



# PLANNING BOARD

Chair: Robert C. Seem	Vice Chair: Alan Smith	Secretary: Lawrence J. Kesel
2445 Traver Rd.	2613 Durling Rd.	1234 Middle Black Brook Rd.
Seneca Falls, NY 13148-9751	Seneca Falls, NY 13148-9713	Seneca Falls, NY 13148-9753
Phone: 315-568-5637	Phone 315-568-5422	Phone: 315-568-5330

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Minutes of the meeting held: **August 22, 2017** at the Town of Tyre Municipal Building

Members in Attendance: Robert Seem, Alan Smith, Deborah Geary, Henry Bickel  
Karen Thomson, Kenneth Hauenstein, Lawrence Kesel

Town Representatives: Nichole Cleary, RLA – Barton & Loguidice  
Thomas Blair, Esq., - Cheney & Blair  
Charles Shaffer, Esq.  
Michelle Billington, Esq., - Bond Schoeneck & King  
Stephen Fantuzzo, Esq., - Cheney & Blair

Guests: Peter Vars, PE – BME Associates  
Jeff Mehta - Indus  
Craig Sessler, - 3S Gateway  
Vern Sessler, - 3S Gateway  
David Page, Tyre Code Zoning Enforcement Officer  
James Rogers – Tyre Town Board Councilman  
Tom Thomson – Tyre Town Board Councilman  
Missy Jodeit – Tyre Administrative Assistant  
Pat Mahoney – Tyre Zoning Advisory Committee  
Mark Travis – Tyre Zoning Advisory Committee

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## **Call to Order:**

Chairman Seem called the meeting to order 6:30 P.M. – Quorum present.

## **Public comment period:**

None.

## **Correspondence:**

Chairman Seem reminded Board members of the New York State Department of State no charge training session previously distributed hosted by Seneca & Wayne County Planning Boards scheduled October 2, 2017 at the Wayne County Public Safety Building, Route 31, Lyons, NY.

Ken Hauenstein offered to attend the upcoming Seneca Falls Town Board meeting as Cypress Creek will again present an overview for their proposed solar farm on Route 318 and Gravel Road. Ken will report back at our September Planning Board meeting.

**Approval of July 25, 2017 Planning Board minutes as written:**

Motion: Al Smith      Second: Ken Hauenstein      Voice Vote: Carried Unanimous.

**Zoning Code Enforcement Officer David Page Permit detail report:**

<u>Permit #</u>	<u>Issued</u>	<u>Owner</u>	<u>Location</u>	<u>Description of Work</u>
17-17	08/15/17	Teresa Fasano	2045 Stevenson Rd.	Build edition east side

ZCEO David Page issued an order to remedy on Petro regarding unauthorized signage. He will continue to work with the Tire Center Manager involving current and future plans for signage.

**Planning/Training/Website:**

Planning Board; Activity remains very active.

Training; No change.

Website; Public Information Board and google calendar updated daily, remains current.

**OLD BUSINESS:**

**Update on the Burkholder Site Plan Project:**

Barton & Loguidice forwarded Site Plan Documents review for Chester Burkholder Shop on June 27, 2017. Questions/comments to determine completeness of the application regarding the SEQRA, Site Plan and Special Use Permit documents submitted on April 3, 2017 for the consideration of the Planning Board. Based on the information reviewed, we cannot recommend it complete at this time. It is important to note that we have not provided comments pertaining to Site Plan or Special Use Permit at this time and cannot until the application is deemed complete by the Planning Board. A total of 25 questions/comments and descriptions of lacking information were provided by our Engineering Firm Barton & Loguidice, awaiting response from their Engineering Firm.

**Update on the Zoning Advisory Committee (ZAC):**

The ZAC committee has agreed to meet weekly every Monday in September except for Labor Day to expedite completion of the document and presentation to the Town Board. This valuable document exercise has proven to be a huge undertaking having exceeded our original target date is receiving top priority attention.

**Discussion of Crimson Creek's sidewalk location:**

With the likelihood of widening Route 414 in the future the actual location of the sidewalk in front of the Chrysler Dealership has not been fully resolved. Our 318/414 Commercial Corridor Plan was discussed at length. We need to better understand the "right of way" as Dot states that the sidewalk must be located inside the DOT right of way. Future meetings are scheduled and will continue to discuss and resolve this issue. Chairman Seem stated that the Town needs to have a firm understanding of exactly when and where road widening will take place to convey this information to existing and potential new developers for their engineering information.

**NEW BUSINESS:**

**Recommendation to the Town Board regarding proposed modification to the PUD (Planned Unit Development), Local Law 3 of 2017:**

Chairman Seem informed Board members of the procedural steps involved. Our Town Board introduced the new Law and forwarded the document to the Planning Board for review and recommendations. The Planning Board’s responsibilities are review of the new Law and provide recommendations to the Town Board. The Zoning Board of Appeals will also review and provide recommendations to the Town Board.

