



# Planning Board

Chair: Robert C. Seem  
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Seneca Falls, NY 13148-9751  
Phone: 315-568-5637

Vice Chair: Alan Smith  
2613 Durling Rd.  
Seneca Falls, NY 13148-9713  
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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: August 25, 2020 held at the Magee Fire Department Hall 1807 Route 318  
Seneca Falls, NY 13148

Members in attendance: Robert Seem, Alan Smith, Lawrence Kesel, Henry Bickel, Deborah Geary,  
Kenneth Hauenstein, Karen Thomson, / Douglas Jones, (alternate).

Representing the Town of Tyre: Craig Reynolds, Tyre Zoning Enforcement Officer  
Tom Blair Esq., Finger Lakes Law  
Mike Simon, LaBella Engineering

Guests: Rick Shuffield VP of Real Estate Development, Love's Travel Center  
Tim Freitag, PE – Bohler Engineering  
David Everett, Esq. - Whiteman, Osterman & Hanna  
Bruce Sherman, Sessler  
Jack Kelly, Caldwell Banker Commercial  
Chris Davis, 3-D Development  
Patrick Davis, 3-D Development  
Jack Kelley, 3-D Development  
Frank R. Fisher, Esq. - Midey Mirras & Ricci, Representing Bruce Smith  
Jim Rogers, Town of Tyre Board Member  
Mark Travis, Tyre Resident

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## **Open Public Hearing for Love's Travel Center SEQRA**

At 6:45 PM Chairman Seem thanked everyone for accommodating the shift to the Magee Fire Department Building just a short distance from the Tyre Municipal Building due to the very heavy Town Court Docket scheduled earlier today. We were also concerned that the given number of persons moving through the courtroom during the day, the participants in the Planning Board meeting might be under greater risk of COVID-19 exposure, especially if we were pressed for time and adequate cleaning occurred before our meeting. The reasoning to relocate was justified taking special efforts to inform the public. That was done and documented with notices posted on the Tyre Municipal Building and the Town of Tyre website. We also delayed the start of this meeting by 15 minutes to accommodate late arrivals.

Chairman Seem reminded everyone that the Love's Travel Stops & Country Stores State Environmental Quality Review was discussed at length last month on July 28, 2020 and was moved to be *continued* at our August 25, 2020 meeting unanimously. This will be the initial item on tonight's agenda. A motion was requested to open Public Hearing for Love's Travel Stops & Country Stores, SEQRA Resolution at 6:45 pm. brought by Henry Bickel and seconded by Alan Smith, oral vote unanimous. Chairman Seem asked for any comments from the public in attendance, repeating his request for Public comments a total of 3 times, hearing no verbal comments and providing information that no written communications had been received by the Town of Tyre Chairman Seem requested a Motion to close the Public Hearing which was brought by Alan Smith and seconded by Karen Thomson, oral vote unanimous.

### **Open Town of Tyre Planning Board monthly meeting**

Chairman Seem Opened the August 25, 2020 Planning Board meeting @ 6:50 P.M.

### **Attendance Recording**

All seven members plus one alternate member in attendance.

### **Old Business - I**

#### **Complete State Environmental Quality Review Love's Travel Shops & Country Stores**

Chairman Seem indicated that a fair amount of detail had been discussed last month to advance the process at this meeting. At that meeting Love's Public Hearing was *continued* last month prior to detail discussions taking place. The Love's Travel Stops & Country Stores Public Hearing was moved to close at 6:45 P.M. this evening. Chairman Seem turned the discussion over to Mike Simon, LaBella Engineering to update the Board regarding one question on the FEAF Part 2 – Identification of Potential Project Impacts and the Part 3 EAF Narrative Attachment. Engineering stated that all issues had been addressed. Upon completion of the update Chairman Seem asked for questions from the Board, hearing none thanked everyone for their due diligence on the Love's Project. The last two meetings resulted with very thorough discussions providing results that have brought us to closure. He then called upon Atty. Blair to present the SEQRA Resolution page by page responding to any issues or questions which he proceeded to review. Every item requiring decision by the Planning Board was reviewed, circled and identified by voice agreement unanimously. The adoption of the Resolution was Moved by Henry Bickel and Seconded by Karen Thomson.

Roll call vote follows on page 3.

TOWN OF TYRE SEQRA RESOLUTION  
REGARDING LOVE'S TRAVEL STOPS & COUNTRY STORES, INC.

AUGUST 25, 2020

	<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 regarding the Love's SEQRA was thereupon duly adopted.

**Public Comments:**

**Airbnb at 514 East Road**

No public comments other than Frank R. Fisher, Esq. who had requested to address the Board representing the Applicant Bruce Smith who was in Florida on business and would have been quarantined had he returned to New York State due to Covid-19 restrictions. Atty. Fisher gave the Board a brief overview of the proposed project to operate an Airbnb on the property at 515 East Road.

