



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

Minutes of the meeting held: September 26, 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
Michael Simon, CPESC, CPMSM – Labella Associates

Guests: Peter Vars, PE – BME Associates
Kip Finley - Indus
Jane Shaffer, - 3S Gateway
Vern Sessler, - 3S Gateway
David Page, Tyre Code Zoning Enforcement Officer
Karen Quinn & Jon Quinn, Family of Gravel Road resident.
Tom Thomson, – Tyre Town Board Councilman
Missy Jodeit, – Tyre Administrative Assistant
Pat Mahoney, – Tyre Zoning Advisory Committee
Diane Zink, - Tyre
Cindy Easton, - Tyre

Call to Order:

Chairman Seem called the meeting to order 6:30 P.M. – 100 % Attendance.

Overview of Subdivision Application by Indus 414 LLC

Peter Vars PE, BME Associates present a brief overview update to the Planning Board. Hilton Garden Hotel will own and operate sub divided property located at the east end of the Casino; project is compatible with the Tyre Comprehensive Plan. BME understands that that the Planning Board will take no action until Seneca County Planning Board has reviewed the application.

Chairman Seem requested a motion to open the Public Hearing on the Subdivision Application by Indus 414 LLC.

Motion: Henry Bickel

Second: Alan Smith

Voice vote: Unanimous

Vern Sessler, 3S Gateway addressed the Planning Board stating 3S always supported bringing the facility into the area. They are not at all in favor of the Hilton Hotel subdivision on that site. This proposal is not consistent with the original proposal by Lago when the project was first presented to the Town. The building of a Hotel on this site is detrimental to tourism in the County.

No further Public comments Chairman Seem requested a motion to close the Public hearing.

Motion: Alan Smith

Second: Kenneth Hauenstein

Voice vote: Unanimous

Overview of Subdivision Application by the Town of Tyre for a Municipal Building.

Chairman Seem read the Public Hearing Notice for this Public Hearing.

Nicole Cleary, RLA – Barton & Loguidice presented an overview of the approximate 7,000 square foot building located parallel to Gravel Road. West side access point will consist of 27 parking spaces, 3 of which reserved for handicapped parking. Overflow parking will be located at the north end constructed of reinforced turf giving the appearance of grass. The overall project impact to neighbors is of extreme importance to the Town.

Chairman Seem requested a motion to Open the Public Hearing on Subdivision application and SEQR review by the Town of Tyre for a Municipal Building.

Motion: Alan Smith

Second: Henry Bickel

Voice Vote: Unanimous

Diane Zink who lives across the street from the site was the first to speak once the Public Meeting was opened. Wondering what she would see from her vantage point indicated the north side of the building parking lot and more than 100 feet from the right of way deep. Chairman Seem indicated the Supervisor and his staff as well as two Judges, their staff along with Zooning and Planning Departments. On the question of well water drop in water pressure for neighbors initial estimates sufficient water on the site, no noticeable change. The issue of increased traffic on Gravel Road was addressed with traffic studies by our engineering firm that the road is safe for the traffic the new facility will attract. The Town will continue to utilize the Magee Fire Department meeting hall for larger scheduled Public meetings.

Karen & Jon Quinn speaking on behalf of Karen's Mother who has lived in Tyre for over 60 years. She is very unsettled with the big change and wonders where the idea came from for the Municipal Building being located here on Gravel Road. Chairman Seem stated that the Town has no Municipal Building, presently occupying a rented space for Town business and meetings, etc. Prior to this, all Town offices were operated from private residences. When the casino project first started, it was necessary to have a building with adequate space for offices, meetings, etc. Many locations were reviewed resulting with the Town being unable to negotiate further due to a number of reasons such as too high price, unwilling to sell in Magee Corners and Lamb Road did not materialize.

