



PLANNING BOARD

Chair: Robert C. Seem Vice Chair: Alan Smith Secretary: Lawrence J. Kesel
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Minutes of the meeting held: April 24, 2018 at the Town of Tyre Municipal Building
Members in Attendance: Robert Seem Alan Smith, Henry Bickel, Deborah Geary,
Karen Thomson, Lawrence Kesel
*Kenneth Hauenstein – authorized absence
Town Representatives: Thomas Blair, Esq., - Cheney & Blair
Michael Simon, CPESC, - Labella Associates
Missy Jodeit, – Tyre Administrative Assistant
Guests: Jane Shaffer, - 3S Gateway
Vern Sessler, - 3S Gateway
Anthony Dendis, - Dendis Companies
Joe Bowes, - INHS
Joe Jacobs, - Passero Associates
Jim Rogers, - Tyre Town Board Councilman
Carl & Mary Nolt
Paul & Casey Keuer
Carl Martin, Jacob Martin

Call to Order:

Chairman Seem called the meeting to order 6:38 P.M.
6 Members present, *1 Authorized absence.

Public Comment Period:

Ithaca Neighborhood Housing Services (INHS)

INHS Real Estate Development Director Joe Bowes presented an updated overview of the soon to be proposed Phases II & III of the Pineview Circle Housing Development. The Phase I portion for the project called attention to the large demand for 1-bedroom units. They now are proposing Phase II units primarily with 1-bedroom and 2-bedroom units. Phase III will consist of a 3 story, 50-unit building equipped with an elevator and other amenities, senior friendly, but not exclusive to senior occupancy. Phases 2 & 3 are presently in the development stages.

Approval of minutes of prior meetings:

Approve Minutes as prepared from February 28, 2018 meeting.

Motion: Deborah Geary
Second: Alan Smith
Oral vote: Unanimous to accept as prepared.

Zoning Enforcement Officer April Report:

ZEO Craig Reynolds was unable to attend tonight's meeting but did share his April Zoning Activity report with Chairman Seem who reviewed the report with the Planning Board. Several site inspections and visits during the month thus far.

No Permits have been issued by the ZEO since the March 27, 2018 Planning Board meeting.

Old Business:

Presentation discussions by Ithaca Neighborhood Housing Services & Dendis Sand & Gravel.

Joe Bowes presented an overview of the development concept thus far including detailed drawings. Joe Jacobs from Passero Associates also added comments concerning the overall Phase 2 & 3 development concept identifying plans to extend the current road entrance on State Route 318 ultimately tying into and continuing through the Dendis properties connecting to other parcels further described by Anthony Dendis to a curb cut on State Route 414. It was obvious to the Planning Board that Ithaca Neighborhood Housing Services, Passero Associates, and the Dendis Companies representatives had already spent a considerable amount of time and energy connecting this intertwined project. Attorney Blair, Mike Simon, - Labella, Joe Bowes, - INHS, Joe Jacobs, - Passero, Anthony Dendis, Dendis Companies all agree that it will be necessary for Engineers working together planning on the development issues of the roadway addressing NYSDOT concerns, resolving same. Further discussion included the SEQR process and all agreed to work together accomplishing successful SEQR reviews on a maximum build out scenario in a consolidated fashion conserving resources for all. Atty. Blair stated this would require intense planning on the developers, the Tyre Planning Board would be flexible enough to keep things moving. Chairman Seem thanked Joe Bowes, Joe Jacobs and Anthony Dendis for their combined overview presentation open discussion involving the intertwined multiple construction being planned from NYS 318 to NYS 414.

Update on the 3S Gateway Project.

Vern Sessler and Jane Shaffer from 3S Gateway requested an opportunity to address the Planning Board on tonight's agenda regarding the status of their proposed 3S Gateway Project. Approximately a year ago the 3S Gateway property had interested parties, but not disclosed, prepared to submit purchase offers. Last summer a concept plan was presented to the Town of Tyre Planning Board. Vern Sessler felt the project had been stalled. He also stated that he knew the Town had conducted meetings with the DOT without the knowledge or permission of 3S Gateway representatives. This issue was corrected immediately by Attorney Blair and Town Engineer Michael Simon sharing that they personally and the Town of Tyre also were not notified or invited to attend meetings with the NYSDOT. Seems both 3S Gateway and Tyre officials both were not notified or invited. Atty. Blair stated that as soon as the letter from 3S (their counsel) requesting the Town cease all activities, there was no money spent on behalf of the Town on its behalf. Jane Shaffer stated that the excessive cost covered only access (roadway) work prior to construction work just to get to the property line and did not encompass any site work.

Immediately following discussions with 3S Gateway under advice from Atty. Blair, formally directed the Planning Board to prepare a Resolution at tonight's meeting and provide results in these Planning Board minutes. The following occurred to table, not withdraw, the Site Plan and Subdivision Review applications at this time for an undetermined period of months. Resolution brought by Karen Thomson, Seconded by Deborah Geary, Oral vote / 6-yea / 0-nay / 1 absent.

