



# Planning Board

Chair: Robert C. Seem  
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Secretary: Lawrence J. Kesel  
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Minutes of the meeting held: January 22, 2019 held 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: Craig Reynolds, Tyre Zoning Enforcement Officer  
Guests: Jim Rogers, Town of Tyre Councilman  
Bill Martin, Montezuma Winery  
Mark Travis, Zoning Advisory Committee  
Pat Nicoletta, MRB Engineering  
Ken McConnell, Seneca County Chamber  
Tina Poorman, Tyre Resident  
Peter Vars, BME Associates  
David Cox, Passero Associates  
Joe Bowes, Ithaca Neighborhood Housing Services  
Dean Pronti, Dendis Companies  
David Rauscher, Tyre Resident

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## **Call to Order**

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

## **Attendance recording**

All seven members present.

## **Public comment period**

### Montezuma Winery storage building.

Bill Martin presented a review of the proposed storage building addition to the his Montezuma Winery property with Planning Board members. The pole barn style building dimensions are 40' x 48' with concrete floor will be used solely for storage. CEO Reynolds has been involved visiting the construction site.

### DC Rauscher Properties.

Dave Rauscher presented his intentions to sub divide 3.85 acres from his commercial property on State Route 414. This represents the footprint for the Scrap Yard which is currently being operated by his partner(s). He will retain ownership of a small part of the business which is presently being managed by others.

Proper Documentation ongoing to be submitted to the Town in the near future.

### del Lago site plan for expansion of existing smoking area.

Peter Vars, BME Associates presented an updated overview of the site plan since his last visit to address the Planning Board. This 6400sf addition to the south wall of the building east of the Hotel. The addition will result with the loss of 21 parking spaces still leaving a total of 2174 parking spaces for the entire del Lago complex. Lengthy discussions followed concerning ventilation of the proposed addition and the two-door vestibule area between the casino and the smoking area. These indoor air issues will be passed on to BME and del Lago for review by the Seneca County Board of Health. No one at the Planning Board meeting was really qualified to address these issues, Seneca County Clean Indoor Air Act should address and comment. Attorney Blair distributed the Town of Tyre Zoning Law §100-40(h) which will need amendment considering this application. Peter Vars, PE is to provide a report on the applicant's compliance with the Town of Tyre Comprehensive Report.

Recommendation to the Town Board regarding del Lago smoking area expansion will be discussed later this evening under Old Business.

### Pineview Circle Phase 2 landscape and road improvement update.

David Cox, Passero Associates presented the updated overview of the Phase 2 landscape plan, sidewalks, lighting, road improvements to the Planning Board. Pine View Circle will be identifying these elements on their parcel plans marked as "future" indicating that future developers adjoining the Pine View Circle Phase 2 Project will be responsible for including these elements in their designs and submittals to the Town.

Phase 1 complex. This original issue seems to have been resolved as mail and package delivery is no longer being delivered to her address. The neighbor also re-stated her desire to have some type of fencing installed identifying her private property is separate from PVC property. INHS representative Joe Bowes stated that correspondence had been sent to all residents concerning proper delivery address for mail and packages. This also included a warning against trespassing on the neighbor's private property. He also stated that there are no funds available for fence installation. Chairman Seem had researched the Pine View Circle Phase 1 documents stating that there was no mention of fencing in the initial application on INHS/Pine View Circle 1.

### **Oath of Office, 2019**

Planning Board members were given Oath of Office forms to sign and be prepared to submit to the Tyre Town Clerk by Chairman Seem.

**Approval of Minutes, December 18, 2018**

Minutes were approved as written:

Motion; Henry Bickel

Second; Alan Smith

Oral vote; Unanimous

**Code Enforcement Officer Report**

CEO Reynolds reported that numerous applications have been received and were being processed. Activity also remains high conducting inspections.

No new permits have been issued since last month's report.

