

**Planning Board Minutes
June 2, 2016**

Planning Board Members Present: Julie Pellett, Daniel Compton, Fran Overmoyer, Matt Rogers & Fred Fink

Others Present: Andy Hall (Code Enforcement Officer), Kim Rayburn (Secretary), John McKinnon (Agent)

Absent: Brad Bennett, Karl W. Smith

Pellett opened the meeting at 7:30 pm

- I. **Review Area Variance TV1-16** 2288 County Rd 39 of tax map # 53.00-1-51.520 Polly Sack (Owner), John McKinnon (Agent) has applied for a 13-14 ± variance to Town Code schedule I. 50 feet is required for principal building, the proposed addition to the existing garage is attached to principal building currently at 70.9 feet from the side lot line.

Pellett informed the Board of the proposed and Compton asked McKinnon to give an overview of the project. McKinnon stated that Sack is proposing to add an addition to her existing attached garage and use the existing space for an exercise room and storage. The new garage will be at an angle for aesthetics but will also help with the side variance. McKinnon stated that Sack has a lot of animals she wants to put in a dog wash to be able to get the animals in and out of the house easier, the structure will be a cape style structure with an upstairs for long term storage, it will match the house, and look aesthetically pleasing. The cut of the driveway will remain the same, her neighbors are a distance away and there are trees in between them. Hall stated that in the back there is an in ground pool with sculptures and to the east there is a pond and a swale, the septic is on the other side of the house the placement makes sense. Fink asked about the driveway, McKinnon stated that the entrance to the property would remain the same they would need to reconfigure the turnaround as it will be a side load garage, Overmoyer stated that the driveway would need to go further toward the property line in order for the proposed to work. Overmoyer asked why the garage door could not be perpendicular to the street as it would take up less room, McKinnon stated that Sack wants the proposed square footage of the garage and she doesn't want to see the doors.

Compton stated that he likes the proposal but does feel that this is a partially self-created hardship as she could erect a smaller garage and configure it a little differently, Overmoyer stated that the exercise area could go on the second floor. McKinnon stated that only a (19) Nineteen-foot garage would fit but it's very small and not what Sack wants. Overmoyer stated that another criterion that needs to be considered is can the proposed be accomplished by any other means and he feels that it can.

McKinnon stated that a pole barn structure would be allowed without a Variance as the setback for an unattached structure is different than attached, however it would not be as nice aesthetically, nor would it suit her needs. Hall stated that Sack has an existing attached garage and would like to be able to still have an attached garage with some additional living space in between the house and the garage.

A discussion was held on energy code, and the fact the structure will be heated. Compton reiterated that he likes the proposed and understands that you cannot get the same effect from an unattached structure as you can an attached garage.

Planning Board Decision:

Compton made a motion and Rogers seconded the motion to forward the application to the ZBA with their advisory opinion that they are in favor of the proposed area variance to erect an addition onto the existing principal building within the setback:

Whereas:

1. They want it noted that they feel this is a partially a self- created hardship

Record of Vote:

Julie Pellett	Aye
Dan Compton	Aye
Francis Overmoyer	Aye
Matthew Rogers	Aye
Fred Fink	Aye

All Board members present voted Aye, Vote was carried unanimously.

II. Review SPL1-16 Commercial Sign Site Plan Ruth Smith (Agent) has contracted with the AWA to put up a sign on the vacant parcel 6940 Rts 5&20 tax map # 81.00-1-11.100 owned by the AWA located next to their building at 6920 Rt 5&20

Hall stated that Ruth Smith has contracted with Antique Wireless for a (5) five-year contract to erect a Commercial sign on the AWA’s vacant parcel. A discussion was held on the placement of the sign, the exact placement will be determined by the State DOT and checked by Hall. It will be located in front of the current State sign but off to the side of it farther from the road. Smith will be required to obtain a permit from both the State and the Code Office before the sign can be erected as it is located on a State Highway. Compton is not comfortable approving the proposal without first seeing the sign up to check the line of site. Hall and Rayburn informed the Board that the State will not give Smith a permit without setting stakes and knowing the exact placement of the sign and approve the location of the sign. Overmoyer stated that the State Right of way is established to make sure the visual lanes are not blocked.

Pellett opened the discussion on SEQR, Compton made a motion and Pellett seconded the motion to declare this an unlisted action, negative declaration.

All Board members present voted aye. Vote was carried unanimously.

Planning Board Decision:

Overmoyer made the motion and Rogers seconded the motion to approve the Review of SPL1-16 Commercial Sign Site Plan Ruth Smith (Agent) has contracted with the AWA to put up a sign on the vacant parcel 6940 Rts 5&20 tax map # 81.00-1-11.100 owned by the AWA located next to their building at 6920 Rts 5&20

Whereas:

1. Subject to DOT approval of the placement of the sign

Record of Vote:

Julie Pellett	Aye
Dan Compton	Nay
Francis Overmoyer	Aye
Matthew Rogers	Aye
Fred Fink	Aye

All Board members present voted Aye with the exception of Compton, Vote was carried.

III. Discussion:

Hall and Rayburn provided a concept plan to the Planning Board for the Antique Wireless Association. They are proposing to erect a two story pre fab shed on their Commercial property located at 6920 Rts 5&20, however the structure would cross property lines and require Variances. The Board stated that crossing property lines is against State and local codes, the AWA will have to look at other options.

Rayburn discussed the letter from the Town board giving the Planning Board approval to move forward with Zoning on Commercial solar arrays. Overmoyer stated that the technology will get better and these will no longer be needed, he stated that the government subsidies will run out and these types of projects will go away. Hall stated that they are already working on windows being solar panels for large buildings. Overmoyer discussed the lot coverage and the reasons behind it, you need to keep a certain amount of permeable area for storm water run- off. A discussion was held on the regulations for the Town of Seneca, the Board will review them and create a Special Use Permit using their regulations as a draft.

III. Minutes of May 19, 2016

Compton made a motion and Rogers seconded the motion to approve the minutes of May 19, 2016. All board members present voted Aye, Vote was carried unanimously.

IV. Meeting Adjourned

Pellett made a motion and Compton seconded the motion to close the meeting @ 9:00 pm. All Board members present voted aye, Vote was carried unanimously.

Respectfully submitted,

Kimberly Rayburn
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Planning & Zoning Board Secretary