



PLANNING BOARD

Chair: Robert C. Seem

2445 Traver Rd.

Seneca Falls, NY 13148-9751

Phone: 315-568-5637

Vice Chair: Alan Smith

2613 Durling Rd.

Seneca Falls, NY 13148-9713

Phone 315-568-5422

Secretary: Larry Kesel

1234 Middle Black Brook Rd.

Seneca Falls, NY 13148-9752

Phone: 315-568-5330

Minutes of the meeting held: **APRIL 22, 2014** Magee Fire Department Hall

Members in Attendance: Robert Seem, Alan Smith, Larry Kesel, Deborah Geary,
Kenneth Hauenstein, David Kain, Neil Worden.

Absent with notice: 0

Absent without notice: 0

Guests: Virginia C. Robbins, Esq., Bond, Schoeneck & King
Peter Vars, P.E., BME Associates
Michael A. Simon, BME Associates
Martin Janda, BME Associates
Adam J Frosino, P.E., McFarland Johnson
Jonathan Walczak P.E., Barton & Loguidice,

Upon completion of the Zoning Board of Appeals meeting the Regular Planning Board meeting was called to order at 8:20 P.M. by Chairman Robert Seem.

First order of business was to move a motion to change the meeting agenda begin with the Site Plan Review, question and answer period. The Planning Board would then discuss the proposed resolution regarding the recommendation to the Tyre Town Board concerning proposed Local Law 3 of 2014 amending the Town's Zoning Law.

Motion: Ken Hauenstein . Second: Neil Worden . Carried.

Site Plan Overview presented by:

Adam Frosino, P.E., Jonathan Walczak, P.E., Martin Janda and Michael Simon.

After discussions, the Planning Board decided to vote on the following resolutions with the assistance of Virginia C. Robbins, Esq.

**RESOLUTION OF THE PLANNING BOARD FOR THE TOWN OF TYRE
REGARDING A RECOMMENDATION TO THE TYRE TOWN BOARD CONCERNING
PROPOSED LOCAL LAW 3 OF 2014 AMENDING THE TOWN'S ZONING LAW**

April 22, 2014

WHEREAS, the Planning Board for the Town of Tyre (the "Planning Board") properly noticed and held a public meeting on April 22, 2014 for purposes of providing a recommendation to the Town Board for the Town of Tyre (the "Town Board") pursuant to section 10.1013 of the Town's Zoning Law regarding the April 10, 2014 version of a proposed focal law to amend the Town's *Zoning Law* (Local Law No. 3 of 2014) (the "Proposed Local Law"), a copy of which proposed law the members of the Planning Board received under cover of an April 17, 2014 letter from Ronald F. McGreevy, Town Supervisor; and

WHEREAS, the Town Board will not act on the Proposed Local Law unless it first approves the proposed Development Plan submitted to the Town Board by Whitetaii 414, LLC, as such plan may be amended to *address any Town Board concerns*, which approval the Town Board has not yet issued; and

WHEREAS, the Proposed Local Law would amend the Town's Zoning Law to: (i) add the term "Planned Unit Development" to the list of "Type of District" under Article II, Section 2.202, and add the designation "PUD" for such district; (ii) add a definition of Planned Unit Development District to Article XI, Section 11.1102; and (iii) show on the Town's Zoning Map the Planned Unit Development District for the Wilmot Casino and Resort as ai) the land within the Town of Tyre in the area east of New York State Route 414 and north of the New York State Thruway, consisting of approximately 84.9 acres of land (Tax Account No. 12.00-01-36), thereby changing the Agricultural use designation for that land to a Planned Unit Development District designation; and

WHEREAS, the Planning Board has thoroughly reviewed and discussed the provisions of the Proposed Local Law;

NOW, THEREFORE, BE IT RESOLVED, as follows:

1. The Planning Board finds that the amendments to the Town's Zoning Map to create a PUD district as proposed in the Proposed Local Law are consistent with Whitetaii 414, LLC's proposed Development Plan and are necessary pursuant to the Town's Zoning Law if the Town Board approves the proposed Development Plan, and therefore, for these reasons, the Planning Board recommends that the Proposed Local Law be adopted by the Town Board provided the Town Board first (i) approves the proposed Development Plan, as such plan may be amended to address any Town Board concerns, and (ii) gives serious consideration of the following comments of the Planning Board:

The adoption of the foregoing Resolution was moved by Deborah Geary, seconded by Larry Kesel, and duly put to vote, which resulted as follows.

	Yea	Nay	Abstain	Absent
Robert C. Seem	[x]	[]	[]	[]
Alan Smith	[]	[]	[x]	[]
Lawrence J. Kesel	[x]	[]	[]	[]
Deborah J. Geary	[x]	[]	[]	[]
Kenneth L. Hauenstein	[]	[x]	[]	[]
David Kain	[]	[x]	[]	[]
Neil Worden	[]	[x]	[]	[]

The resolution was thereupon duly tabled.

