

Town of Starkey Planning Board

40 Seneca Street, Dundee, NY 14837

The Town of Starkey Planning Board held a Public Hearing and a meeting in person and via Zoom on Tuesday May 2, 2023 at the Town of Starkey Town Hall, 40 Seneca Street, Dundee, NY 14837.

Members present:

Steven Fulkerson, Chairperson
Tim Senavaitis, Vice Chairperson
Nowel Faus
Gwen Chamberlain
Jim Kroetch
Rivka Davis
Christine Hopple - Zoom

Guests present:

Brian Shriver, Code Official
George Lawson, Town Supervisor
Joe Gibson
Robert Timberman III
Oskar Bynke
Fred Merwarth
Brandon Thomas
Bob Gardiner
Holly Fusco - Zoom

Steven opened the meeting at 7:30pm. Steven asked if anyone wanted the minutes of the previous meeting read aloud. No one did. Steve motioned to waive the reading of the previous months minutes, seconded by Nowel, Motion carried 5-0. Steve asked for a motion to approve the minutes of the previous month's minutes. Rivka said there were two corrections - 1) in the 2023-PB-4, Darla & Steve Hill application is in an Industrial Zone not Commercial, 2) 2023-PB 11 Mark Karasz subdivision is not a lot line adjustment as the subdivision is over 25 acres, and 3) 2023-PB-13 Lloyd & Sally Ann Malloy subdivision is not a lot line adjustment as the subdivision is over 25 acres. Rivka motioned to approve the minutes as amended, seconded by Tim, motion carried 6-0.

Steve opened the Public Hearings at 7:34. 2023-PB-3, Brandon Thomas, Holly Fusco, Ci;tovate FLX, LLC, 4826 NYS Route 14, Dundee, NY 14837 requesting a Special Use Permit to convert an existing barn into a Winery with a production area and tasting room. George asked where this was located. Steven answered across from Red Cedar Lane. Steven did not receive any letters or phone calls regarding this application. This

application needs to go to the Yates County Planning Board for review before this board can rule on it and this board will come back to it at the June 6, 2023 meeting. Steve closed the Public Hearing at 7:36pm.

The second Public Hearing opened at 7:38pm. 2023-PB-6, Robert & Pamela Gardiner, 5558 NYS Route 14A, Dundee, NY 14837 requesting a Subdivision of 23 acres into one parcel being approximately 18 acres and one parcel being approximately 5 acres. Steve said he did not receive any correspondence regarding this application. George asked what the application was for, Steve told him a subdivision and the location of the property. Steve closed the public hearing at 7:39pm. Rivka asked if this property had a shared driveway, Bob Gardiner answered yes but it will be separated and the guard rail will be moved. Steven noted that this application did not have to be reviewed by the Yates County Planning Board. Tim motioned to approve the application as submitted, seconded by Nowel, motion carried 6-0.

The third Public Hearing opened at 7:41pm. 2023-PB-2, Joe Gibson 635 Shannon Corners Road, Dundee, NY 14837 requested a Special Use Permit to construct a covered transfer station for his business Cardinal Disposal. Steven said the DEC came back with a negative declaration for the long form Environmental Assessment Form. Steve read the declaration that was received on April 14, 2023. Rivka said it makes sense to her as they are enclosing the operation. There were no further questions from the audience or the Board members. Steven noted that this application needs to be reviewed by the Yates County Planning Board therefore we are leaving this Public Hearing open until the June 6, 2023 meeting.