Michelle Billington, Esq. addressed the Resolution before us regarding the amendment of Local Law No. 5 of 2015 which established the PUD for the Lago Resort and Casino. Because this property is to be subdivided, the Town Board has introduced Local Law No. 3 of 2017 which Amends Local Law No. 5 of 2015 by encompassing the proposed building locations, lot lines and other related features detailed in the Indus Site plan and Subdivision Plat. The Planning board responsibility at this time is to review the Law and make recommendation to the Town Board. The Town Board as Lead Agency will then be responsible for the SEQR and addressing Community Mitigation type issues, along with other issues before granting final approval. After all discussions on this resolution Attorney Michelle Billington read the resolution for the Board. Upon completion the adoption of the foregoing Resolution was moved by Alan Smith, seconded by Deborah Geary, and duly put to vote, which resulted as follows:

	<b><i>Yea</i></b>	<b><i>Nay</i></b>	<b><i>Abstain</i></b>	<b><i>Absent</i></b>
Robert C. Seem	[ x ]	[ ]	[ ]	[ ]
Alan Smith	[ x ]	[ ]	[ ]	[ ]
Lawrence J. Kesel	[ x ]	[ ]	[ ]	[ ]
Deborah J. Geary	[ x ]	[ ]	[ ]	[ ]
Kenneth L. Hauenstein	[ x ]	[ ]	[ ]	[ ]
Karen Thomson	[ x ]	[ ]	[ ]	[ ]
Henry Bickel	[ x ]	[ ]	[ ]	[ ]

The Resolution was thereupon duly adopted.

**Discussion of Subdivision Application by Indus 414 LLC for a Hotel on the del Lago Resort & Casino property.**

Jeff Metha, Hotel developer for Indus 414 LLC background and indicated that the facility Hilton is pursuing will be first class including valet parking with over the top amenities provided. After discussions Attorney Billington did state that the Town Board will be responsible for completing the SEQR in this matter which will encompass negotiation of Community Mitigation Plan, etc. The Planning Board is requested to furnish their consent to the Town Board for the Town Board to act as Lead Agency in this matter.

Chairman Seem then requested a motion to approve the Town Board to act as Lead Agency in the Indus/Hilton matter. Motion brought by Karen Thomson, seconded by Deborah Geary, voice vote carried, unanimous.

**Resolution of the Planning Board for the Town of Tyre Making Referrals of Indus Subdivision Application.**

Attorney Billington read the resolution referring the Indus Subdivision application on to the Seneca County Planning Board and Seneca County Highway Superintendent. Chairman Seem asked for a motion of this relatively straight forward resolution.

The adoption of the foregoing Resolution was moved by Alan Smith, seconded by Kenneth Hauenstein, and duly put to vote, which resulted as follows:

	<b>Yea</b>	<b>Nay</b>	<b>Abstain</b>	<b>Absent</b>
Robert C. Seem	[ x ]	[ ]	[ ]	[ ]
Alan Smith	[ x ]	[ ]	[ ]	[ ]
Lawrence J. Kesel	[ x ]	[ ]	[ ]	[ ]
Deborah J. Geary	[ x ]	[ ]	[ ]	[ ]
Kenneth L. Hauenstein	[ x ]	[ ]	[ ]	[ ]
Karen Thomson	[ x ]	[ ]	[ ]	[ ]
Henry Bickel	[ x ]	[ ]	[ ]	[ ]

The Resolution was thereupon duly adopted.

**Action on Subdivision Application by the Town of Tyre for its proposed new Municipal Building.**

The Planning Board reviewed and discussed the Subdivision Application for the new Tyre Town Hall property. With the assistance of Thomas Blair, Esq. the Planning Board deemed the Application substantially complete such that review of the Application may officially move forward, with the condition that the Applicant provide a Seneca County Department of Health endorsement upon its subdivision plans, if deemed appropriate by the Town Engineer after consultation with the Seneca County Department of Health. The Planning board is deemed to be Lead Agency for purposes of SEQR examination and coordinated review, with identified “interested agencies” being the Seneca County Emergency Services Department, the Town of Tyre Highway Department, the Magee Fire Department and the Seneca County Department of Planning and Community Development, and that the classification of the proposed action is deemed to be “Unlisted” for purposes of SEQR.

The Planning Board Chairman is hereby authorized and directed to undertake and facilitate the coordinated review of the proposed action and authorizes the Planning Board Chairman to use available Planning Board Consultants to assist in this process if needed. Chairman Seem indicated that this will be a Type 1 under SEQR. Chairman Seem asked for a motion to the foregoing Resolution which was moved by Henry Bickel, seconded by Alan Smith and duly put to vote which resulted as follows:

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	<b>Yea</b>	<b>Nay</b>	<b>Abstain</b>	<b>Absent</b>
Robert C. Seem	[ x ]	[ ]	[ ]	[ ]
Alan Smith	[ x ]	[ ]	[ ]	[ ]
Deborah J. Geary	[ x ]	[ ]	[ ]	[ ]
Kenneth L. Hauenstein	[ x ]	[ ]	[ ]	[ ]
Karen Thomson	[ x ]	[ ]	[ ]	[ ]
Henry Bickel	[ x ]	[ ]	[ ]	[ ]
Lawrence J. Kesel	[ x ]	[ ]	[ ]	[ ]

The Resolution was thereupon duly adopted

**Adjourn meeting @ 8:07 P.M.**

Moved: Ken Hauenstein

Second: Henry Bickel

Voice vote: Carried unanimous

Respectfully submitted,

*Larry*

Lawrence J. Kesel

Secretary, Tyre Planning Board

Next regular meeting will be September 26, 2017 @ Municipal Building @ 6:30 P.M.