TOWN OF TYRE, SENECA COUNTY
APPLICATIONS OF 3S GATEWAY, LLC – SITE PLAN and SUBDIVISION REVIEW
APRIL 24, 2018

The foregoing Resolution was thereupon duly adopted.

Note: The Planning Board could not insert a period of months as the Town of Tyre has not addressed or provided a formal document stipulating the length of time for this type of action. Chairman Seem will review address this issue adds to the agenda prior to our May 22, 2018 Planning Board meeting for discussion and passing recommendation up to the Tyre Town Board.

Initial discussion of revisions to the draft Zoning Law suggested by NYS Department of Agriculture and Markets dated January 2, 2018.

Chairman Seem reported that the Town Board had referred the draft zoning law back to the Planning Board for final review/approval. He advised the Board members about a meeting held with Supervisor McGreevy, Atty. Blair and representatives from Ag & Markets and the Farm Bureau. The meeting was scheduled to address misinformation which was circulated throughout the Town which stemmed from residents' review of a January draft of the zoning law. A newsletter was sent by the Seneca County Farm Bureau to its members which contained inaccurate information. Because of that meeting, Supervisor McGreevy was forwarded comments/concerns raised by Matthew Brower of NYS Ag & Markets (via email directed to Ann Marie Heizmann of the Seneca County Farm Bureau). This email was reviewed by Planning Board members. Chairman Seem indicated that the Planning Board would take no action on this matter this evening and would only begin discussion at this time.

Chairman Seem asked if Atty. Blair cared to comment on this matter. He stated that he felt that he and Chairman Seem should evaluate the comments offered and consider for inclusion in the new zoning law draft. The zoning law draft reviewed by the Seneca County Farm Bureau and Ag & Markets personnel dated back to January 2018, many of the items listed were already handled in subsequent drafts. Atty. Blair cautioned Planning Board members that if the Town were to revise/modify the law due to these comments, the same allowance would need to be extended to DEC and other Organizations. This could unduly lengthen the time for final approval of the new zoning law. Board members were frustrated attempting to research a document they received in April that was written three months earlier in January as corrections/revisions had already occurred to the draft zoning law.

Atty. Blair did state at the meeting, the farm personnel were impressed by the Town's proposed law as well as the Commercial Corridor Master Plan. He had also shared a copy of the Prime Farmland Overlay Map document developed with the older draft zoning law document they had reviewed earlier in the year. Chairman Seem had researched on line, printed and distributed copies of the Guidelines for Review of Local Laws Affecting Direct Farm Market Activities to Board members preparation for May Planning Board discussions.

New Business:

None

Correspondence:

Vol. 32 March/April Towns & Topics was reviewed along with a reminder that Cayuga County Planning Board was conducting the latest topic from their 2018 Land Use Training Series entitled Hot Button Land Uses presented by NYDOS Attorneys on April 25, 2018.

Planning/Training/Website:

Planning Board work load remains moderate to heavy including Joint Workshop Zoning Law.

Training Facilitator Kesel did distribute as promised updated individual Training Status Report covering the first quarter 2018 for the Planning Board and Zoning Board of Appeals members.

Website We have discovered that our website is not ADA (American Disabilities Act) compliant. Chairman Seem & Larry Kesel will meet with Finger Lakes 1 President James Sinicropi to plan. We also discovered a "dead link" to a Zoning Draft report which will also be discussed when we meet with Jim at Finger Lakes 1.

Other:

Nearing the end of the meeting, Board member Thomson questioned the remaining public still present whether their concerns were addressed at this month's meeting?

Paul & Casey Keuer stated they had submitted a permit some time ago and were informed by ZEO Reynolds on Friday, April 20, 2018 that their variance request would be addressed at tonight's meeting. Chairman Seem explained the variance procedure and that the request for variance request should be evaluated by the Planning Board then passed on to the Zoning Board of Appeals for the appropriate action. Chairman Seem apologized for the mix-up as he is not aware of this variance request, will speak with ZEO Reynolds about their situation.

Jacob Martin brought his Dad along as he is purchasing a house and property from the Nolt family who advised him the issue would probably be discussed at tonight's meeting. The subdivision request was not listed on tonight's agenda.

The Town of Tyre Court remained in session much longer occupying the main meeting room at our temporary facility beyond the scheduled start of the Planning Board meeting. Residents, guests, Board members, town representatives, for tonight's meeting upon arrival to the facility were directed to the smaller conference room and break area to wait and not disrupt the court proceedings in session. During that time preceding the Planning Board meeting call to order Chairman Seem discovered that he just received documentation for their application today and was not on tonight's agenda. When the main meeting room was available Mr. & Mrs. Nolt left the Municipal Building prior to Jacob & Carl Martin arriving. They were brought up to date and Chairman Seem will discuss with ZEO Reynolds.

Adjourn monthly Planning Board meeting:

Adjourn: 8:00 P.M.
Motion: Al Smith
Second: Hank Bickel
Oral vote: Unanimous

Respectfully submitted,

Larry

Next Planning Board meeting May 22, 2018 at 6:30 P.M. in the Municipal Building.