



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.

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Secretary: Lawrence J. Kesel

1234 Middle Black Brook Rd.

Seneca Falls, NY 13148-9752

Phone: 315-568-5330

Minutes of the meeting held: **October 25, 2016** Tyre Municipal Building

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

Town Officials: Jim Rogers-Councilman,

Staff Consultants: Tom Blair ESQ, Adam Cummings PE

Guests: Joseph Jacobs-Passero Associates
Joe Dendis, James Lambert, Susan Ottenweller-INHS

Tyre Town Planning Board monthly meeting called to order 6:35 PM by Chairman Seem, quorum present.

- Joe Dendis:
 - Presented and reviewed his intent and narrative, future application subdivision, site approval and special use permit for a proposed project located at 1828 State Route 318. This proposed project will consist of 50 to 100 bungalows, 400 square feet each on 13.5 acres presently zoned agricultural. Tentative project name is Whispering Pines or Dendis Vacation Villas to be determined in the near future. Client should be addressing engineering questions including discussions with our Engineer and adjacent property Engineer's prior to submitting documents. Mr. Dendis will be contacting the Engineer.
- Susan Ottenweller:
 - Hearing of the proposed bungalow project Ithaca Neighborhood Housing Services and their Engineer Passero Associates thought it would be helpful to schedule a working session involving Engineering, principles, property affected to discuss zoning issues recognizing effect now and on future developments. Chairman Seem assured INHS that this very proposal had already been discussed with the Planning Board and the Zoning Advisory Committee meetings which include Engineer from Barton & Loguidice who are also in complete agreement with this type of working session issue.

- James Lambert.
 - Presented and reviewed his request for a variance to the front yard setback for the proposed enclosed stairway addition replacing dangerous inside stairway presently in use. Existing residence located at 452 Black Brook Road, Clyde, NY has a 20' setback and the external stairway will have a 27' setback, 7' deeper than existing structure. Mr. Lambert is requesting a 23' variance to the setback. This variance request does not fall under GML239 regulations. Upon completions of all discussions at this time, hearing no other questions from the planning board Chairman Seem will continue discussion and recommendation to ZBA for Variance Application under New Business later this evening following today's agenda. Jim Lambert was invited to stay but declined the offer as he had another appointment. Planning Board recommendation to the ZBA will be concluded under New Business.

- Open adjourned Public Hearing for SEQR Dunkin' Donuts restaurant by JFJ Holdings, LLC.
 - Public Hearing was not re-opened as there was no representation from JFH Holdings or CHA Consulting in attendance tonight at the municipal Building.

- Adjourn public hearing to the November 22, 2016 meeting of the Tyre Planning Board.
 - Motion: Deborah Geary
 - Second: Alan Smith
 - Voice vote: Carried - unanimous

Old Business:

- Update on the State Environmental Quality Review (SEQR) for the Dunkin' Donuts project.
 - Chairman Seem indicated that the Chairman, Legal and Engineering representatives for the Town of Tyre have not received any update on the SEQR for Dunkin' Donuts as of today's date.

- Update on Tyre Broadband Initiative:
 - Chairman Seem reports that unfortunately no update from ECC has been received since last month. We are aware that additional grant monies are available for underserved areas. We have no broadband service and are under the assumption that Tyre, NY is underserved. However New York State map indicates we have service? ECC is presently awaiting information response from New York State on this underserved issue. November will be critical month for the Town Board to take action on this issue.

- Continued discussion of temporary sign regulation in the Tyre Zoning Law.
 - Chairman Seem reminded the Board that this has been an ongoing discussion for temporary sign regulation not affecting traditional short period sign regulations. This discussion continues as a result of the FLCDJ&R project. We have a good understanding of their wants and with three members of this Board also on the Zoning Advisory Committee the thoughts and suggestions will be carried back for discussion and implementation to the new Town Zoning Ordinance. The Zoning Ordinance will be presented to the public early next year and probably approved prior to the completion of their new facility and open for business.

