



# Planning Board

Chair: Robert C. Seem  
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Vice Chair: Alan Smith  
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Secretary: Lawrence J. Kesel  
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Minutes of the meeting held: February 26, 2019 held at the Town of Tyre Municipal Building  
Members in attendance: Robert Seem, Alan Smith, Lawrence Kesel, Henry Bickel, Deborah Geary, Kenneth Hauenstein  
Authorized Absence: Karen Thomson  
Town Representatives: Craig Reynolds, Tyre Zoning Enforcement Officer  
Guests: Jim Rogers, Town of Tyre Councilman  
Ken Sutterby, Town of Tyre Councilman  
Bill Martin, Montezuma Winery  
Mark Travis, Zoning Advisory Committee  
Pat Nicoletta, MRB Group  
Jeff Shipley, Seneca County Chamber of Commerce  
Steve Skinner, Tyre Resident  
Ken McConnel, Seneca County Chamber of Commerce  
Tom Coyer, Lanozi & Romans Land Surveying

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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 (Karen Thomson).

## **Public comment period**

Finger Lakes Gateway Visitors Center.

Patrick Nicoletta, MRB Group gave a detailed presentation using architectural plans identifying trees and the overgrown excessive brush line that will be removed and cleared. This removal will only impact trees located close to the house and those located on proposed parking areas. Many trees east of the house will remain untouched.

The primary reason this discussion is being addressed during our February meeting is the ecological conditions of the long-eared bat species nesting time. Tree removeable must be completed by the end of March to preclude removal activity during nesting time.

Proposed wedding venue at 514 East Road.

During his initial meeting with the Planning Board Tim Coyer - Lanozi & Romans Land Surveying, related the property owners' intentions for the parcel located at 514 East Lake Road. A proposed barn/house wedding venue is planned for the rental property. Planning Board must research and investigate further this proposed weekend only wedding venue including over 100 gravel parking spaces with everything required for the ceremony aside from the barn/house being transported onto the property prior to the event such as entertainment, food, liquid refreshment, trash receptacles, port-a-potties, etc. Nothing will remain permanently on the site after the ceremony, everything transported on site will be completely removed including trash the next day. The house will remain empty other than the day of a wedding ceremony. The entire site will be active only on a booked wedding ceremony weekend.

**Approval of Minutes, January 22, 2019**

Minutes were approved as written:

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

**Zoning Code Enforcement Officer Report**

ZCEO Reynolds reported he remains very busy with follow-up inspections regarding Pine View Circle Finger Lakes Gateway Visitors Center, Petro, Montezuma Winery and Rauscher.

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

**Old Business**

Consideration of allowing tree removal at the Finger Lakes Gateway Visitors Center

Following a prolonged discussion including concern relating to setting a precedent with developers/applicants performing site work prior to final approval, it was decided that the Town of Tyre Planning Board should take no action on this matter. It was felt that the necessity to complete the tree/shrub removal prior to the end of March due to the nesting of the long-eared bats did present a rather unique set of circumstances.

Memorialization of agreement to extend site plan approval process.

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 a now 30-day Site Plan Extension in an email this date to Chairman Seem. (Resolution follows on page 3)

**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**

February 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 landscaping conditions, and

**WHEREAS**, this verbal agreement was not memorialized on January 22, 2019. Joe Bowes, Ithaca Neighborhood Housing Services confirmed the 30-day extension in an email this day (2/26/19) 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.

**NOW THEREFORE BE IT RESOLVED**, the Planning Board hereby deems the Site Plan Application complete, landscaping conditions have granted a 30-day extension until March 26, 2019.

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

The adoption of the foregoing Resolution was moved by Henry Bickel, seconded by Kenneth Hauenstein;

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

*Lawrence J Kesel*

Lawrence J Kesel  
Planning Board Secretary

### Finger Lakes Gateway Visitor Center – Revised site plan update

Pat Nicoletta, MRB Group reviewed the revised site plan application with the Board. The entrance plan has been approved by the New York State Department of Transportation. The only change to the plan is the location of the bioretention area which will drain under the new entrance at the back side of the parking area. Chairman Seem confirmed that this is a slow release bioretention. Pat Nicoletta indicated a 6" line will be used to restrict the flow and drain to a culvert under the driveway area.

### Burkholder update

Planning Board members expressed concern presently being experienced with the delay in document submittals to the Town. Mike Simon stated he felt that the application was approximately 90% completed. Following discussions, it was decided that ZCEO Craig Reynolds reach out to the applicant and his engineer to formulate a plan going forward. This matter will be placed on the March Planning Board Agenda.

### Indus 414 LLC update

Chairman Seem reported that the Tyre Town Board had granted a six-month extension of plan approval requested by the applicant for the purpose of finalizing the CMP and REA elements of the project.