**Old Business**

**Recommendation to Town Board regarding del Lago smoking area expansion.**

Peter Vars, BME Associates presented additional information since his visit to the Planning Board last month. The 6400-sf addition to the existing smoking area will result in the loss of 21 parking spaces still leaving a total of 2174 spaces. He also commented that the addition will join the casino area via a vestibule. It was further pointed out that del Lago is working with the Seneca County Board of Health on this project. He stated that the Seneca County Board of Health agrees that the plans presented by del Lago comply with the Seneca County Clean Indoor Air Act. The Board of Health will be supplying a memo to that effect in the next couple weeks. Lengthy discussions followed regarding information required to prepare a Resolution tonight to the Town Board focusing on their Resolution dated January 17, 2019 referring the proposed Application to the Planning Board for review and advisory recommendation in accordance with the Town of Tyre Zoning Law. Peter Vars is to provide a narrative report on the applicant's compliance with the Town of Tyre Comprehensive Plan.

The Planning Board offers no recommendation pertaining to the content of proposed Local Law No. 1 of 2019.

Atty. Blair read the complete Resolution addressing the issues that were discussed as a result of tonight's Planning Board review. A listing of the 5 identified topics of concern were identified encouraging the Town Board to further investigate, research, and validate.

(continued next page)

RESOLUTION OF THE TOWN OF TYRE PLANNING BOARD  
REGARDING ITS RECOMMENDATION TO THE TYRE TOWN BOARD

CONCERNING PROPOSED LOCAL LAW NO. 1 OF 2019 AND DEL LAGO  
RESORT & CASINO, LLC'S MODIFIED SITE AND DEVELOPMENT  
PLANS FOR A SMOKING AREA EXPANSION TO ITS CASINO

Motion to Approve Resolution;

Moved; Henry Bickel;

Seconded; Karen Thomson.

Roll call vote follows;

	<b>Yea</b>	<b>Nay</b>	<b>Abstain</b>	<b>Absent</b>
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.

Finger Lakes Gateway Visitors Center.

Pat Nicaletta, MRB Associates, provided an update and detailed drawing review for the Seneca County Chamber of Commerce Finger Lakes Gateway Visitors Center Project thus far. This included the Chamber's office's and conference room on the second floor. Street level modified entrance to the visitor center covering most of the entire first floor. Insuring this historic building and additions will be age appropriate blended. He also stated that the addition will include a conference room which could be used by others after regular business hours with the remainder of the building blocked off with the use of pocket doors, etc. The Planning Board was very receptive to the described changes and preservation attitude of this project protecting the history and importance of the Doctor Thomas Magee residence here in Tyre. The Board also heard that the Chamber did not receive funding from the Regional Development Fund that would have assisted in the renovation of the visitor center. Chairman Seem questioned the status of any discussions the Seneca County Chamber may be undertaking with SHIPO (State Historic Preservation Officer). Pat stated that he understood the Chamber had spoken with them, also understanding that nothing had been submitted to SHIPO to date. Chairman Seem stated his feeling that SHIPO would be quite pleased with the Chamber's plan for the building as their main concern is to preserve historic places. Mike Simon stated that the application submitted was substantially complete. Atty. Blair pointed out that SHIPO's goal is negotiating with the developer to preserve as much of this historic "eligible" property as possible.

Chairman Seem stated that his understanding of the Dr. Thomas Magee House is classified as the “oldest federal style building in Seneca County”. He then proceeded to read the entire Resolution spending additional time to discuss, understand and reinforce the importance of items 1 thru 5 on the Resolution.

RESOLUTION OF THE PLANNING BOARD TOWN OF TYRE  
REGARDING THE SITE PLAN APPLICATION OF THE SENECA  
COUNTY CHAMBER OF COMMERCE FINGERLAKES  
GATEWAY VISITOR CENTER AND CORPORATE OFFICES

January 22, 2019

Motion to Approve Resolution;  
Moved – Alan Smith;  
Seconded – Deborah Geary;  
Roll call vote follows;

	<b><i>Yea</i></b>	<b><i>Nay</i></b>	<b><i>Abstain</i></b>	<b><i>Absent</i></b>
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.

