



# Planning Board

Chair: Robert C. Seem  
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Phone: 315-568-5637

Vice Chair: Alan Smith  
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Secretary: Lawrence J. Kesel  
1234 Middle Black Brook Rd.  
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Minutes of the meeting held:	March 26, 2019 held at the Town of Tyre Municipal Building
Members in attendance:	Robert Seem, Alan Smith, Lawrence Kesel, Deborah Geary, Kenneth Hauenstein Karen Thomson
Authorized Absence:	Henry Bickel
Authorized Absence:	Craig Reynolds, Tyre Zoning Enforcement Officer
Representing the Town of Tyre:	Thomas Blair, Esq., Blair Missy Jodeit, Administrative Assistant
Guests:	Jim Rogers, Town of Tyre Councilman Tom Thomson, Town of Tyre Councilman Bill Martin, Montezuma Winery Mark Travis, Zoning Advisory Committee

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## **Call to Order**

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

## **Attendance recording**

Six in attendance, one authorized absence (Henry Bickel).

## **Public Hearing comment period**

### Finger Lakes Gateway Visitors Center

Chairman Seem noted that the Public Hearing scheduled for tonight regarding the Seneca County Chamber of Commerce / Finger Lakes Gateway Visitors Center Project was cancelled due to the need for further documents from the applicant.

### Montezuma Winery Addition

Motion to open the Public Hearing was brought by Alan Smith and seconded by Deborah Geary. Oral vote; unanimous; Public Hearing opened.

Chairman Seem asked if anyone in attendance wished to comment regarding the Montezuma addition. This comment request was made twice with no public responses.

Chairman Seem then asked if Bill Martin had any comments regarding the project at this time. This discussion led to the letter from Town Engineer, Mike Simon dated March 18, 2019 that had been transmitted to the applicant having received no responses back to date. No one on the Planning Board was aware of or had seen the March 18, 2019 letter to the applicant. Arrangements were made to download the letter to one of the office printers distributing hard copies to the Board members. At that point a discussion began on the cost of doing business and additional financial burden placed on small businesses such as the Montezuma Winery. Chairman Seem suggested that we close the Public meeting and discuss the March 18, 2019 letter after hard copies are printed and distributed during the OLD BUSINESS portion of tonight's agenda. Motion to close the Public Hearing; brought by Kenneth Hauenstein and seconded by Alan Smith; oral vote unanimous.

**Approval of Minutes, February 26, 2019**

Two typo exceptions were identified;  
 Zoning Code Enforcement Officer title will be corrected to reflect the Town Board recognized title "Zoning Enforcement Officer".  
 Address correction error change from East Lake Rd. to East Road prior to minutes final release.

Minutes were then approved with exceptions to be corrected:

- Motion; Alan Smith
- Second; Deborah Geary
- Oral vote; Unanimous

**Zoning Enforcement Officer Report**

ZEO report was distributed in ZEO Reynolds authorized absence by Chairman Seem. ZEO remains very busy with follow-up inspections of the 13 projects occurring in the Town. Some are in progress with paperwork and reviews, some under way and some awaiting additional information back from the applicants. Permits issued report submitted to Planning Board Secretary for documentation.

Permits issued thus far this year;

Permit	Issued	Applicant	At Location	Description of Work
19-01	02/26/19	Martin Honey Farm	2981 Auburn Rd.	Build Pole Barn
19-02	03/02/19	Deborah Geary	1175 Middle Blk Brook Rd.	Enclose Porch
19-03	03/19/19	Travel Centers America	1255 State Route 414	20# Propane Cage
19-04	03/20/19	Daryl Hurst	1266 State Route 89	Build Garage
19-05	03/26/19	Gaftek, Inc.	1347 State Route 318	Install 6,500 Tank

**Old Business**

Montezuma Winery Expansion

Bill Martin addressed the Planning Board regarding plan for the proposed expansion. A lengthy discussion followed referencing the Mike Simon/LaBella memo dated March 18, 2019. Town Engineer Mike Simon was not present tonight and ZEO Craig Reynolds was expected later in the evening having attended a funeral out of Town. At 7:15 pm it was suggested that we table further discussions until ZEO Reynolds arrived later.

Pine View Circle Phase 2

Second memorialization of agreement to extend site plan approval process read. Chairman Seem updated the Board that we failed to document a 60-day verbal Site Plan Extension Resolution due to finalization of roadway, associated utilities and landscaping conditions when such verbal agreement took place on January 22, 2019 between Joe Bowes, INHS and the Town of Tyre Planning Board. Joe Bowes INHS confirmed via email dated March 26, 2019 to Chairman Seem another 30-day Site Plan extension to April 23, 2019. Chairman Seem read Draft Resolution.

**RESOLUTION OF THE PLANNING BOARD OF THE TOWN OF TYRE  
REGARDING THE 30-DAY SUBMITTAL EXTENSION SITE PLAN  
APPLICATION FOR PINE VIEW CIRCLE PHASE 2 LANDSCAPING  
CONDITIONS**

March 26, 2019

**WHEREAS**, on January 22, 2019 the Town of Tyre Planning Board met at a regular scheduled meeting to discuss the Site Plan application for Pine View Circle Phase 2. The Site Plan application was approved however, discussions led to the opportunity between the Town and Applicant to extend the time period due to finalization of roadway, associated utilities and landscaping conditions, and

**WHEREAS**, this verbal agreement was not memorialized on February 22, 2019. Joe Bowes, Ithaca Neighborhood Housing Services confirmed the 30-day extension in a March 21, 2019 email addressed to the Planning Board Chair, and

**WHEREAS**, the Planning Board acknowledges that the expertise of Ithaca Neighborhood Housing Services and Passero Associates sharing their knowledge will greatly improve the future elements required by the Town, documenting this information as a guideline with future applicants.