### Website Redevelopment

Chairman Seem and Secretary Kesel have been working with Jim Sinicropi, Finger Lakes 1 on the website upgrade and redevelopment. Interview have already taken place with Department heads to review particular needs.

### **New Business**

#### Finger Lakes Gateway Visitor Center – Area variance application

The Town of Tyre Planning Board and Zoning Board of Appeals received an area variance application dated February 7, 2019 from the MRB Group, engineering consultants for the Seneca County Chamber of Commerce referencing their Finger Lakes Gateway Visitor Center. After Planning Board review Chairman Seem read the Resolution paying special intention to the six (6) items on page 2 which detail the reasons for the Zoning Board of Appeals involvement in the project.

Upon completion, Chairman Seem requested approval of the Resolution.

Motion of Henry Bickel;  
Second of Alan Smith;  
Roll call vote recorded:

(Resolution follows on page 5)

RESOLUTION OF THE TOWN OF TYRE PLANNING BOARD  
 REFERRING REGARDING THE AREA VARIANCE APPLICATION  
 OF THE SENECA COUNTY CHAMBER OF COMMERCE  
 TO THE TOWN OF TYRE ZONING BOARD OF APPEALS

February 26, 2019

Motion to Approve Resolution;

Moved; Henry Bickel;

Seconded; Alan Smith.

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.

Petro Propane Cylinder Cage Application

There was a brief discussion regarding the application submitted by Petro to install a propane cylinder storage cage. Application and drawings pretty much straight forward was the feeling of the Planning Board.

Martin's Honey Farm and Meadery LLC/Montezuma Distillery Expansion Application

Chairman Seem noted that Bill Martin of Montezuma was present at this meeting and asked Planning Board members if they had any questions after reviewing documents delivered before the meeting for Mr. Martin. No questions were raised. Chairman Seem asked ZCEO Reynolds if the application was complete and he acknowledged that it was. The Resolution was read noting that this is a Type II action under SEQR requiring no further action. Application will be forwarded to the Seneca County Planning Board in time for the March 14, 2019 monthly meeting. Public Hearing on this matter will also be posted and conducted on March 26, 2019 at the monthly Planning Board meeting. After discussion and examination of the Site Plan Review Application dated December 28, 2018 Chairman Seem requested a motion to accept, the Site Plan Review Application.

(Resolution follows on page 6)

RESOLUTION OF THE PLANNING BOARD OF THE TOWN OF TYRE  
 REGARDING THE SITE PLAN REVIEW APPLICATION OF  
 MARTIN'S HONEY FARM AND MEADERY, LLC FOR THE CONSTRUCTION  
 OF A DISTILLERY ADDITION ON ITS MONTEZUMA WINERY PROPERTY  
 February 26, 2019

Motion to approve Site Plan Review Application;  
 Moved Alan Smith;  
 Seconded Deborah Geary;  
 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.

DC Rauscher – Subdivision application

Chairman Seem noted that this application was classified as a “minor subdivision”; Mr. Rauscher is divesting himself of the Empire Seneca business. It was noted that this application is incomplete and ZCEO Reynolds is working with the applicant to gather all necessary documents required. Atty. Blair and Engineering Mike Simon reviewed the mapping documents with ZCEO Reynolds. There are several issues that need clarification including easement and the right of way access to Strong Road from the subdivided property along with location of various structures on the site, not listed on the map provided. Our Legal and Engineering Professionals strongly recommend that further in-depth review is necessary to continue. Atty. Blair recommended that Mr. Rauscher or his representative attend the March 26, 2019 Planning Board meeting.

Executive Session – Discuss a personnel issue

Chairman Seem was approached prior to this meeting by Supervisor McGreevy to discuss a personnel issue that would greatly benefit the Town. At 8:15 P.M. the Board entered Executive Session to discuss. The Board closed the Executive Session at 8:27 P.M., no motions were made. Chairman Seem will issue a memorandum to Supervisor McGreevy for discussion at the March 21, 2019 Town Board meeting.

**Correspondence**

Chairman Seem stated there was no importance in correspondence since last month.

Planning / Training / Website

Planning: a normal month activity pretty much covered in these February minutes.

Training: Facilitator Kesel distributed individual Training Status for calendar year 2019 complementing every member of the Planning Board already satisfying his/her NYS Training requirements. Truly a group accomplishment for the beginning of a new year.

Website: Finger Lakes 1 President Jim Sinicropi addressed the Town Board February meeting with an overview of the website upgrade. Chairman Seem and Secretary have met with some of the Department Heads to insure everyone's needs are addressed.

Adjourn monthly Planning Board meeting

8:35 P.M. Moved –Henry Bickel / Second - Ken Hauenstein

Oral vote – Unanimous.

Respectfully submitted,

*Larry*

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