



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: October 23, 2018 at the Town of Tyre Municipal Building

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

Town Representatives: Thomas Blair, Esq., - Cheney & Blair
 Michael Simon, CPESC, - LaBella Associates
 Craig Reynolds, Tyre Zoning Enforcement Officer
 Missy Jodeit, Administrative Assistant
 Lucia Woo, Environmental Planner, LaBella Associates
 Alexandra Vitulano, Environmental Planner, LaBella Associates

Guests: Chester Burkholder, Tyre resident
 Jim Rogers, Town of Tyre Councilman
 Mark Travis, Zoning Advisory Committee
 Tom Thomson, Town of Tyre Councilman
 Jeff Shipley, President Seneca County Chamber of Commerce
 Ken Sutterby, Town of Tyre Councilman
 David Cox, Passero Associates
 John Houck, Ithaca Neighborhood Housing Services
 Joe Bowes, Ithaca Neighborhood Housing Services
 Pat Nicoletta, PE. MRB Associates
 Jess Sudol, PE. Passero Associates
 Pat Mahoney, Zoning Advisory Committee

Call to Order

Chairman Seem called the meeting to order at 6:30 P.M.

Public Hearing Period

INHS/Pineview Circle Phase II – Subdivision Application

A motion to open the Public Hearing regarding Pineview Circle Phase II – Subdivision Application was brought by Henry Bickel and seconded by Alan Smith. Oral vote; unanimous. Joe Bowes & John Houck from INHS recapped the project history starting with Phase I. They stated that 150 applicants had applied on the initial phase and currently have a waiting list of 90 applicants. This documented history prompted INHS to consider a Phase II project to address the obvious housing need in the Town of Tyre. Single bedroom units were in high demand and

will be more the emphasis in Phase II along with additional two units and senior living in the future two story building which will include an elevator, community room, laundry facility on premises.

Jess Sudol, Passero Associates distributed materials to Planning Board members, presenting an overview of the subdivision plan for Phase II. During the map presentation and review he pointed out that remaining land will be the future location of Phase II-B stating the earliest this land would be developed would be in a 5 to 6-year time frame. The current Phase II Project will begin construction in approximately one-year with a completion target date in the fall of 2020. Chairman Seem then asked if anyone attending the public meeting would like to speak twice. With no speakers a motion to close the Public Hearing was brought by Karen Thomson and seconded by Alan Smith. Oral vote; all in favor.

INHS/Pineview Circle State Environmental Quality Review Application (SEQR)

A motion to open the Public Hearing for the Pineview Circle Phase II SEQR was brought by Alan Smith and seconded by Kenneth Hauenstein. Oral vote; unanimous.

Chairman Seem reminded all that the purpose of SEQR, Pineview Circle Phase II-B is also included. He noted that it is not good practice to perform a SEQR and return later for an additional secondary review. There were no public comments at the Public Hearing. A motion to close was made by Henry Bickel and seconded by Deborah Geary. Oral vote; all in favor.

INHS/Pineview Circle Phase II – Site Plan

A motion to open the Public Hearing for Pineview Circle Site Plan was brought by Alan Smith and seconded by Lawrence Kesel. Oral vote; unanimous.

Town Councilman Ken Sutterby addressed the Planning Board and all present that the roadway proposed from Phase II to New York State Route 414 should be constructed as a commercial grade roadway from the start. The Town does not want to add any improvements or upgrades in the future to support life in the area.

Town Councilman Jim Rogers also requested time to address the Board. His main concern was the turnaround planned for the road construction. He wants to make certain that the area proposed was large enough for our Highway Department vehicles to turn around to maintain and properly service the area.

Chairman Seem reminded those present that the Town will take ownership of the road and the right of way, everything involved with the construction of the roadway, drainage, culverts, etc. There were no other public comments presented. A motion to close was brought by Karen Thomson and seconded by Alan Smith. Oral vote; all in favor.

Open Town of Tyre Planning Board Monthly meeting

Chairman Seem opened the regular monthly Planning Board meeting.

Attendance recording

7-members present, 100 % attendance.

Public Comment Period

Jeff Shipley, President & CEO of the Seneca County Chamber of Commerce requested the

opportunity to address the Board, introduce the project sharing Chamber goals, preliminary plans thus far in the early stages. Everyone was pleased that the Seneca County Chamber of Commerce was successful purchasing the Dr. Magee property corner State Routes 318 & 414. The primary goal of the Chamber is to preserve the Dr. Magee house and property incorporating a period addition to the original structure. The *Finger Lakes Gateway Visitor Center* will be located on the entire first floor open to the public. The Seneca Falls Historical Society will also be involved in the project assisting in showcasing the history of the area and, specifically the history and numerous contributions of Dr. James Magee in Tyre, and Seneca County. The Chamber of Commerce offices and conference room will occupy the second floor of the house. Pat Nicoletta, PE representing MRB Associates addressed the square footage change of the building from the present 2200 square feet expanded to 3700 square feet. The exterior of the house will remain, and the planned addition will be molded to conform with the existing home. Discussions continue with the DOT regarding curb cut locations. The Project will also include an Architect and Consultant assisting to insure the historical aspect is addressed. The preliminary floorplan was briefly reviewed keeping in mind that the project was currently in its early stages. Attorney Blair informed Planning Board members that he formerly represented the Seneca County Chamber of Commerce on some real estate matters, but that he has walled himself off from the Chamber and will represent the Town of Tyre Planning Board on this project. He further offered to recuse himself if any member felt that would be necessary.

