



Planning Board

Chair: Robert C. Seem
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Secretary: Lawrence J. Kesel
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Minutes of the meeting: June 08, 2020 held utilizing Cisco Webex conferencing system plus live streaming also provided.
Rescheduled May 26, 2020 regular Planning Board meeting.

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

Representing the Town of Tyre: Craig Reynolds, Tyre Zoning Enforcement Officer
Alexandra Vitulano LaBella Engineering (via teleconference)

Guests: Jim Sinicropi, FingerLakes1.com
Bruce Sherman, Sessler 3S Gateway
Craig Sessler, Sessler 3S Gateway
Mike Ritchie, Costich Engineering
Jim Rogers, Town of Tyre Board Member

Open Public Hearing for Amended Site Plan Application for a distillery warehouse at Montezuma Winery & Hidden Marsh Distillery by Martins Honey Farm, LLC.

Chairman Seem requested motion to open Public Hearing moved by Karen Thomson and seconded by Alan Smith at 6:32 p.m.

Chairman Seem requested public comments twice, hearing none Henry Bickel moved to close public hearing seconded by Deborah Geary at 6:34 p.m.

Open Town of Tyre Planning Board monthly meeting

Chairman Seem Opened the rescheduled May 26, 2020 Planning Board meeting being conducted in the Town of Tyre Municipal Building.

Attendance Recording

Entire staff of seven Planning Board Members present for this rescheduled May 26 Planning Board Meeting.

Public Comments:

Bruce Sherman, Sessler had requested an opportunity to address the Planning Board to discuss moving dirt and digging a pond. Mike Ritchie, Costich Engineering stated that this was a FYI visit to update the Board on their plan to start earth moving project digging a pond on the 3S Gateway property. Storm water permit had been received from New York State and is still active. They would like to get started as soon as possible. Discussions followed Chairman Seem pointing out that the Town of Tyre would require a review by Mike Simon, LaBella Engineering to determine if a site plan is needed interpreting the Town Law. Just digging a pond and moving dirt must be reviewed. However, no need to wait another month until the next Planning Board meeting as this expedited meeting with LaBella and 3S Gateway along with Planning Board representative could be quick with an immediate decision with no additional paperwork required. 3S Gateway representatives in agreement with Chairman Seem's expedited meeting proposal.

Approval of minutes of prior meetings: April 28, 2020 (No meeting in May)

Motion to approve April 28, 2020 minutes as written:

Brought by Kenneth Hauenstein,

Seconded by Alan Smith,

Oral vote Unanimous, April 28, 2020, Minutes approved as written.

Zoning Enforcement Officer Report

ZEO Craig Reynolds had nothing to report since the last Planning Board meeting.

Old Business

Consideration of the amended site plan submitted by Martin's Honey Farm, LLC

Chairman Seem read the Resolution affirming amended Site Plan approval.

The Application of Martin's Honey Farm and Meadery, LLC

Regarding Amended Construction of an Addition

to an Existing Building for Distillery Expansion

June 8, 2020 - Roll Call Vote as Follows:

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

Resolution was thereupon duly adopted.

Completion of the SEQRA process for the site plan subdivision applications submitted by Empty Pockets, LLC (Burkholder Subdivision & Site Plan)

Chairman Seem reminded everyone that included in tonight's packet was the *EAF (Environmental Assessment Form)* Narrative for the Project Subdivision 7 Site Plan. Also included was the *FEAF (Full Environmental Assessment Form)* Part 3 – Importance of the Magnitude and Importance of Project Impacts and Determination of Significance identifying the Town of Tyre Planning Board as Lead Agency and that he is prepared to sign as Responsible Officer in Lead Agency.

Alexandra Vitulano, LaBella Engineering via teleconference read the entire 10-page *FEAF (Full Environmental Assessment Form) Part 2 - Identification of Potential Impacts* Addressing and discussing all 18 questions considering components of the proposed activity answering each in a reasonable manner until the entire Board was satisfied. Chairman Seem then read the entire SEQRA Resolution. Proposed Resolution was offered by Alan Smith and seconded by Kenneth Hauenstein.

SEQRA RESOLUTION – EMPTY POCKETS, LLC
SUBDIVISION AND SITE PLAN APPLICATIONS

June 8, 2020 – Roll call vote as follows:

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

Resolution was thereupon duly adopted.

Recommendation to Town Board for vacancy in ZBA and Alternate PB member.

The open requisition for an Alternate Planning Board Position was approved by the Town of Tyre Town Board last year. Upon completion of potential candidates Mr. Douglas E. Jones of Westbrook Road will be presented to the Town Board by Chairman Seem at their June 18, 2020 meeting for approval to begin immediately. Doug has extensive agriculture background knowledge which he will bring to the future meetings.

The unfilled requisition to replace an open seat on the Zoning Board of Appeals was also discussed. This position remains open as we are still looking for a candidate with some experience that resides in the Town of Tyre interested to fill the open position.

New Business

Recommendation to Town Board regarding proposed amendment to Tyre Zoning Law.

Wording for the proposed change to the Zoning Law; The Planning Board, when reasonable to do so, may waive or vary any requirements, regulations, and/or bulk standards which may apply to parking and/or signage requirements or regulations contained within the Tyre Zoning Law with regards to parcels of land located in the Commercial West (C1) zoning district which also abut or adjoin NYS Route 90. The existing footnotes present problems for our Developers in the Commercial West (C1) zoning district. Our Legal Department along with Zoning Enforcement Officer drafted the wording for footnote #8 as stated. Discussion followed pointing out that the Planning Board will have the additional ability to modify conditions for applicants with property that abut or adjoin the New York State Route 90. Motion Town Board brought by Henry Bickel, seconded by Alan Smith, individual oral vote 7 Unanimous. Action Chairman Seem notify Town Board our recommendation to accept footnote #8 as written.

Minor Subdivision application submitted by Michael and Rebecca Schmucker, located at 1819 West Tyre Road in the Town of Tyre.

Chairman Seem reviewed the Minor Subdivision Resolution concerning Richard and Gail Banks plans to purchase 10 acres of land from Michael and Rebecca Schmucker. The Planning Board received, considered, and had the opportunity to review all information and supporting materials provide in the Subdivision application. This Resolution is to accept the minor Subdivision and schedule a Public Hearing the June 23, 2020 Planning Board meeting. Motion to accept the minor Subdivision application was brought by Karen Thomson, seconded by Deborah Geary. Voice vote YEA 7

Correspondence

No new correspondence received since last meeting.

Something to think about; Chairman Seem asked that we think about and be prepared to discuss in the near future the topic of moving our regular Planning Board meeting from Tuesday to another night which has been mentioned a couple times.

Facilitator Kesel will provide individual 2020 Training status to Planning Board & Zoning Board of Appeals members for first half 2020 per New York State Law on July 1, 2020.

Motion to Adjourn

7:42 p.m. moved by Kenneth Hauenstein, seconded by Deborah Geary, Unanimous

Respectfully submitted,

Larry

Lawrence J. Kesel

Town of Tyre Planning Board Secretary