

## **Town of Starkey Planning Board**

### **40 Seneca Street, Dundee, NY 14837**

The Town of Starkey Planning Board held a Public Hearing and regular meeting in person and via Zoom on Tuesday August 1, 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  
Rivka Davis  
Jim Kroetch  
Christine Hopple - absent

#### **Guests present:**

Brian Shriver, Code Official  
Jack Ossont  
Rich & Sharon Ossont  
Rebecca Ossont  
Michael Charette  
Brian Standera  
Justin Jeanroy - Via Zoom

Chairperson Steve Fulkerson opened the meeting at 7:30pm. Steve asked if anyone in the public would like the minutes of the previous meeting read aloud. No one did. Steve asked for a motion to waive the reading of the July minutes. Tim motioned to waive the reading of the minutes, seconded by Gwen, motion carried 4-0. (Rivka and Jim and not arrived yet). Steve called for a motion to approve the minutes as submitted, Gwen motioned to approve the minutes as submitted, seconded by Tim, motioned carried 5-0, (Jim had not arrived yet).

1st Public Hearing opened at 7:33pm.

2023-PB-17, Jack Ossont, 3900 Dundee Himrod Road, Himrod, NY 14837 requesting a Special Use Permit to obtain a Short Term Rental Permit on his property on a private road/shared driveway. Steve said he received a phone call from a neighbor and they have no problem with it. Rich Ossont stated that quality of life would change with more people using the driveway. Jack has a right-of-way to his property for access. There are ½ million bees in hives at the beginning of the road/driveway. Sharon Ossont is encouraging Jack to use the other entrance to his property on Houck Road as not to

disturb the character of the area and the bees. Steve asked if there are any conditions in the deed for usage of the driveway? Sharon said only Jack Ossont can use the right-of way and would stop once he no longer uses the property. Jack noted that he has been there since 1971 and this is the first he has heard of these concerns. Jack noted that using the Houck Road entrance is a problem with line of sight as there is a severe slope. Rich said he has no problem with emergency vehicles using the main driveway. Jack is also concerned with the bees. Steve closed the Public Hearing at 7:41pm. Board members discussed this application. Steve is concerned with the deed/right-of-way wording. Jack gave Steve a copy of the deed. Jack said there are safety issues entering both ways. Steve noted that the way the deed is written is standard. Rich wants anyone with an Air B&B to recuse themselves. Steve, Jim and Rivka do not believe this is a conflict of interest. As far as the bees are concerned it is up to the applicant to notify any possible guests of the bees at the beginning of the driveway. Jack said there is a lot of traffic that uses that driveway with no problems, Fed Ex, UPS, Mail delivery etc. Mike Charette questioned the easement. Steven said if this Special Use Permit is approved, Mr. Ossont then goes through Brian Shriver, Code Official to have his Short Term Rental permit issued if all requirements are met. Mike asked who would be responsible if a guest was stung by a bee? Steve said that would be up to the personal homeowners policy.

Steve noted that the board needs to discuss the Bees, Code Enforcement and the Applicant to the right-of-way. Rivka noted that is a tricky one - is there a safety issue to use the back entrance with a steep grade? She said she did not drive down the laneway. Is there a reason to deny the permit due to road safety? Tim wants to look at both entrances before making a decision. Jim and Gwen agree they want to see the area to see if it is truly a hazard before making a decision. Jack said he is blindsided with Rich and his family - he is dumb struck, he did try to contact them beforehand. Jack then left the meeting very upset. Rivka asked Rich if the board members can drive on the property, Rich said yes. Gwen asked who owns the entrance from Houck Road, Sharon said she and Rich do. Tim motioned to table his application until the members can check the area in question, seconded by Jim, motion carried 6-0.

The Second Public Hearing opened at 8:pm.

2023-PB-18, Brian Standera, Trident Marine, Inc. (formerly Offshore Marine), 4626 NYS Route 14, Dundee, NY 14837 requests an amended Special Use Permit to construct an additional 240'x48' boat storage building on this property. It was noted that there is 22% impervious coverage. Steve suggested that we postpone discussion until later in the meeting. 8:11pm.

2023-PB-20, Brian Standera, Trident Marine, Inc, ((formerly Offshore Marine), 4626 NYS Route 14, Dundee, NY 14837 requests a subdivision of a a 1.374 unbuildable lot and add it to the current legal lot at 4626 NYS Route 14, Dundee, NY. The board members discussed the application. Steve said this is a lot line adjustment. The members agreed, 6-0. Brian Shriver will create an affidavit for Steven to sign for Brian Standera to take to the county for filing.

Back to 2023-PB-18, Brian Standera special use request. Rivka asked if he planned to add any more impervious areas to the property? Brian Standera said no. Brian Standera said he has spoken with Yates County Soil and Water and they suggested putting drainage tile in and to let the gutters go into the swale. Steven noted that there was a negative Seqr. Steve read the Special Use standards. Steve motioned to approve this amended Special Use Permit as submitted with the condition that a water drainage system is approved by Yates County Soil and Water and that the Lot Line adjustment is on file with Yates County before issuing the building permit. Seconded by Tim, motion carried 6-0.

New Business: 2023-PB-21 Justin Jeanroy, 4121 Dundee Himrod Road, Dundee, NY 14837 requests a Special Use Permit to construct a second residence on his 10.02 acre property across from 4121 Dundee Himrod Road, Dundee, NY 14837. The property is in an A1 Zone. Rivka asked if this would be 2 houses on one property? Justin said yes, but separated by Dundee Himrod Road. The current house is being used as an office/restroom for his Auto Repair/Sales business on the property. Justin said it is on the west side of the road. Nowel noted that it is a conforming lot and if he decided to subdivide at a later date he would be able to do so. The Board agrees that this is a complete application and set a Public Hearing for September 5, 2023 at 7:32pm.

Reports: None

Rivka asked if we are adopting the list she created for Special Use requirements for a completed application. Steve said they would discuss it at the next meeting.

Steve adjourned the meeting at 8:49pm.

Respectfully submitted,

Peggy Carr, Clerk  
Town of Starkey Planning Board