



# 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: Lawrence J. Kesel  
1234 Middle Black Brook Rd.  
Seneca Falls, NY 13148-9753  
Phone: 315-568-5330

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Minutes of the meeting held: September 24, 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  
Representing the Town of Tyre: Ronald McGreevy, Town Supervisor  
Kenneth Sutterby, Deputy Supervisor  
Reginald Aceto, Town Councilman  
James Rogers, Town Councilman  
Thomas Thomson, Town Councilman  
Thomas Blair, Esq., Finger Lakes Law  
Michael Simon, CPESC, CPMSM, LaBella  
Craig Reynolds, Tyre Zoning Enforcement Officer  
Missy Jodeit, Administrative Assistant  
Karen Birch, Administrative Assistant  
Guests: Rick Sheffield, Love's Travel Stops & Country Stores  
Robert Osterhoudt, P.E. Bohler Engineering  
Tim Fretiag, Bohler Engineering  
Genevieve Trigg, Esq., Whitman Osterman & Hanna  
Jack Kelley, Coldwell Banker Commercial  
Pat Nicoletta, MRB Group  
Ken McConnel, Seneca County Chamber of Commerce  
Meredith Smith del Lago  
Melissa Sutterby, Tyre resident  
Mark Travis, Tyre Zoning Advisory Committee  
David Shaw, Finger Lakes Times

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## **Open Town of Tyre Planning Board Town Board Joint Meeting**

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

### **Attendance Recording**

Seven Members in attendance, full board present.

### **Public Comment Period**

Motion brought by Karen Thomson, Seconded by Kenneth Hauenstein, Oral Unanimous  
Chairman Seem requested twice, there were no comments from the public.

Motion to Close Public Hearing brought by Alan Smith, Seconded by Kenneth Hauenstein, Oral Vote Unanimous.

**Open Joint Meeting of the Town of Tyre Planning Board and Tyre Town Board  
Love's Travel Stops & Country Stores**

Motion brought by Henry Bickel, Seconded by Alan Smith, Oral vote Unanimous. Rick Sheffield, VP Real Estate Development, Love's Travel Stops distributed packets to Planning Board members containing Facts, History, General information and Community relationships. Corporate Structure Privately held by the Love family ranked No. 16 on the Forbes list of Americas Largest Private Companies. Rob Osterhoudt, P.E. Bohler Engineering reviewed drawings discussing plans regarding the NYS Exit 41 interchange of the proposed site. Project overview continued for a little over one hour addressing approximately 30 questions and inquiries from both the Planning Board and Town Councilmen. Every item was addressed during this time with obvious future renderings that will be identified on the submittals. The visiting Love's Representatives were well prepared for the overview introduction resulting in a very informative initial meeting with the Town. They are aware of the Tyre Commercial Corridor Master Plan, architectural renderings will be discussed with Love's Corporate paying attention to our Town Plans and Laws. Excellent communications in the line of questions both Town Representatives and Love's representatives. Chairman Seem requested a motion to close suggesting we take a ten-minute break at the close. Motion to close was brought by Alan Smith, second by Deborah Geary, oral unanimous.

**Approval of the August 27, 2019 minutes as presented**

Motion by Karen Thomson,  
Seconded by Alan Smith,  
Oral vote Unanimous.

**Zoning Enforcement Officer Report**

Workload in the Zoning office remains heavy, conducting site inspections and several follow-ups on zoning questions. ZEO has met with four more developers interested in coming to the Town. Interest continues with potential developers in the Town. Two complaint's received since last month's report, illegal posted signs resolved and a noise complaint from a resident on State Route 318 that he and the Sheriff's department handled. Office work continues relocating all site plans into storage tubes and stored in one area for future reference.

Zoning Office has issued three (3) Zoning Permits as follows;

<u>Permit</u>	<u>Issued</u>	<u>Applicant</u>	<u>At Location</u>	<u>Description of Work</u>
19-18	09/04/19	Matt Lando	1145 Old Sch. House Rd.	Installing above ground pool
19-19	09/10/19	del Lago Casino	1133 State Route 318	Build a smoking expansion
19-20	09/20/19	Chester Burkholder	1918 Chase Road	Build Utility room & garage

## **Old Business**

### **Update on Chester and Lois Burkholder Site Plan and Subdivision application**

ZEO Reynolds indicated that six (6) unanswered questions continue to hold up progress regarding these application approvals. Town Engineer Mike Simon reported the SWPP issue requires attention as the sight is flat and drainage is required around the perimeter. He referenced the LaBella memo addressing the outstanding issues awaiting applicant response, everything else has been addressed.

### **Consideration of Seneca County Chamber of Commerce Gateway Visitors Center final landscape and sidewalk design**

Pat Nicoletta, MRB Engineering presented the latest update including visuals of the eliminated trees and the location of an additional tree as requested previously. Everything now was in order and corrected except the sidewalk width and applicant construction installation timing issues. A discussion followed with input from the Town's Engineering and Legal representatives. Upon completion of discussions and consideration of the Chamber reviewing possible connecting points coordination with Love's or 3S- Gateway by Atty. Blair, consistency dimensionally with LaBella / Pine View Circle of eight foot (8') it became obvious that the resolution to this issue rested with the Planning Board. Chairman Seem stated that the inconsistency with the uniform sidewalk issue must be resolved. The Town is concerned that no one developer is responsible monetarily later, that each responsible is responsible for their site. The Planning Board must meet and resolve this issue. In fairness to our applicants we must present a more consistent sidewalk detail Mr. Nicoletta was informed that he would be invited to subsequent meetings and if he would like to see the Resolution regarding the Site Plan Application resolved tonight. Atty. Blair read change to the Supplemental Resolution stating that the final sidewalk design and width locations shall be determined by the Tyre Planning Board within 120 days from the date of this supplemental Resolution.