A subcommittee of the Town Board was chosen to investigate other potential locations for the Municipal Building. The purchase price for the Gravel Road property was within the Town's budget. Other answers included that the building would be very nice, not an eyesore with every effort made to minimize any potential impact on neighboring parcels. On the question of the new facility being used for concerts, large meetings, etc., the only gatherings will be regular Town business with the largest group being on designated court days for one Justice and night court for the other Justice. Chairman Seem reminded all present that the subdivision application was the only issue being covered at this Public meeting. The review/approval of the Site Plan Application will be at a Public Hearing with a more in depth process and time for citizens to voice their questions and concerns. The issue of the present property owners deciding to subdivide their property in the future was discussed. As landowners they have the right as every other property owner to do what they please with their property. A subdivision process will again be required subject to public hearings and due process. Property when completed will include trees, shrubs – evergreen & deciduous enhancing the property. This project will not affect tax rates at all. Town taxes were reduced 50% for 2017 and will be reduced again for calendar year 2018 in the Town of Tyre. Our Attorney addressed the question of the present rental building being adequate. This building is not ADA compliant; there is not sufficient space available to store Town records, personnel records are not secured. These are all legal mandates with which the Town must comply. These records are presently being stored in the private homes of elected officials.

Cindy Easton questioned what type of prisoners would be transported to the municipal building. Chairman Seem stated that all prisoners would be accompanied by law enforcement and also shackled. Attorney Blair stated that he was a Judge in the past and knows that all prisoners are accompanied by Law enforcement and are shackled and manacled. The question of how many prisoners were brought to the present leased facility. No one at the meeting was aware of a specific number at this time.

With no further public comment Chairman Seem requested a motion to close Public Hearing.
Motion: Karen Thomson
Second: Alan Smith
Voice vote: Unanimous

I should note here that some of our guests remained for our entire evening agenda until after final adjournment taking the opportunity to chat with those of us on the Planning Board that could remain available.

Open Town of Tyre Planning Board meeting:

Entire Planning Board in attendance for this September 26, 2017 meeting.

Public comment Period:

Chairman Seem stated that the agenda includes a site plan application presentation by 3S Gateway. Because a full review of the 3S Gateway concept has not been accomplished due to the size and scope of the proposal and a new Engineering Firm has been engaged this will be Moved to our October 24, 2017 Planning Board meeting.

Old Business:

Consideration of subdivision application of Indus 414 LLC:

Attorney Michelle Billington, Bond, Schoeneck & King presented an overview thus far with the subdivision application. The subdivision application has been referred to the Seneca County Planning Board. Peter Vars, PE with BME Associates addressed the management of employee parking at the proposed site adjacent to the Casino. They will have a plan to remedy this situation adjusting schedules. Chairman Seem inquired that if this subdivision request is approved by the Board would a precedent be set on future subdivision applications? Attorney Billington indicated from her perspective, this would not be precedent setting as all subdivision applications received by the Board would be reviewed on their own merit compiling with Town zoning laws and regulations. Chairman Seem stated that tis subdivision application will be re-visited on the October 24, 2017 Planning Board meeting.

Engineer evaluation and discussion of 3S Gateway Site Plan:

Chairman Seem introduced Mike Simon, CPESC, CPMSM, Labella Associates, and recently selected Town of Tyre Engineer to everyone at the meeting. Many of us have worked with Mike in the past and welcome his Professional expertise to the Town. Having just received the site plan documents regarding 3S Gateway shared his very preliminary observations with us. Immediately our present lead time for initial document submissions to the Planning Board is 10 days prior to a scheduled meeting. He recommended a change to the typical 4 week lead time period and pointed out those projects of this size and magnitude should be 6 to 8 weeks lead time allowing time for a proper Engineering review prior to the Planning Board meeting. The 3S Gateway project consisting of 40+ acres, 14 buildings, along with storm water management, etc., etc. must be reviewed and addressed. There were some items on the town's checklist checked provided but not available. Chairman Seem is confident Mike is front and center already contacting his counterpart sharing information. Chairman Seem pointed out that we have gone from a little Town to a big Town very quickly. Note that Chairman Seem addressed rescheduling the 3S Site Plan Application review at the opening of the Planning Board monthly meeting tonight during the Public Comment Period.

Note: Karen Thomson, having suffered an injury to her shoulder, awaiting an operation, left our meeting early for home and rest. Thanks Karen and Good Luck in the OR. Quorum still present.

State Environmental Quality Review (SEQR) of the application by the Town of Tyre:

Attorney Tom Blair chaired a line by line review of the Short Environmental Assessment Forms.

