

Draft

YATES COUNTY PLANNING BOARD MEETING February 28, 2019

PRESENT: Hall, Sutterby, Moberg, Vestal, Wiltberger, Danielson, and Granzin

EXCUSED: Ferry, Sawers, Carroll (Replaced)

ABSENT: Schiesser, Sisson

Also Present: John Christensen (Chronicle-Express), Rick Wilson (Legislature), Ed Brockman (Dundee Village Attorney), Steve Hullings Town of Benton Planning Board), Larry Strickland, Duane Phillips (Dandy Mini Marts), Tom Dobrydney (Fagan Engineers), Ryan Destro (BME Associates), Dan Long (Yates County Planner), and Emilee Miller (Recording Secretary)

CALL TO ORDER: With Schiesser absent, Granzin called the meeting together at 7:12 p.m. with the Pledge of Allegiance.

APPROVAL OF MINUTES:

Motion was made to approve the minutes from the January 24th by Wiltberger, seconded by Vestal. All in favor. Motion approved.

CONSIDERATION OF GML 239 REFERRALS

2019-06 Town of Starkey. Applicant, Log City Meats, LLC, Glen Sensenig. 4648 Log City Road, Dundee, NY 14837. *Special Use Permit.* Applicant seeks to add a 30' x 48' warehouse and a 36' x 36' freezer to the existing meat cutting building.

Moberg made a motion to the Board: That under GML 239 to approve the application as presented. Vestal seconded. All in favor. Motion approved. Rick Wilson's vote was discounted.

2019-07 Town of Starkey. Applicant, Noah Eberly. 973 Stone Mill Road, Dundee, NY 14837. *Special Use Permit & Site Plan.* Applicant requests to build a 36' x 40' x 16' tall sidewall shop for mixed use: Farm and off road diesel repair. The applicant also wants to temporarily do diesel repairs in the existing garage until the new shop is built.

It was clarified that the small shed will be removed after the new shop is built.

Moberg made a motion to the Board: That under GML 239 to approve the application as presented. Granzin seconded. All in favor. Motion approved.

2019-08 Village of Penn Yan. Applicant, Chris Iversen, Keuka Lake Hotel, LLC. PO Box 214, Gorham, NY 14461. Site Address: 110 Mace St. & 301 Lake St. *Site Plan.* Applicant seeks to build a 12,340 s.f. conference center building. The building will have a connection to Hampton Inn, Parking, and site amenities.

Ryan Destro was present to answer questions and provided enlarged visuals. The traffic impact should be minimal as the peak use will be on weekends. In addition to the conference center building they wish to add about 90 new parking spots. This raised some concerns as a large parking lot as you first come into town is not something you want to see. The applicant plans to plant shrubbery on the border of the lot to help block the amount of light from cars parking there and this will also help with the visual appeal. It was

made known that the board would like to see something besides just plain shrubs added. The conference center building will be one story. The view of the lake from the road was also questioned. The lake will be able to be seen between the hotel & conference center and between the Top of The Lake restaurant & conference center. There were concerns about the drainage from the parking lot getting into the lake. The applicant has existing retention ponds/areas and will be relocating one of these retention areas to accommodate the lot. John Christensen asked about an existing tree where the lot is to go. The applicant tried to save the tree, but ultimately it most likely wouldn't survive. The tree will be removed. The timeframe for this would be spring/summer with it concluding by the end of 2019.

After some rewording, Sutterby made a motion to the Board: That under GML 239 this project would have a positive County-wide impact. Vestal seconded this motion. All in favor. Motion carries.

2019-09 Village of Penn Yan. Applicant, Tracey & Marla Hedworth. 158 Main Street, Penn Yan, NY 14527. *Site Plan.* The new owners propose site work, restoration, and upgrades to Inn that include the addition of a pub. Carriage house addition of tasting room & brewery is also proposed.

The majority of discussion was about parking. There will only be 3-4 parking spaces on sight. The municipal parking lot will be used. The "Pico" brewery will produce for the people staying there as well as for the general public. The speakeasy will be able to hold approximately 25-30 people from a structural standpoint. The pergola will not be covered and there will be no parking there. It will serve as a pedestrian path.

Vestal made a motion to the Board: That under GML 239 this project would not have County-wide impact. Moberg seconded this motion. All in favor. Motion carries.

2019-10 Village of Dundee. Applicant, William Oil & Propane, Dandy Mini-Mart. 6221 Mile Lane Road, Sayre, PA. Site Address: 45 & 53 Water Street (NYS Rte. 14A), Dundee, NY 14837. *Area Variance.* The "as built" project does not comply with the original site plan approval. The applicant requests a site plan amendment which requires a variance for the front setback of the building as well as height, front and side setback variances for a sign that is currently placed at the southwesterly corner of the premises.

Tom Dobrydney and Duane Phillips were both present to represent Dandy Mini Mart. Ed Brockman was present to represent the Village of Dundee. The electrical room and sign were not on the original site plan and there are two different "stories". The applicant's explanation of the electrical room was that they built that first so they could run the new gas facility while the new building was being built. For cost reasons it was left where it was. To make it look "better" they built it out a bit. The building was setback further than anticipated to accommodate the side walk wanted for safety reasons. The applicants state that the code enforcer gave them approval for both via email. Ed Brockman states that these emails state that the applicants needed to still go through the necessary channels and that the sign went up before the application was approved. The applicants made the argument that the sign gives potential customers a heads up that a Dandy Mini Mart is ahead. The board mentioned that you can see the Sunoco image on the fuel canopy, so they don't need the sign. The applicant stated that they offer more than just gas. Ed Brockman states that the sign did not have to go there and that there is opposition of the sign from the neighbor.

Granzin made a motion to the Board: That under GML 239 this project would have a negative County-wide impact for both the electrical room and the sign. It would set a precedence that people can ask for

forgiveness instead of permission. Danielson seconded this motion. All in favor. Motion carries.

COMMUNICATIONS: None

OLD BUSINESS: None

MEMBER REPORTS: None

NEW BUSINESS: None

ADJOURNMENT: Granzin made the motion to adjourn the meeting at 8:15 p.m. Vestal seconded. All in favor. Meeting was adjourned.

PLANNERS NOTE:

After review of the By-laws the meeting did have a quorum with 7 members' present, not counting ex-officio. The By-laws require a whole number of the appointed members, of which at the date of the meeting there were only 11 members officially appointed by the Legislature. The representative for Benton informed Planning of his resignation two days prior to the meeting. This left 4 of the potential appointments vacant (3 at large and 1 Benton). All actions noted are reflective of this finding.