Everyone at the meeting was extremely pleased that the Seneca County Chamber of Commerce had successfully purchased the historic Dr. Magee house located in the cross hairs of our recently adopted ROUTES 414 and 318 COMMERCIAL CORRIDOR MASTER PLAN earlier this year.

Tyre is proud to have Seneca County Chamber reside on this prime commercial corridor corner. The last topic of discussion was the question of moving the landmark Windmill presently located in Seneca Falls, NY. Jeff stated that the windmill was included in the sale of the former location; he also indicated that he was advised that the windmill would most likely fall apart if it was moved from Seneca Falls to Tyre.

Burkholder - Subdivision & Site Plan comment

(Mr. Chester Burkholder's engineer was not present at tonight's meeting.)

Chairman Seem asked Mr. Burkholder if he would like to make any comments regarding his project. Mr. Burkholder stated he did not.

Approval of minutes from September 25, 2018 as written

Chairman Seem asked if every board member had read the rough draft. A motion to accept the minutes as written was brought by Alan Smith, seconded by Kenneth Hauenstein.

All in agreement; minutes approved as written.

Code Enforcement Officer October Report

CEO Craig Reynolds presented his activity report since last meeting. His office remains busy working on outstanding projects. Two complaints addressed and resolved. The issue of the tractor trailer and unattached trailer at Byrne Dairy continues. Chairman Seem stated that if unattached trailer or tractor trailer continue to park there, issue a cease & desist letter.

Permit	Issued	Owner	@Location	Description of Work
18-14	10/11/18	Reginald Aceto	276 Gravel Road	Install swimming pool

OLD BUSINESS

Consideration of the completeness of the Burkholder applications:

Subdivision – Site Plan – Special Permit

Chairman Seem stated the critical timing of this project data package delivery to the Seneca County Planning Board no later than 12:00 noon on 10/31/18 to be reviewed at the November meeting. Mike Simon will reach out to Jason McCormick PE to assist with the Ag Statement submittal. Atty. Tom Blair stated that the Town must complete the process of removing the parcel from the Ag district, no longer eligible. After discussion the entire project will consist of 15.3 acres into three (3) separate parcels: ±3.7 acres for the existing home, ±3.2 acres for the existing commercial business and ±8.3 acres for construction of a new single-family dwelling. Discussions continued addressing various aspects of this project until members felt comfortable enough to review the Subdivision & Site Plan applications Resolution.

Atty. Blair conducted a thorough review of the Resolution regarding this Subdivision & Site Plan, the application as deemed to be complete. Several edits are necessary including inserting necessary dates of documents and deletions from the involved agencies section. Every individual understood their individual role to insure completion of the document package, filing with the Seneca County Planning Board on or before the previously determined target date.

RESOLUTION OF THE TOWN OF TYRE PLANNING BOARD REGARDING SUBDIVISION AND SITEPLAN APPLICATIONS OF CHESTER BURKHOLDER AND EMPTY POCKETS LLC.

Motion to Approve Resolution;

Moved by Henry Bickel

Seconded by Deborah Geary

Roll call vote follows;

	Yea	Nay	Abstain	Absent
Chairman Robert Seem	[x]	[]	[]	[]
Alan Smith	[x]	[]	[]	[]
Deborah Geary	[x]	[]	[]	[]
Kenneth Hauenstein	[x]	[]	[]	[]
Karen Thomson	[x]	[]	[]	[]
Henry Bickel	[x]	[]	[]	[]
Lawrence Kesel	[x]	[]	[]	[]

The foregoing Resolution was thereupon duly adopted.

INHS Pineview Circle, Phase II SEQR Application

Atty. Blair led the review, addressing all questions, concerns discussing the FEAF Part 1 entirely. Both the Environment Planners from LaBella Associates shared their research concerning the proximity of the Northern Long Eared Bat and Indiana Bat to the site. Location of the Eire Canal in relation to the project and the fact that no fossils were uncovered during the excavation and construction of Phase I.

Atty. Blair continued leading the Planning Board conducting a complete review of FEAF Part 2 line by line addressing all questions, concerns and possible impacts to the area.