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**NOW THEREFORE BE IT RESOLVED**, the Planning Board hereby deems the Site Plan Application complete, landscaping conditions have granted a 30-day extension until April 23, 2019.

**BE IT FURTHER RESOLVED**, that this Resolution shall take effect immediately.

The adoption of the foregoing Resolution was moved by Alan Smith, seconded by Ken Hauenstein:

Oral vote was unanimous; the Resolution was thereupon duly adopted; dated March 26, 2019.

Lawrence J Kesel

Lawrence J Kesel  
Planning Board Secretary

Finger Lakes Gateway Visitors Center / Seneca County Chamber of Commerce

Chairman Seem discussed the tree removal at the Seneca County Chamber of Commerce site. The discussion and minutes of the meeting when tree removal was reviewed indicate that “some” trees would be removed in parking areas, other trees would remain as indicated on their displayed drawing. All Board members were surprised when they noticed all trees had been removed from the site. Chairman Seem informed the Board that a discussion was held with Chamber personnel that the Town of Tyre was dissatisfied with the complete tree removal and the Chamber was requested to cease any stump grindings, shrub removal for now as SWPP has not been approved at this point of the project. It was also noted that the Chamber was still waiting for information from SHPO and will be back before the Planning Board in April to discuss this matter.

Del Lago Smoking Area Expansion

Chairman Seem informed the Board that this application is in a holding pattern until issues are worked out between del Lago Casino, Seneca County and State Health Departments.

Indus 414 LLC – Hilton Hotel update

Town Attorney Blair informed the Board that this matter is once again on the “front burner” and he expects the project to move forward this summer.

Burkholder Project update

Chairman Seem and ZEO Reynolds met with Jason McCormick, PE to discuss the recent hold-up for this Project. There is an issue with Tennessee Pipeline Co. on site and until an easement agreement is reached, no work can proceed on the project. Approximately one-half of the parking lot is in the easement area.

Wedding Barn Venue

Chairman Seem mentioned no progress since we were given the overview presentation for the proposed Wedding Barn Venue last month. Some discussions have occurred with ZEO Reynolds, nothing to report on this venue located in a residential district.

Montezuma Winery

At this point in the evening we returned to Site Plan review/discussion for the Montezuma Winery addition. ZEO Craig Reynolds had not returned as expected when we postponed review earlier. Chairman Seem distributed copies of the Seneca County Planning Board approval of the Site Plan Application. We immediately returned to further discussions line by line regarding the Mike Simon, LaBella March 18, 2019 memo to applicant. With Town Engineer Mike Simon and Zoning Enforcement Officer Craig Reynolds both absent at tonight’s meeting, Chairman Seem indicated that it would have been helpful if Montezuma had responded in some manner prior to this meeting. Discussions continued for over an hour with the applicant discussing many issues and addressing questions. Atty. Tom Blair pointed out that the Town had spent in excess of one year with the Zoning Advisory Committee members drafting the Town of Tyre Zoning Law not to mention the time and money spent by the Town Board to review and pass this Zoning Local Law #3 of 2018. Chairman Seem pointed out that Mike Simon indicated that nothing major was wrong with the site plan, just no response, applicant. Chairman Seem read the draft Site Plan Resolution making notes of comments added to support all the issues and concerns raised during the draft Resolution review. It should be noted here that we used the following SITE PLAN & FLOOR PLAN drawings; Cover Sheet, A1.00 & A2.00. Upon completion of the review a motion was brought by Karen Thomson and seconded by Deborah Geary. Roll call vote follows;

	<u>Yea</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Chairman Robert Seem	[X ]	[ ]	[ ]	[ ]
Alan Smith	[X ]	[ ]	[ ]	[ ]
Deborah Geary	[X ]	[ ]	[ ]	[ ]
Kenneth Hauenstein	[X ]	[ ]	[ ]	[ ]
Karen Thomson	[X ]	[ ]	[ ]	[ ]
Henry Bickel	[ ]	[ ]	[ ]	[X ]
Larry Kesel	[X ]	[ ]	[ ]	[ ]

The Resolution was thereupon duly adopted.

**New Business**

None.

**Correspondence**

None.

**Planning / Training / Website**

Planning: as demonstrated tonight, activity remains high involving the Planning Board.

Training: Facilitator Kesel printed and distributed Genesee/Finger Lakes Planning Council Spring Regional Local Government Workshop registration forms scheduled May 17, 2019 at the Burgundy Basin Inn.

Website: The Finger Lakes 1 proposal to update our website and provide individual training allowing more flexibility for internal updates to the site will be double checked and ready for review/approval by the Town Councilmen at the April 18, 2019 Town Board meeting.

**Adjourn monthly Planning Board meeting**

9:08 P.M.

Brought by Alan Smith

Second - Ken Hauenstein

Oral vote – Unanimous.

Respectfully submitted,

***LARRY***

Next meeting April 23, 2019 - 6:30 P.M. in the Municipal Building.