Short Environmental Assessment Form, (SEAF), Part 1 – Project Information.

Document completed, signed and submitted by Supervisor Ronald McGreevy dated August 17, 2017. All 20 line items were discussed raising 1 issue with Part 1.

Atty. Blair stated that an Agricultural Data Statement will need to be completed by Barton & Loguidice. Nicole Cleary, B&L acknowledged this need. Chairman Seem indicated that a Notice of Intent/Waiver would need to be furnished by the Town. Missy Jodeit, Administrative Assistant confirmed that this waiver had been received, duly executed and notarized, and presented to Dr. Seem.

Atty. Blair mentioned that Municipalities don't often bring projects before their own Boards as a Municipal project does not need to be brought if that project serves the public's good. No need to comply, just go ahead and complete the project. Case Law supports this statement. Obviously the Tyre Town Board has decided that their Project should be treated as any other Project in the Town requiring the SEQR process, Board approvals, involving the Public at Public Hearings, demonstrating a show of fairness and good faith toward the residents.

Short Environmental Assessment Form (SEAF), Part 2 – Impact Assessment.

Attorney Blair continued the SEQR reviews line by line until all 11 line items were discussed having no issues with Part 2 from the Planning Board.

Short Environmental Assessment Form (SEAF), Part 3 – Determination of Significance.

Attorney Blair gave (SEAF) Part 3 for Chairman Seem to complete and file with the Town Clerk after signing.

Attorney Blair distributed Resolution reading each page of the work sheets. Upon completion and discussion hearing no other issues Chairman Seem requested a motion to adopt this Resolution (negative declaration).

Moved: Larry Kesel

Second: Alan Smith

Roll Call Vote: [Yea] [Nay] [Abstain] [Absent]

Robert Seem	x			
Alan Smith	x			
Deborah Geary	x			
Kenneth Hauenstein	x			
Karen Thomson				x
Henry Bickel	x			
Lawrence Kesel	x			

The Resolution was thereupon declared duly adopted.

State Environmental Quality Review of Subdivision Application by the Town of Tyre.

Attorney Blair read The Resolution regarding the Subdivision Application for the Town of Tyre.

Planning Board discussed any issues and various approvals necessary.

Chairman Seem asked for a motion to adopt this Resolution.

Moved: Henry Bickel

Second: Deborah Geary

Roll Call Vote: [Yea] [Nay] [Abstain] [Absent]

Robert Seem x

Deborah Geary x

Kenneth Hauenstein x

Karen Thomson x

Henry Bickel x

Lawrence Kesel x

The Resolution was thereupon declared duly adopted.

New Business:

Crown Castle application for installation of cellular antennae on an existing tower.

ZCEO David Page reported that he recently received an application from Crown Castle for installation of cellular antennae on an existing tower. More time is needed to review this application. Review will be completed by the next Planning Board meeting.

Correspondence:

Chairman Seem indicated the only new correspondence since our last meeting was the County Household Hazardous Waste Collection is scheduled on November 4, 2017. Link to print fliers is on the home page of our website and hard copies also available at the Municipal Building.

Approval of August 22, 2017 Planning Board Minutes as written:

One minor typographical error, corrected.

Motion: Al Smith

Second: Deb Geary

Voice vote: Unanimous

Report of the Zoning Code Enforcement Officer:

ZCEO Dave Page had not issued any permits since his last report.

David Page did report receiving an application for variance which will be addressed by the ZBA regarding home solar panel installation. The homeowner has one panel installed and wishes to add another. Panel to be installed is 6 foot from property line, needs 4 foot variance and 50 foot off road needing a 25 foot variance. Application just received recently requiring more review and evaluation. Dave will bring variance request up at next month meeting.

Planning/Training/Website:

Planning Board; Activity remains extremely heavy.

Training: No change from last month.

Website: Public Information Board and google calendar updated daily.

Adjourn monthly Planning Board meeting:

9:28 P.M.

Motion: Alan Smith

Second: Henry Bickel

Voice vote: Unanimous

Respectfully submitted,

Larry

Next meeting October 24, 2017 – Town of Tyre Municipal Building.