TOWN OF TYRE PLANNING BOARD SUPPLEMENTAL RESOLUTION  
REGARDING THE SITE PLAN APPLICATION OF THE  
SENECA COUNTY CHAMBER OF COMMERCE PERTAINING TO ITS  
FINGERLAKES GATEWAY VISITOR CENTER AND CORPORATE OFFICES  
Sept 24, 2019

The adoption of the foregoing Supplemental Resolution was moved by Henry Bickel, seconded by Alan Smith, and duly put to vote, which resulted as follows:

(Oral vote follows top of page 4)

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

Resolution was thereupon duly adopted.

Consideration of Special Permit Application by Allied Sign Company for sign Replacement located at Petro.

Chairman Seem reviewed the background leading to this special Permit Application before the Board. On June 24, 2019 the Planning Board received a Special Permit Application from the Allied Sign Company planning to remove and replace two (2) wall signs and two (2) Pylon face signs at the Thruway Travel Centers, LLC (Petro) at the minimart which was renamed from MinitMart to GoASIS. The Special Permit Application identifies the two building mounted signs are slightly larger 54 sq. ft. versus the original sign of 46.3 sq. ft. (7.7 sq. ft.) larger each. The Seneca County Planning Board reviewed the request for variance application ruling Solely Local Determination. The Town of Tyre Zoning Board of Appeals also reviewed the Variance Application and Granted the Variance. No SEQRA was conducted because the action was determined to be Type II.

RESOLUTION OF THE PLANNING BOARD OF THE TOWN OF TYRE REGARDING  
THE ALLIED SIGN COMPANY SPECIAL PERMIT APPLICATION FOR  
REPLACEMENT OF EXISTING SIGNS LOCATED ON THRUWAY TRAVEL CENTERS,  
LLC (PETRO) PROPERTY AT 1255 STATE ROUTE 414, WATERLOO, NY 13165  
(TAX ID # 12-1-49)

September 24, 2019

The adoption of the foregoing Resolution was moved by Henry, seconded by Alan Smith, and duly put to vote which resulted as follows:

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

Resolution was thereupon duly adopted.

**Consideration of potential regulations for abandoned and abandoned-looking properties in the 414 & 318 Commercial Corridor**

Last month Chairman Seem informed the Planning Board that the Town Board had informally asked for input from the Planning Board regarding the issue of abandoned properties located in the Town. The Board spent almost an hour last month, discussing this issue and attempted to address again tonight. No one on the Planning Board or Town Board wants to “tell people how to take care of their property”. However, abandoned structures do present a danger to the public, providing an unsafe structure as a hang out, drug and alcohol abuse and many other public safety issues. We must also consider First Responders Safety called to resolve an emergency at one of these abandoned structures. We discussed and reviewed other Towns approach to the abandon structure laws including Zombie Properties at the State level. Property maintenance is a County Code Enforcement issue. Possibly convince the County to investigate. Chairman Seem feels we are now going around in circles trying to advise the Town Board on a course of action.

**Further discussion to clarify or simplify permitting process for simple applications.**

As stated last month there have been discussions between Town Board members and Planning Board members concerning the Town getting a reputation of being difficult to deal with on project going through the Planning Board. Chairman Seem directed the Board to continue discussions reminding everyone of his concern that any administrative changes may clash with existing subdivision and site plan laws. Atty. Tom Blair again stated his opinion that the Planning Board for Tyre was lenient with applications. He further stated that as a growing municipality the Town should be focusing on the process. He stated the key elements would be communication and coordination. Mike Simon pointed out that the larger commercial projects require a full SEQR review. However, smaller projects would be classified as Type II actions not requiring SEQR review. Mike Simon had Labella draft a flow chart to assist us which now requires input from Legal. Completed flow chart will be available for review and discussion at our November meeting.

**NEW BUSINESS**

**Follow-up from the Joint Town Board and Planning Board Meeting**

Chairman Seem indicated we pretty much covered everything earlier, Love’s initial Project presentation and two-way discussions went very well. No open issues awaiting immediate response.

**Correspondence**

Chairman Seem distributed copies of the Finger Lakes Times article Economic Strategy for Seneca County. Article for the Board’s information and reading pleasure at home reflecting the County position where they are at.

Town & Topics out, cover story mentions Planning Boards, information in future issues.

## **Planning/Training/Website**

Planning Board remains very busy with Applicant activity, also special request such as the abandon structures in the Town and trying to streamline the permitting process keeping every Board Member very active month after month.

Training third quarter training report will be issued to the Planning Board and Zoning Board Chairs early October. Latest local opportunities were reviewed.

Website Finger Lakes 1 is working on the redevelopment of the website, three of us have a meeting in their office the end of this month. We should be turning on the Word Press version in October. Of course, many more hours of work will be required even after the roll out.

## **Motion to Adjourn**

@ 8:56 P.M.

Motion by Henry Bickel

Seconded by Karen Thomson

Oral vote was Unanimous.

Respectfully submitted,

*Larry*

Next meeting October 22, 2019, 6:30 P.M. Municipal Building, 1082 Gravel Rd.