**Approval of minutes of prior meetings:**

Approve July 28, 2020 Planning Board minutes as written in the second issue. Moved by Kenneth Hauenstein, seconded by Alan Smith, oral vote unanimous.

**Zoning Enforcement Officer Report**

ZEO Craig Reynolds experienced another active month in the Zoning Office. Received two complaints from residents / resolved. Preparing resolutions and public notices for the ZBA. Prepared packets for the Love's project. Updating some applications formats for swimming pools, fences, etc. Conducted several on-site inspections. Zoning Office has issued four (4) Zoning Permits as follows.

<u>Permit</u>	<u>Issued</u>	<u>Applicant</u>	<u>At Location</u>	<u>Description of Work</u>
20-18	08/04/20	Eric Camp	508 State Route 89	Placing a cabin
20-19	08/04/20	Sandy Yalowica	508 State Route 89	Placing a cabin
20-20	08/07/20	Martin Honey Farm	2981 Auburn Road	Putting on an addition
20-21	08/07/20	Michael Schmucker	1819 West Tyre Road	Add to existing pole barn

**Open Public Hearings for Love’s Travel Stops & Country Stores regarding Subdivision, Site Plan and Special Use Permit**

Motion to open Public Hearings for Love’s Travel Stops & Country Stores brought by Alan Smith, seconded by Henry Bickel, voice vote unanimous.

Chairman Seem asked if anyone from the public in attendance had comments regarding Love’s Travel Stops & Country Stores Subdivision, Site Plan, Special Use Permit, repeating his request for public comments again, total of two (2) requests. Hearing no verbal comments and providing information that no written communications had been received by the Town of Tyre Chairman Seem requested a motion to close the Public Hearing which was brought by Karen Thomson and seconded by Alan Smith, oral vote unanimous.

**Old Business – II**

**Love’s Travel Stops & Country Stores Subdivision Application**

Chairman Seem requested Atty. Blair review the Love’s Travel Stops & Country Stores Subdivision Resolution responding to any issues or questions which he proceeded to review. Upon completion of the page by page review including Conditions to be completed before Final Plat is indorsed, every item requiring decision was reviewed and circled identified by voice agreement unanimously. At this point on the final page the adoption of the foregoing Resolution was moved by Alan Smith, seconded by Henry Bickel, and duly put to roll call vote as follows.

TOWN OF TYRE PLANNING BOARD RESOLUTION  
REGARDING THE SUBDIVISION APPLICATION OF  
LOVE’S TRAVEL STOPS & COUNTRY STORES, INC.

AUGUST 25, 2020

	<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.

Love's Travel Stops & Country Stores Site Plan Application

Chairman Seem requested Atty. Blair review the Love's Country Stops & Site Plan Application responding to any issues or questions. Upon completion of the page by page review every item requiring decision was reviewed and circled identified by voice vote unanimously prior to moving on. At this point on the final page the adoption of the foregoing was moved by Karen Thomson, seconded by Alan Smith, and duly put to roll call vote as follows.

TOWN OF TYRE PLANNING BOARD RESOLUTION  
REGARDING THE SITE PLAN APPLICATION OF  
LOVE'S TRAVEL STOPS & COUNTRY STORES, INC.

AUGUST 25, 2020

	<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.

Love's Travel Stops & Country Stores Special Use Permit Application.

Chairman Seem called on Atty. Tom Blair one more time to review the Love's Travel Stops & Country Stores Special Use Permit responding to any issues or questions. Upon completion of the page by page review Including Findings and Conditions every item requiring decision was reviewed and circled identified by voice agreement unanimously before moving on. At this point on the final page the adoption of the foregoing was moved by Alan Smith, seconded by Henry Bickel, and put to roll call vote.

Roll call vote follows on page 6.

RESOLUTION OF THE PLANNING BOARD OF THE TOWN OF TYRE  
REGARDING THE SPECIAL USE PERMIT APPLICATION  
OF LOVE'S TRAVEL STOPS & COUNTRY STORES, INC.

August 25, 2020

	<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.

**Correspondence**

No correspondence received since last meeting.

**Planning/Training/Website**

Planning Board activity remains high. As of tonight, we have completed Love's Travel Stops & Country Stores (largest Project managed by the Planning Board to date), well done everyone.

Training activity did spike last month as expected in the Training Office.

ZBA members have all now completed 2020 requirements.

PB has 2 members open, 1 of which is half complete.

Website training will hopefully reconvene shortly providing us additional guidance to better understand and become more comfortable with the new WordPress system we are in the process of changing on our Website.

**Motion to Adjourn**

8:30 P.M. moved by Ken Hauenstein, seconded by Deb Geary, oral vote unanimous.

Respectfully submitted,

*Larry*

Lawrence J. Kesel

Town of Tyre Planning Board Secretary

NEXT REGULAR MONTHLY MEETING SEPTEMBER 22, 2020