New Business:

- Discussion and recommendation to ZBA for variance Application by Mr. James Lambert.
 - Considering the Zoning Appeal resulting from the denial of Zoning Code Enforcement Officer David Page for an application to build a stairway to his home. The enclosed stairway is on the north side of the house which faces east on 452 Middle Black Brook Road only 20' from the centerline of the road. Front yard setback for a dwelling according to the Tyre Zoning Law requires a minimum of 50'.

The stairway will be set back from the front of the home by 7', so Mr. Lambert is requesting a variance of 23' for the setback. The stairway serves as a safe and secure way to access the basement of the home. The variance is not self-made since the house originally was set only 20' from the road centerline (constructed prior to Tyre Zoning Law. Mr. Lambert could push the stairway 7" to the west, but could not extend it further. No review was needed by the Seneca County Planning Board.

- The Tyre Planning Board passed a resolution recommending that the Tyre Zoning Board of Appeals grant the variance to Mr. Lambert.
 Motion: Henry Bickel
 Second: Karen Thomson
 Voice vote: Carried – Unanimous
- Clean Energy Communities Program.
- Chairman Seem presented a request from the Genesee/Finger Lakes Regional Planning Council to recommend someone from the Planning Board to participate in the Clean Energy Communities Program representing the Municipality level. Bench mark energy use, identify clean energy upgrade (LED bulbs), unified solar permits, and joining climate smart communities. Barton & Loguidice is aware of this clean energy program concerning new construction. Ken Hauenstein volunteered to represent our Board and the Town Municipality in this program. Chairman Seem will notify Genesee/Finger Lakes Regional Planning Council of our selection. Ken will also be attending a Fall Regional Local Government Workshop offering Clean Energy classes in Batavia, NY next month.
- Approval of minutes of prior meetings: August 2, 2016, August 23, 2016, September 27, 2016
- Accept August 2, 2016 minutes as submitted:
 Motion: Alan Smith
 Second: Deborah Geary
 Voice Vote: Carried – Unanimous
- Accept August 23, 2016 minutes with typo correction:
 Motion: Karen Thomson
 Second: Kenneth Hauenstein
 Voice Vote: Carried - Unanimous
- Accept September 27, 2016 minutes with typo correction:
 Motion: Alan Smith
 Second: Henry Bickel
 Voice Vote: Carried - Unanimous

- Zoning Code Enforcement Officer David Page Report:

Permit #	Owner	Location	Description
16-20	Scot Young	1329 Black Brook Road	Storage shed/garage
16-21	Melvin Hill	1466 State Route 89	Build a cattle barn
16-22	Joseph Mull	1529 State Route 414	Build deck & ramp
16-23	Teresa Fasano	2045 Stevenson Road	Build shed
16-24	Sean Flahavan	1020 Black Brook Road	Build shed
16-25	Dudley Carlson	State Route 89, Savannah	Demolition 2 barns, rebuild 3 rd

- Correspondence
 - Reviewed September/October Talk of the TOWNS & TOPICS.

- Training/Website:
 - Training Facilitator reported to the Town Board that two members of the Planning Board had joined an elite group attending classes over the New York State Law requirement each year and also exceeding the one year banking rule offering up these training hours. Training hours can be deleted but the knowledge acquired during training is a valuable asset to the individual and their performance on the Planning Board. Congratulations to Hank Bickel and Ken Hauenstein joining Ron McGreevy, Bob Seem and Larry Kesel in this deleted over training hour's group. Well done Hank and Ken.

 - Website remains up to date. Our newly hired Administrative Assistant is presently receiving instructions, learning our systems, annotation procedures and submissions to Finger Lakes 1. We are also reviewing the website to launch changes increasing the user friendliness of this excellent communication vehicle.

- Motion to Adjourn, 8:35 P.M.
 - Moved: Karen Thomson
 - Second: Kenneth Hauenstein
 - Voice Vote: Carried - Unanimous

Respectfully submitted,

Larry

Lawrence J. Kesel

Secretary, Tyre Planning Board

**Next meeting November 22, 2016
6:30 P.M. Town of Tyre Municipal Building.**