Atty. Blair continued with the FEAF Part 3 line by line review including narrative attachment. No issues were identified. Action to be classified Type 1, Negative Declaration. The appropriate listing on the Environmental Notice Bulletin (ENB) of the Department of Environmental Conservation (DEC) will be prepared by the staff at LaBella Associates.

TOWN OF TYRE, SENECA COUNTY
SEQRA RESOLUTION-PINEVIEW CIRCLE PHASE 2 BUILDING SITE

Motion to Adopt Resolution;
Moved by Henry Bickel
Seconded by Deborah Geary

Roll call vote as follows;

	Yea	Nay	Abstain	Absent
Chairman Robert Seem	[x]	[]	[]	[]
Alan Smith	[x]	[]	[]	[]
Deborah Geary	[x]	[]	[]	[]
Kenneth Hauenstein	[x]	[]	[]	[]
Karen Thomson	[x]	[]	[]	[]
Henry Bickel	[x]	[]	[]	[]
Lawrence Kesel	[x]	[]	[]	[]

The foregoing Resolution was thereupon duly adopted.

Circle K Sign Application

CEO Reynolds distributed copies of the signage application to Planning Board members and explained the need for variances. It should be noted here due to the time Planning Board member Karen Thomson had to leave the meeting to report for her night Medical Nurse position here in Tyre, NY. Chairman Seem also indicated that an Ag Data Statement would be necessary. CEO Reynolds will coordinate preparation of this statement. He also pointed out that Byrne Dairy Convenience Store with Fuel Service were also required to apply for sign variance. Chairman Seem stated that this application will be referred to the Zoning Board of Appeals to address the variances needed. The Planning Board's function at this time is to refer the matter

to the Zoning Board of Appeals to evaluate and decide as to the variance requested. Planning Board will prepare a Resolution referring the sign permit application to the Zoning Board of Appeals. Resolution information follows on page 6

RESOLUTION OF THE TOWN OF TYRE PLANNING BOARD REFERRING THE
SIGN PERMIT APPLICATION
CIRCLE K CONVIENCE STORES TO THE TOWN OF TYRE
ZONING BOARD OF APPEALS

Motion to prepare a Resolution and refer this matter to the Tyre Zoning Board of Appeals;

Brought by: Alan Smith

Seconded by: Kenneth Hauenstein

Roll call vote as follows;

	Yea	Nay	Abstain	Absent
Chairman Robert Seem	[x]	[]	[]	[]
Alan Smith	[x]	[]	[]	[]
Deborah Geary	[x]	[]	[]	[]
Kenneth Hauenstein	[x]	[]	[]	[]
Karen Thomson	[]	[]	[]	[x]
Henry Bickel	[x]	[]	[]	[]
Lawrence Kesel	[x]	[]	[]	[]

The foregoing Resolution was thereupon duly adopted.

NEW BUSINESS

Open Position on Zoning Board of Appeals

Chairman Seem announced that Neil Worden has agreed to have his name passed along to the Town Board for consideration to fill the vacant Zoning Board of Appeals seat.

Implementation of Local Law #5 Zoning Law

Chairman Seem stated that to comply with the new Zoning Law mandates, the Planning Board needed to have a redefinition of the terms for each member. Under the new plan, each member will be appointed to serve a total of 7 years; these terms will be staggered such that each year a Planning Board member will undergo re-certification. Chairman Seem is to develop a term schedule to be discussed on November 27, 2018.

Magee Diner – Follow up

It was noted that the Planning Board and CEO Reynolds are satisfied with the information received on this application and the application was granted conditional approval.

Correspondence

Chairman Seem spoke of a software program that could be helpful to the Planning Board in tracking situations. This “Integrated Property System” is currently in use by the Seneca County

Codes Department. An informational webinar is available for viewing by Town Personnel. There are three dates available in early November. This webinar will take approximately 1.5 hours to view and participate.

PLANNING/TRAINING/WEBSITE

Chairman Seem and Secretary Kesel attended a second meeting with Finer Lakes 1 President Jim Sinicropi collectively planning on updating the Town of Tyre website launched in January 2011. Plans include making the website even more user-friendly navigation, bring the website into ADA compliance, providing additional opportunities for the Tyre Town staff utilizing the website dashboard to its fullest capabilities inputting information quickly and accurately. Upgrade completion is targeted first half 2019. The Town Board has already approved funds appropriated 2019 budget.

Four Planning Board members and one Zoning Board of Appeals member attended a 4 hour training session sponsored by Seneca and Wayne County Planning Boards held at the Seneca County Health and Human Services Building in Seneca Falls on October 16, 2018.

Chairman Seem mentioned a workshop being offered November 26, 2018 on historic preservation. Contact Chairman Seem if interested in attending.

A Motion to Adjourn was brought by Deborah Geary and seconded by Ken Hauenstein. Meeting adjourned at 9:40 P.M.

Respectfully submitted,

LARRY

Next meeting November 27, 2018 - 6:30 P.M. in the Municipal Building.