

Draft

YATES COUNTY PLANNING BOARD MEETING May 25, 2023

PRESENT: Danielson, Moberg, Sutterby, Sisson, Strickland, Hullings, Degner, Gilman, Landcastle, Dowse, Miller and Fulkerson

EXCUSED: Ferry

ABSENT: Davis

Also Present: Jeanine Housman (Applicant), Will Knepple (Applicant), Brandon Thomas (Applicant), Robert Timberman III (Applicant), Jeffrey Ayers (Yates County Planner), and Brenda Lloyd (Recording Secretary)

CALL TO ORDER: Sutterby called the meeting at 6:59 p.m. with the Pledge of Allegiance.

APPROVAL OF MINUTES:

A motion was made to approve the minutes from the April 27th meeting by Danielson, seconded by Gilman. All in favor. Motion approved.

CONSIDERATION OF GML 239 REFERRALS

2023-33 Town of Starkey. Applicant, Brandon Thomas and Holly Fusco. 4826 NYS Route 14, Dundee, NY 14837. *Special Use Permit.* Applicant proposes a Special Use Permit for a farm winery.

Brandon Thomas explained that they purchased the property 5 years ago. The property is about 11 Acres with 1 acre being residential with a home on it and the remaining being agricultural. The agriculture portion of the property was a vineyard at one time. They have tested the soil and done lots of research. Want to plant about 6 acres, which does not need approval. Want to be able to make wine with the grapes. The plan is to take a pre-existing 40' x 60' barn to construct a small tasting room or production area. Danielson asked if they were alright with parking. Thomas replied that that are going to expand a gravel area to 20' x 60' in front of the barn to allow space for parking. Thomas also stated that they are looking at really small production and plan to maintain it themselves.

Sisson made a motion to the Board: That under GML 239 the application as presented has a positive countywide impact. Gilman seconded. 11 in favor. 1 abstained. Motion approved.

2023-36 Village of Penn Yan. Applicant, Jeanine Housman. 120 Ogden Street, Penn Yan, NY 14527. *Special Use Permit.* Applicant is applying for a Special Use Permit for a short-term rental business.

Jeanine Housman explained her owner occupied seasonal short term rental in the Village. It is her family home and she resides in it year round and she rents it in the summer. She has been on Airbnb for 2 seasons. She resides there during the week when it is not occupied. Generally rented Thursday through Monday with the exception of some holidays. Sutterby asked if she was in the area while it was rented. Housman responded that yes she is in the area and just a couple of blocks away. She manages the property herself including the turnovers and reservations. Sisson asked if it was a Bed & Breakfast. Housman replied that no she was not. It is a 4 Bedroom 2.5 Bath house, the master bedroom and bath upstairs are locked off when she is not there. There is no shared space. There have been no complaints from the neighbors, only positive interactions.

Hullings made a motion to the Board: That under GML 239 the application as presented has a positive countywide impact. Danielson seconded. 11 in favor. 1 abstained. Motion approved.

2023-35 Village of Penn Yan. Applicant, Will and Susan Knepple, Clinton Street Corner LLC. 201 Clinton Street, Penn Yan, NY 14527. *Special Use Permit.* Applicant is applying for a Special Use Permit for a short-term rental business.

Will Knepple would like to turn the upstairs of his residence into a seasonal short term rental. He split the house into upper and a lower units. They don't currently live at the property. Want to rent it out as a 2 bedroom unit. Sutterby asked if it was currently being rented. Knepple responded no it was not. He is currently working with the Village to get it to pass the code requirements. Sutterby asked who would be managing the property. Knepple responded that he will be managing the property and his wife would be doing the booking, he is only 10 minutes out of town. The property has 3 parking spots and a garage. Ayers asked why it is only through November 1st. Knepple responded they would shut the rental down at that point so that they could move back in and live there in the winter. Fulkerson recommended that he clarify that this is not a temporary request so that the permit doesn't run out.

