

# Draft

YATES COUNTY PLANNING BOARD MEETING October 22, 2020

**PRESENT:** Schiesser, Sisson, Sutterby, Moberg, Vestal, Hullings, Danileson, Strickland, Degner, Yonts, Granzin

**EXCUSED:**

**ABSENT:** Ferry

**Also Present:** Tom Fulkrod (CEO Benton), Tim Cutler (Legislator), John Christensen (Chronicle-Express) Dan Long (Yates County Planner), and Emilee Miller (Recording Secretary)

**CALL TO ORDER:** Schiesser called the meeting at 7:00 p.m. with the Pledge of Allegiance via Zoom

**APPROVAL OF MINUTES:**

A motion was made to approve the minutes from the September 24, meeting by Strickland, seconded by Yonts. All in favor. Motion approved.

**CONSIDERATION OF GML 239 REFERRALS**

**2020-28 Village of Penn Yan.** Applicant, Greg Fishel (Rite Aid). 720 Erie Blvd West, Syracuse, NY 13204. Site address: 138 Elm St., Penn Yan, NY 14527. *Area Variance.* Applicant proposes to replace three existing, nonconforming signs with new ones that each will exceed the 36 sq. foot limit and will exceed the one sign limit in the Village Center Zoning District.

*Signs are primarily in the same locations, they are just updating the branding. Although most of the signs are smaller, they are still non-conforming. Some of the new signs are larger, but the quantity is reduced, resulting in less overall area being used. This reduces the non-conformity. They are eliminating some of the red worded signs for white. The white looks better, but cannot really be seen from the road. People should know it is a pharmacy without the word pharmacy needing to be displayed so boldly. Reducing the size of the proposed signage would make it look better, be closer to meeting conformity, and would still get the point across. The Planning Board advises the Village to "redo" its sign regulations.*

Schiesser made a motion to the Board: That under GML 239 the application as presented has a negative countywide impact. Danielson seconded. 8 in favor & 3 not in favor. Motion approved.

**2020-29 Town of Starkey.** Applicant, Nelson Z. Hoover. 4784 Lakemont-Himrod Rd., Dundee, NY 14837. *Special Use Permit.* Applicant proposes to build a 60' x 72' greenhouse for the production and sale of hanging baskets-bedding plant and vegetable plant retail sales.

*The business already exists.*

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

**2020-30 Village of Penn Yan.** Applicant, Chris Iversen, Chrisantha Inc. 4661 Dewey Ave., Gorham, NY 14461. Site address: 131-147 Water & 120 Wagener St, Penn Yan, NY 14527. *Site Plan.* Applicant proposes 16 condominium units in (3) 2-story structures with associated parking, sidewalks, landscaping, and lighting.

*The back of the one structure does back right up to the street. It would need to have at least one 36-inch door to meet code and the bedrooms need large enough windows for egress. A historical building will need to be demolished in order to build. This is a DRI project. It would make the surrounding street look like an actual street. Looks like it would be an attractive addition and the Village is in dire need of housing.*

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

**2020-31A Town of Jerusalem.** Applicant, Eric Z. Martin. 4288 Friend Rd., Penn Yan, NY 14527. *Site Plan.* Applicant proposes approval for a dog kennel for eight breeding adult females allowed by Special Permitted Use subject to Site Plan approval by the Planning Board.

*Strickland started with some research “if you go to dog breeders + Yates County it says there are over 400 breeds of dogs available in the county. 400 breeds x 400 females x4 puppies per litter x 3 litters per year equals over 12,000 possible puppies per year.” “ If you go to puppy mills+yates county, NY it will show a NY state map showing that Yates county has the largest number of what they consider puppy mills in the state.” The proposed facility looks nicer than most breeding facilities. The number of breeding females being kept on site is 8. The proposed kennel complies with the zoning codes. It is really up to the municipality. Sisson abstained from the final decision.*

Moberg made a motion to the Board: That under GML 239 the application as presented has no countywide impact. Hullings seconded. 9 in favor, 1 not in favor, & 1 abstained. Motion approved.

**2020-31B Town of Jerusalem.** Applicant, Eric Z. Martin. 4288 Friend Rd., Penn Yan, NY 14527. *Special Use Permit.* Applicant proposes approval for a dog kennel for eight breeding adult females allowed in the Agricultural-Residential Zone subject to Site Plan approval by the Planning Board

*Discussion for 2020-31A & 31B above. Sisson abstained from the final decision.*

Danielson made a motion to the Board: That under GML 239 the application as presented has no countywide impact. Moberg seconded. 9 in favor, 1 not in favor, & 1 abstained. Motion approved.

**2020-32 Town of Benton.** Applicant, Steven & Tammy Hullings. 2384 Stape Rd., Penn Yan, NY 14527. *Special Use Permit.* Applicant proposes placement of a 4’ x 8’ business sign.

*This is for a site plan, not a special use permit. The sign would be on the applicants own property. It is a 2-sided sign that would not be in the right of way. It would meet all requirements of the sign laws for the town of Benton. There are signs on the properties before and after, you do not want a “wall of signs” on the road. One 4x8 sign on 2.5 acres seems reasonable. The sign as is shown looks like an advertisement for a business at another location. The sign needs to link the business to the parcel. Changing the address to the parcel address and moving the phone number for the Benton office are a few suggestions. Hullings abstained from the final decision.*

Vestal made a motion to the Board: That under GML 239 the application as presented has no countywide impact so long as the applicant meets the proposed conditions. Moberg seconded. 10 in favor & 1 abstained. Motion approved.

COMMUNICATIONS: Moving along with the Comprehensive Plan Draft. County wants to assist local municipalities to help them do what they want.

OLD BUSINESS: None

MEMBER REPORTS: None

NEW BUSINESS: None

**ADJOURNMENT:** Schiesser made the motion to adjourn the meeting at 8:10 p.m. Sisson seconded. All in favor. Meeting was adjourned.