April 22, 2014

**RESOLUTION OF THE PLANNING BOARD FOR THE TOWN OF TYRE
REGARDING A RECOMMENDATION TO THE TYRE TOWN BOARD CONCERNING
PROPOSED LOCAL LAW 3 OF 2014 AMENDING THE TOWN'S ZONING LAW**

April 22, 2014

WHEREAS, the Planning Board for the Town of Tyre (the "Planning Board") properly noticed and held a public meeting on April 22, 2014 for purposes of providing a recommendation to the Town Board for the Town of Tyre (the "Town Board") pursuant to section 10.1013 of the Town's Zoning Law regarding the April 10, 2014 version of a proposed local law to amend the Town's Zoning Law (Local Law No. 3 of 2014) (the "Proposed Local Law"), a copy of which proposed law the members of the Planning Board received under cover of an April 17, 2014 letter from Ronald F. McGreevy, Town Supervisor; and

WHEREAS, the Town Board will not act on the Proposed Local Law unless it first approved the Development Plan submitted to the Town Board by Whitetail 414, LLC, as such plan may be amended to address any Town Board concerns, which approval the Town Board has not yet issued; and

WHEREAS, the Proposed Local Law would amend the Town's Zoning Law to: (i) add the term "Planned Unit Development" to the list of "Type of District" under Article II, Section 2.202, and add the designation "PUD" for such district; (ii) add a definition of Planned Unit Development District to Article **XI**, Section 11.1102; and (iii) show on the Town's Zoning Map the Planned Unit Development District for the Wilmot Casino and Resort as all the land within the Town of Tyre in the area east of New York State Route 414 and north of the New York State Thruway, consisting of approximately 84.9 acres of land (Tax Account No. 12.00-01-36), thereby changing the Agricultural use designation for that land to a Planned Unit Development District designation; and

WHEREAS, the Planning Board has thoroughly *reviewed and* discussed the provisions of the Proposed Local Law;

NOW, THEREFORE, BE IT RESOLVED, as follows:

1. The Planning Board recommends to the Town Board that it not approve the Proposed Local Law because the amendments to the Town's Zoning Map to create a PUD district as proposed therein do not promote the intent and purpose of the Town's Zoning Law to promote the health, safety, comfort, convenience, prosperity and planned development of the Town.

The adoption of the foregoing Resolution was moved by David Kain, seconded by Neil Worden, and duly put to vote, which resulted as follows:

	Yea	Nay	Abstain	Absent
Robert C. Seem	[]	[x]	[]	[]
Alan Smith	[]	[]	[x]	[]
Lawrence J. Kesel	[]	[x]	[]	[]
Deborah J. Geary	[]	[x]	[]	[]
Kenneth L. Hauenstein	[x]	[]	[]	[]
David Kain	[x]	[]	[]	[]
Neil Worden	[x]	[]	[]	[]

The Resolution was thereupon duly tabled.

April 22, 2014

Chairman Seem called the regular monthly meeting of the Planning Board to order at 8:45 P.M.

The March 25, 2014 regular monthly meeting minutes were approved as written. Motion, Kenneth Hauenstein . second, Deborah Geary.

The April 15, 2014 special Planning Board meeting minutes were approved as written. Motion, Alan Smith . second, David Kain.

Zoning Code Enforcement Officer David Page report Town of Tyre Zoning Permits.

Permit	Issued	Owner	Description of work
14-2	4/14/14	Randy Schweitz	Build a Garage
14-3	4/14/14	Paul Ericson	Install a pool w/cement

Correspondence:

TOWNS & TOPICS Volume 28 . Issue Number 2 discussed.

HOTSPOT Rural Municipal WI-FI as an Economic Anchor discussion. Town of Tyre in great need of recognition as a HOTSPOT. Capitalize on the benefits of WI-FI to turn Tyre, New York into a HOTSPOT. Will require more discussion especially \$ required.

Old Business:

Tyre Dog Kennel law now needs to be re-visited, discussed and addressed at our May 27, 2014 Planning Board meeting.

Action item: Chairman Seem provide talking points documentation information prior to the May meeting.

Please prepare and ready to address this issue on May 27, 2014.

9:05 P.M. Motion to adjourn: Deborah Geary . Second Kenneth Hauenstein.

Respectfully Submitted,

New Business:

None

Larry

Lawrence J. Kesel

Planning Board Secretary

Next meeting Scheduled May 27, 2014 to be held
in the Magee Fire House Hall at 7:30 P.M.

Please contact the Secretary if you are unable to
attend.