New Business:

2023-PB-14, Fred Merwarth, Hermann J Wiemer Vineyard, 3962 NYS Route 14, Dundee, NY 14837 request a modification of their current Special Use Permit to expand their winery operations. Fred gave an overview of their proposal. Fred said the project will be done in 3 phases. Fred said Phase 1 will be converting warehouse #2 into a tank room, redoing the concrete floor and lighting with a division between white wine and red wine production. Phase 1A will be to bring in new utilities as their current system is at the max. There will also be a new well separating production from commercial. The septic tanks get pumped regularly. They want to put a pavilion roof for the press pad - the roof will be independent from the rest of the buildings. Phase 2 will be for a bottle room and storage 36'x90' with the outside wall being on the utility room and the inside wall will be against the bottling room. There will be a loading dock with truck turn around space. Rivka noted that the total farm is 121 acres. Fred also said there will be an elevated pressing area with a cooler. Phase 2 will be 1 to 2 years down the road. Streve

noted that if something major changes they would have to come back before the board for approval. Steve said we have a complete application. This board has 20 days to complete the SEQR. Brian can issue the building permit to allow them to break up the current concrete and replace it. Steve asked members if they wanted to go over the SEQR tonight or at the next meeting. It was decided to send a copy of the SEQR to the DEC and AG & Markets for their review. Steven set up a Public Hearing for Tuesday July 11, 2023 at 7:30pm. (This is one week later than normally as the first Tuesday is the July 4th holiday. Rivka mentioned that we have to put a notice in the paper regarding the meeting date change. Steve asked Fred if the project is more than 100,000 sq. ft. Fred said no. Brian Shriver to ask the DEC and Ag & Markets if they want to be lead agency on this project with potential SEQR input. Christine asked about what type of actions regarding this project. Steve read the regulations.

2023-PB-15, Robert Timberman III, 5 Grace Street, Dundee, NY 14837 requests a Special Use Permit to operate a Can and Bottle redemption center in an existing building at 6173 NYS Route 14A, Rock Stream, NY 14878. Robert stated that Rock Stream Redemption recently closed and feels this will be a good business for the area. He also said there is no need for a septic system, there are no floor drains. He had completed the short SEQR. Rivka asked what happens when they bring in dirty cans. He said they would process them. George asked how the system works. Robert said the cans go on a sorting tray for counting then into a bin for sorting by distributor later. They pick up once a week. It was noted that the DEC requires a permit for this operation. Brian to send the SEQR to the DEC to see if they have any input. Members reviewed part 1 of the SEQR, Steve changed Part 1, #16 to no (100 year flood plain). Steve completed Part 2 of the SEQR with a negative declaration as he is using an existing building with minor modifications. Steve set up a Public Hearing for June 6, 2023 at 7:32pm.

Other business:

Steve signed the plats for Bob Gardiners Subdivision.

George noted that the Town was doing a lot of extra printing for the Planning Board and Zoning Board of Appeals which is costly. The members discussed this and it was decided that Brian is to make original copies for the members and only copy any additional information as it comes in, not the whole application again. Jim asked if the Town could increase the application fees to \$125.00 to help cover the costs. George said they have an annual meeting to set fees. Steve suggested having a Zone fee set for different areas. George to look into the possibilities for fees. George suggested possibly having Brian hold the check for Subdivisions to see if it is a Lot Line

Adjustment and then give the check back or leave it as it is as some applications make money and some don't. It was also noted that even if a subdivision ends up being a lot line adjustment there is still clerical work and copies to be made.

George also noted that of the approved dog kennels in Town of Starkey, two are boarding kennels not breeding kennels. With the change in NYS Law not allowing kennels to sell to pet stores a lot of kennels have closed; we only have 2 left. The USDA and Ag & Markets do not inspect boarding kennels. Recently Lloyd Nolt, who does not have a breeding kennel was inspected and the inspector asked him why he was paying for the inspection when it was not needed.

George noted that regarding the proposed Cluster Subdivision Regulations the Town Board found no changes needed to be made. It will go before the Town Board to make it a Regulation.

Christine asked that the name of the applicant be put in the subject line when applications are emailed.

Steve asked if the Town wants the Planning Board to look into regulations for boarding kennels? George said if someone wants to start one they still would have to be reviewed and would need a Special Use Permit to operate one.

Steve noted that there have been a bunch of online training sessions. Rivka and Gwen handed in the certificates of participation for Candace.

Rivka handed out her suggested modifications for a Special Use application checklist. Members are to review for the June meeting.

Steven adjourned the meeting at 9:04pm.

Respectfully submitted,

Peggy Carr, Clerk
Town of Starkey Planning Board