



# Planning Board

Chair: Robert C. Seem  
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Vice Chair: Alan Smith  
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Secretary: Lawrence J. Kesel  
1234 Middle Black Brook Rd.  
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Minutes for the meeting: May 24, 2022, Remote Only via GoToMeeting.

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

Alternate member in attendance: Gene Lambert

Representing Town of Tyre: Ann Marie Heizmann, Zoning Enforcement Officer  
Donald Young, ESQ., Young Law Firm

Guests: Tim Bishop, Tyre Resident

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

Chairman Seem opened the May 24, 2022, Planning Board meeting @ 6:30 PM.

## **Attendance**

Planning Board at full strength with 7 members, plus alternate member also in attendance.

## **Public Comments**

No public comments

## **Approval of minutes of prior meetings: April 26, 2022**

Motion to accept the minutes of April 26, 2022, as prepared

Brought by Alan Smith

Seconded by Kenneth Hauenstein

Oral vote, Unanimous

## **Report of the Zoning Enforcement Officer – Ms. Heizmann**

1 Minor Subdivision Application received

Very slow since last meeting

## **Old Business**

- Further discussion of the pull-out Wilkins RV Project

Brian Wilkins notified the Town that he pulled the plug on the proposed Recreational Vehicle Sales & Service Project last month. However, looks like they will still be coming to Seneca County, a little farther west, on State Route 318 in the Town of Junius.

- TOWN OF TYRE, Local Law No. 1 - 2018, SUBDIVISION REGULATIONS overview  
Chairman Seem inserted this detailed refresher review of the Subdivision Law for the benefit of the entire Planning Board including our new members. Copies of Local Law #1 of 2018: SUBDIVISION OF LAND was distributed to Planning Board members prior to tonight's meeting. Town Attorney Donald Young will present a review of the regulations involving the division of a piece of land in the Town. In order that subdivision may be made in accordance with the policy, the Town Board adopted "Town of Tyre Land Subdivision Regulations," which were initially adopted by the Town Board on June 18, 2015, as Local Law #3 – 2015. The division of any land into two or more lots, plots, sites, or other such as transfer of ownership. Overview included Minor and Major Subdivision, both multi step processes, requiring similar procedures which were covered in detail. Upon completion of overview information, tonight's discussion is primarily addressing whether the Planning Board could do a waiver of the public hearing procedure. Attorney Young closed pointing out that Subdivision included a house on approximately 5 acres, not within 500' of a County facility, not interfering with agriculture, well within set back requirements, (house 150 years old – purchased by existing tenant of 25 years), Town & County have an agreement to waive public hearing. With no questions from the Planning Board, atty. Young returned meeting to Chair who also asked for any questions. Hearing no questions Chairman Seem thanked atty. Young for his informative Subdivision review spending additional time with the Board adding that he had contacted the only lone neighbor other than Tim Bishop prior to this meeting. Also, our new memo of understanding with the Seneca County Planning Board helped expedite this minor subdivision application.

## **New Business**

- Tim Bishop Subdivision Application

Chairman Seem presented and read the proposed draft Resolution line by line discussing and addressing any questions as he proceeded. It was pointed out by legal that waivers be built into the Resolution where appropriate. Name, address, location of subdivision, details of subdivision, survey/subdivision map list of Abutters, SEAF, subdivision authorization, agricultural data statement of which the Planning Board deemed substantially complete. Planning Board acting as Lead Agency ("SEAF") did not require further action. Determined that 2021 MOU with County Planning Board Sections 239-1 and 239-m of GML not necessary per NO. 4 of the MOU. Article XI of Local Law #1 waives sketch plat to hold a Public Hearing, new subdivision is surrounded on 3 sides by the Applicant and the owner on the north has no concerns. Planning Board waive need for public hearing conform to Zoning Law no significant impact environment.

Mindful of the Town of Tyre Comprehensive Plan, Town of Tyre Zoning Law (Local Law #3 of 2018, as amended) and the requirements of Town of Tyre Local Law #1 of 2018 (Subdivision Regulations) for the issuance of subdivision approval.

Appropriate Date Statement has been received by the Planning Board.

Planning Board approves Applicant's Subdivision and Plat Application and final Plat Plan dated May 2, 2022, subject to 4 the stated conditions regarding Final Plat and Subdivision application.

**RESOLUTION OF THE PLANNING BOARD OF THE TOWN  
OF TYRE REGARDING THE SUBDIVISION APPLICATION  
BY TIMOTHY BISHOP FOR A MINOR SUBDIVISION**

**May 24, 2022**

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

	Yea	Nay	Abstain	Absent
Larry Kesel	X			
Alan Smith	X			
Deborah Geary	X			
Kenneth Hauenstein	X			
Karen Thomson	X			
Rob Barber	X			
Gene Lambert (Alternate)				
Chairman Robert Seem	X			

Resolution was thereupon duly adopted.

Resolution carried by a vote of 7 to 0.

- Need to reduce Larry Kesel's workload

With over 25 years as a member of the Planning Board Larry wishes to pass on the Secretary position, Training Facilitator for the Planning Board & Zoning Board of Appeals along with the recently changed WordPress operating system supporting the website. He needs to greatly reduce his Town commitment remaining just a member of the Planning Board by the end of 2022. Acting his age in his 80's along with new commitments at home have increased his need to spend a lot more time there with his Family. He is delinquent on just about every seasonal task required at home remaining in a reaction mode trying to keep up with home requirements.

**Correspondence**

None

**Motion to Adjourn @ 7:56 PM**

Brought by Karen Thomson

Second by Deborah Geary

Oral vote, Unanimous.

Respectfully submitted,

*Larry*

Lawrence J. Kesel,

Town of Tyre, New York

Planning Board Secretary

**NEXT REGULAR MEETING June 28, 2022, @ 6:30 P.M.**