Fulkerson made a motion to the Board: That under GML 239 the application as presented has no significant countywide impact. Sisson seconded. 11 in favor. 1 abstained. Motion approved.

2023-31 Town of Starkey. Applicant, Robert Timberman III. 5 Grace Street, Dundee, NY 14837. Site address: 6173 NYS Route 14A, Rock Stream, NY 14878. *Special Use Permit.* Applicant is asking for a Special Use Permit to operate a can redemption business in an Ag zone.

Robert Timberman III wants to open a can redemption center to take over a business that was down the street that has closed. He has a 40' x 60' building with good parking and good visibility. He has called the DEC and the recycler. Landcastle asked why the DEC has to be involved. Timberman responded that even though it is redemption it still falls under recycling so they still need to get a permit almost like a dumpster business. Miller asked if he was still doing the hops. Timberman responded that he was not. Strickland asked if they would have to be rinsed and if there was concern about runoff. Timberman stated no there is no rinsing that they just need to count and bag. Then Tomra will come pick them up. Sutterby asked what hours they will be open. Timberman responded that they will be open 8 a.m. to 5 p.m. Monday through Saturday.

Sutterby made a motion to the Board: That under GML 239 the application as presented has a positive countywide impact. Gilman seconded. 11 in favor. 1 abstained. Motion approved.

2023-32 Town of Starkey. Applicant, Hermann J. Wiemer Vineyard. 3962 NYS Route 14, Dundee, NY 14837. *Special Use Permit.* Applicant proposes an expansion of Hermann J. Wiemer Vineyard winery facilities.

There was no representative present for the applicant. Fulkerson stated that they are currently utilizing the old Seneca Foods plant for dry storage of their wines since they just don't have enough room. The expansion is going to be in 3 phases. The first has already started, concrete buckled in their current warehouse, so they are tearing that out and installing a new floor. Existing warehouse will be a crush pad and tank room. The main buildings will be an electrical shed and build out the existing areas. Not expanding their operations just moving storage. Water uses shouldn't change. The parcel is about 150 acres which has 3 homes and currently have special use permits. Fulkerson doesn't see any problems. Adding a well to separate the treated system for the tasting room completely from their operations. The expansion is to the South along Route 14 away from water. Sisson hopes they get good water. Danielson stated that it looks like a 5 year project. Fulkerson replied they hope it is going to be shorter. Dowse asked if they would be shutting down the tasting room. Fulkerson responded they are hoping to have a crush pad by fall and hope to not shut down.

Hullings made a motion to the Board: That under GML 239 the application as presented has a positive countywide impact. Gilman seconded. 11 in favor. 1 abstained. Motion approved.

2023-34 Town of Starkey. Applicant, Joe Gibson. 635 Shannon Corners Road, Dundee, NY 14837. *Special Use Permit.* Cardinal Disposal is seeking to modify their Special Use Permit for expansion.

There was no representative present for the applicant. Fulkerson stated that he thinks the DEC gave a bit of an ultimatum, fix or fine. They currently have an open concrete pit where they dump collected garbage. Tearing out the current pit and building a new one with a building over it. The pit will be completely enclosed and easier for

their trucks to unload and load. Any potential smells should be enclosed within the building now. Rain water will not wash onto the garbage and won't have any effect. Sisson mentioned that it does get pretty sloppy.

Sisson made a motion to the Board: That under GML 239 the application as presented has a no countywide impact. Gilman seconded. 11 in favor. 1 abstained. Motion approved.

COMMUNICATIONS: William Hall has submitted his letter of resignation effective immediately. Jeffrey Ayers mentioned that after speaking with the Legislature it was determined that Short Term Rentals do need to come to the board. Fulkerson asked about the Town of Barrington Comprehensive Plan. Ayers responded that it went back to them with his notes and he believes they are working on changes.

OLD BUSINESS: None

MEMBER REPORTS: None

NEW BUSINESS: None

ADJOURNMENT: Gilman made the motion to adjourn the meeting at 7:52 p.m. Sutterby seconded. All in favor.