sub-division.
***Motion from Wise and seconded by Fitzgerald to close Public Hearing. Lott/recuse 5/0 Carried**

Discussion and Decision;

Straight forward minor sub-division. Public Comment, William and Barb Judd – have no problem with this sub division.

Regarding the SEQR application from Lott 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. 5/0 Carried

Preliminary Hearing

- Robert Pagano of 4405 State Route 89, Town of Fayette, Tax Map No# 30-2-26, regarding recommendations for updating a guest house. Renewing a building and adding 104 square feet. Preexisting/non conforming use and area. Changing impervious surfaces to lawn and roof top gardens. Changing the toxic sea wall.
 - **Motion from Wise and seconded by Brady to approve the minutes from September 28th, 2020**
 - **New Business-none**
 - **Planning Board Attorney Report-none**
 - **Land Use Officer Report-6 permits issues, 1 short term renewal inspection completed**
 - **Town Board Liaison Report** – Town Board Meeting 10/8, 11/12 is next meeting, 2 Public Hearings before meeting. Town lawyer sent a letter to Spectrum, regarding poles, wires and franchise agreement.
 - **County Planning Board Report-none**
 - **Regional Issues-none**
 - **Old Business- none**

- **Public Comment- none**
- **Motion from Lott and seconded by Fitzgerald to adjourn at 9:32 PM. 6/0 Carried**

Respectfully Submitted

Nancy Murray