



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

Minutes of the meeting held:	December 17, 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:	Thomas Blair, Esq., Finger Lakes Law Craig Reynolds, Tyre Zoning Enforcement Officer Karen Birch, Administrative Assistant
Guests:	Jim Rogers, Tyre Councilman Mark Travis, Tyre Zoning Advisory Committee Jeff Shipley, Seneca County Chamber of Commerce Pat Nicoletta, MRB Group

Open Town of Tyre Planning Board

Chairman Seem called the meeting to order at 6:30 p.m.

Attendance Recording

All 7 Members in attendance

Public Comment Period

Chairman Seem opened the Public Hearing at 6:31 p.m.

Alan Smith motioned; Deborah Geary seconded.

Chairman Seem stated that he failed following through delivering the Chamber of Commerce paperwork of their amended Site Plan to the Seneca County Planning Board in time to post on the December scheduled meeting. He personally apologized for his oversight. He further explained that the Planning Board, thus, does not have the Counties approval for the amended Site Plan. Chairman Seem asked Jeff Shipley, Seneca County Chamber of Commerce President, if waiting another month would place the Chamber in a problematic state. Jeff Shipley, Chamber of Commerce CEO stated that he wanted to start work on their parcel right away. Chairman Seem apologized again, stating he did not think the County would have any issue with approving their amended Site Plan and stated he did not have a problem with the Chamber of Commerce beginning work on their parcel if they so desired.

Allan Smith motioned to adjourn the Public Hearing; Karen Thomson seconded the motion, adjourned.

Chairman Seem then moved to the Public Comment portion of the meeting.

Pat Nicoletta, MRB discussed the amended Site Plan reviewing the latest drawings in detail. He also indicated the Surveyor will perform another Survey insuring there would be a least 1 acre. There will be an easement, to provide access to both properties. The amended Site Plan was presented showing the coordinated easements. Chairman Seem advised the Chamber of Commerce that there was no need for them to appear back before the County, according to Harriett Haynes, (Seneca County Planning). No other questions were raised by Planning Board. Chairman Seem asked twice for any other Public comments, no other Public comments were brought. No further questions or comments were made by the Planning Board.

Approval of the November 26, 2019 Minutes

Motion was brought by Alan Smith; seconded by Deborah Geary to approve the minutes. Oral vote 6 Yea's and 1 abstained; Minutes approved as written.

Zoning Enforcement Officer Report

ZEO Reynolds distributed updated packets he had been working on regarding the Town of Tyre Zoning package to the Planning Board. He reviewed various changes, additions and deletions made to the current handout. Chairman Seem recommended a title change to "General Application Form". He also discussed his ongoing work regarding the development of a "Developers Packet" which will market our Routes 414 & 318 Commercial Corridor Master Plan within the Town of Tyre.

Site inspections continue involving various Projects.

The smoking area addition at del Lago should be completed soon.

Meetings have taken place with the sign Company responsible for signage inside the future Love's Project.

No permits were issued by the Zoning Office since last November's meeting.

Old Business

Consideration of SCCC Subdivision Application

Chairman Seem indicated the consideration of the Seneca County Chamber of Commerce Subdivision Application needs to be put on Hold tonight. However, the Planning Board may discuss the SEQRA at tonight's Planning Board meeting. Atty. Tom Blair informed Board members that Engineer Mike Simon had contacted him and apologized not being able to attend the meeting tonight, thoroughly updated him on LaBella Associates review of their conclusion on the *FEAF Part 2 - Identification of Potential Project Impacts and Part 3 - Evaluation of the Magnitude and Importance of Project Impacts and Determination of Significance*.

Atty. Blair read all 18 Section questions and sub-parts sharing Legal and Engineering discussions from the Planning Board. Upon completion of NO boxes being checked all 18 questions, further discussion indicated we should revisit Section **10 Impact on Historic and Archeological Resources** to further discuss. After significant discussion between PBM and Attorney Thomas Blair the previously NO designation was changed to YES on Section **10** only. The unanimous decision to re-visit and further discuss was fostered specifically regarding the issue that this Subdivision application proposed action will occur adjacent to the Dr. Thomas Magee house which has been nominated by the NYS Board of Historic Preservation for inclusion on the State National Register of Historic Places.

Section **10** Sub-parts (a through e) were discussed thoroughly, all being checked as follows.

No, or small impact may occur.

Atty. Blair then reviewed the proposed SEQRA Resolution regarding the Subdivision Application of the Seneca County Chamber of Commerce to subdivide approximately 1.000 acres.

He then recommended a verbal motion to accept the SEQR Resolution, at which time Karen Thomson Moved, Henry Bickel Seconded oral vote Unanimous.

Chairman Seem then asked if everyone understood to accept the amended Site Plan Application as substantially complete following ZEO Reynolds comfort level statement and previous comments from the Seneca County Planning Department.

Karen Thomson Moved, Henry Bickel Seconded oral vote Unanimous.

Motion to schedule Public Hearing for the Seneca County Chamber of Commerce SEQR review on January 28, 2020 at 6:30 P.M.

Moved: Karen Thomson

Second: Alan Smith

Oral Vote: Unanimous

Motion to schedule Public Hearing to Consider Seneca County Chamber of Commerce Amended Site Plan Application on January 28, 2020 at 6:35 P.M.

Moved: Karen Thomson

Second: Alan Smith

Oral vote: Unanimous

Consideration of update on the Chester Burkholder Project

Chairman Seem informed the Board that the engineer's wife had called indicating that he was ill and could not attend tonight's meeting again this month. ZEO Reynolds also mentioned the lack of movement on the Chester Burkholder Project again. PBM Karen Thomson led a lengthy discussion including various action suggestions the Planning Board could pass on to the Town Board. Secretary Kesel requested that Karen jot down the resolution she was proposing the Planning Board pass on to the Town Board. After reading the resolution motion and moving, no one on the Planning Board seconded the motion. Chairman Seem then stated he wished to offer an amendment to PBM Thomson's motion to look at several word changes to include having the Town Board look into seeking legal options to resolve the Burkholder failure and to remove other passages of the resolution.

PBM Thomson read her revised earlier resolution motion to have the Town Board review the Burkholder matter and research taking legal action regarding the legal opinion derived from legal research by council. All Planning Board agreed with this latest language, Alan Smith seconded the motion, all in favor. Chairman Seem stated he would carry the typed motion to the Town Board meeting on Thursday as tonight's PB meeting was moved ahead by one week due to Christmas Eve previously scheduled and taking place the same week prior to the regular scheduled TB meeting. Secretary Kesel will prepare the Resolution and forward to Chairman Seem prior to the Town Board meeting scheduled for Thursday, December 19, 2019.

NEW BUSINESS

Nothing new to report this month.

Correspondence

Chairman Seem advised the Planning Board that Bookkeeper Michael Gross had supplied him with a receipt of monthly escrow statements. He indicated all accounts but 1 are on the positive side.

Chairman Seem showed Planning Board a copy of the FLT article by County Historian Walter Gable on the Richmond Aqueduct. Bob will supply electronic copies to anyone wishing.

Chairman Seem discussed reappointments on the Planning Board and Zoning Board of Appeals for the year 2020 based on the new terms in the Town of Tyre Zoning Law.

- PB - Henry Bickel, 7 years
- ZBA - Charlene Verkey 5 years

Motion to Adjourn

- Time: 8:10 P.M.
- Motion: Ken Hauenstein
- Second: Deb Geary
- Oral vote: Unanimous

Respectfully submitted,

Larry

[Next meeting January 28, 2020, 6:30 P.M. Municipal Building.](#)