Update on the Burkholder subdivision, site plan and SEQR application.

Formal actions were delayed due to slow response to queries made to the applicant and late submittal of requested application information. Chairman Seem stated that the project still on hold awaiting receipt of additional information from the applicant.

Discussion of Pine View Circle Phase 2 Landscape and road improvement update.

David Cox, Passero Associates presented the updated overview of PVCP2 relating to landscaping, sidewalks, lighting road improvements or construction, etc. Passero will be identifying these elements on their parcel plans marked as “future” indicating future developers adjoining the PVCP2 will be responsible for including these elements in their designs and submittals to the Town.

Atty. Blair pointed out that this was an excellent opportunity for the Planning Board and the Town to take advantage of Passero & INHS expertise for their initial model development be considered in future development in Tyre. Chairman Seem was in agreement, looking for two

members of the Planning Board interested in attending an informal meeting with representatives from Passero Associates / Ithaca Neighborhood Housing Services along with Town Municipal Attorney Tom Blair, Town Engineer Mike Simon at the Tyre Municipal Building in the near future. Vice Chair Al Smith and Secretary Larry Kesel will also attend representing the Board.

#### Pine View Circle Neighbor concerns.

Chairman Seem asked for an update on the concerns voiced by Tina Poormon at the January Town Board meeting whose property is directly adjacent to the Pine View Circle Phase 1 property. CEO Reynolds stated that he had spoken with Joe Bowes from INHS referencing concerns. INHS sent letters to the Pine View residents cautioning them to use correct addresses for package deliveries and postal mail. This delivery issue seems to have been resolved.

The issue of constructing a fence being installed between her property and PVCP1 was again brought up. Seems an unknown worker did say a fence would be installed during the construction period. That construction worker was not identified. Chairman Seem asked Joe Bowes if there had been any discussion of a fence and Joe stated there was no money in the budget to install a fence. Mr. Bowes suggested that he and Ms. Poormon have a meeting to fully understand her concerns. Chairman Seem stated that he is hopeful for a resolution to these issues.

#### **New Business:**

##### Discussion of website revision proposal by FingerLakes1.com

Chairman Seem and Secretary Kesel, attended another meeting with Finger Lakes 1 President Jim Sinicropi. Update and redesign of the Town of Tyre website will include; creating a mobile friendly experience for users, WordPress platform to “future proof” the website as new software updates become available, provide more control to Town staff to manage content and working towards ADA compliance. Secretary Kesel has requested time on the February 21, 2019 Town Board agenda for Mr. Sinicropi to present an overview to the Town Board and answer any questions Councilmen might have.

##### Discussion of documents management system proposal by BAS.

Chairman Seem mentioned that he had already spent time reviewing the concept of IPS (Integrated Property System) within the municipality consolidating property data with our Legal Department who is familiar with their services along with Seneca County Code Enforcement presently using IPS recommending Business Automated Services, Inc. The nearby Town of Farmington is also using BAS / IPS. Business Automated Services scheduled a 2-hour webinar to be run by their staff during the daytime in our conference room to discuss Integrated Property System. The first round of questions was addressed in addition to receiving an informational Town of Tyre IPS proposal, presently being reviewed. Bob Seem, Larry Kesel and Missy Jodiet were in attendance, CEO Reynolds and others invited were unable to attend.

### **Correspondence**

Chairman Seem provided a handout outlining changes to the SEQR effective January 1, 2019 as part of the information package for this month directly to PB member homes. Secretary Kesel also pointed out that additional information was available in the latest edition of NYPF Planning News which everyone receives.

### **Adjourn monthly Planning Board meeting**

8:30 P.M. Moved – Karen Thomson / Second - Ken Hauenstein

Oral vote – Unanimous.

Respectfully submitted,

***LARRY***

Next meeting February 26, 2019, 6:30 P.M. in the Municipal Building.