

Town of Starkey Planning Board

40 Seneca Street, Dundee, NY 14837

The Town of Starkey Planning Board held Public Hearings and regular meeting on Tuesday April 4, 2023 at the Town of Starkey Town Hall 40 Seneca Street, Dundee, NY 14837.

Members present:

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

Guests present:

Brian Shriver, Code Official
Brendon Thomas, Bill Cowie
Joe Gibson, Richard Martin
Marvin Bieler, Bill (Buck) Lawson
David Hoover, Chester Hoover
Noah Eberly, Walter Hoover
Justin Jeanray, Timothy Hoover (?)
Darla Hill, Steven Hill
Jamie Hill, Bob Gardner

Guests via Zoom:

Mark Karasz, Anthony Peelle
Michael Sunden, Larry Krause
Holly Fusco, Marie Graves
Betsy Howland

Chairperson Steven Fulkerson opened the meeting at 7:30pm. Rivka noted that in the Hill's application is in an Industrial Zone not Commercial as listed in the minutes and as advertised. Steve asked if anyone wanted the minutes of the previous meeting read, no one did. Steve motioned to waive the reading of the minutes, seconded by Jim, motion carried 7-0. Next Steve called for a motion to approve the minutes as amended, Rivka motioned to approve the minutes as amended, seconded by Nowel, motion carried 7-0.

Steve asked Joe Gibson if it was ok with him that the Board review his long form SEQR after attending to the other applicants; Joe agreed.

Steve opened the first Public Hearing at 7:32.

2023-PB-1, Richard & Marlene Martin, 816 Fenno Road, Dundee, NY 14837 requests a Special Use Permit to update an existing building for a Grocery Store and Farm Market that is in an A1 Zone. Steve said he received no correspondence regarding this proposal. There were no comments from the public or the Board. Steve completed the Short Seqr with a negative declaration. Steve closed the Public Hearing at 7:33pm. Rivka noted she drove by, it's located on a secondary partially paved road, there is sufficient parking and sees no problem with granting the Special Use Permit as long as they are in compliance with all applicable regulations. Rivka motioned to approve this application as submitted as long as the business is in compliance with all State regulations and that the building is brought up to code, seconded by Tim, motion carried 7-0.

Public Hearing opened at 7:35pm.

2023-PB-4, Darla & Steven Hill, Jarred Hill and Christy Buono, 87 Seneca Street, Dundee, NY 14837 request a Subdivision of their property at 930 Dundee-Glenora Road, Dundee, NY 14837 creating a 2.336 acre parcel to construct a residence on and leaving a 1.376 parcel as the current private use garage. The property is located in an Industrial Zone. Steven noted that this Board is not hearing the residence on the property as it is not allowed in an Industrial Zone, the applicants will need a variance or a Zoning change in order to build on the property. This board is only hearing the Subdivision of the property. Steve noted he heard no comments for this application. Buck Lawson asked if the lot is adjacent to the Village of Dundee, Steven said yes, the new lot will be facing Edwina Street. Steven closed the Public Hearing at 7:40pm. The subdivision is of legal lot sizes, the new lot will be 2.66 acres and the old lot will be 1.376 acres. Rivka noted the dimensions are sufficient for the Industrial Zone. Darla noted there is an existing driveway from Edwina Street. Steve called for a motion to approve. Christine motioned to approve the application as submitted, seconded by Tim, motion carried 7-0.

Public Hearing opened at 7:45pm

2023-PB-5, Noah Eberly, Chester Hoover, David Hoover request a Special Use Permit to build and operate a Mennonite School between NYS Route 14A and 973 Stone Mill Road, Dundee, NY 14837 on the Noah Eberly property at 973 Stone Mill Road, Dundee, NY14837. Steve noted that they will have to go through all regulations for a private school. Steve said he received no phone calls or comments regarding this application. Rivka said the line of sight is good. The Public Hearing closed at 7:46pm. Steve said the setbacks are good, he sees no issues with the application. Rivka motioned to approve

the application as submitted, Steve added that they must follow all State Regulations for a private school, seconded by Nowel, motion carried 7-0.

Public Hearing opened at 7:48pm.

2023-PB-7, Michael Sunden, 4598 Lakeview Road, Dundee, NY 14837 requests a Special Use Permit to obtain a Short Term Rental Permit on a private road. Steve noted he received no phone calls or comments regarding this application. Larry Krause said that this is a private neighborhood on a private road. He is concerned about road maintenance, will Michael be part of the current road association, Michael said yes. Steve noted that this Board looks at whether the private road is maintained. Safety is to be up to the private road association and they should adopt rules to consider Short Term Rental extra traffic. With no further comments Steve closed the Public Hearing at 7:54pm. Steve noted that there are 4 sleeping rooms and may have up to 10 people based on the septic system. The Code Official will look at that as it is part of the Short Term Rental permit. Steve said there looks to be adequate parking. Tim said there is adequate parking and Michael contributed to the Road Association he sees no issue with this application as long as the road is maintained. It was noted that the Special Use Permit will be valid as long as the property is in compliance with all regulations of the Short Term Rental permit. Christine asked if there will be any signs on the road for guests to locate the property. Michael said there will be the house number on the building. Steve motioned to accept this application as submitted with the addendum that they follow the rules/regulations of the Road Association. Seconded by Gwen, motion carried 7-0.

New Business: 2023-PB-3, Brandon Thomas & Holly Fusco, 4826 NYS Route 14, Dundee, NY 14837 requests a Special Use Permit to convert an existing barn on their property into a winery with a production area and small tasting room. The property is located in A1 and R1 zones. It was noted by the Board that they will need a map with measurements between buildings, topographical map and a map with adjacent property owners listed to make this application complete. Brandon said that the property is partially in the R1 zone and the vineyard is in the A1 zone. The winery will be in the R1 zone. Rivka noted that commercial/light industrial is permitted in the R1 zone. Brandon said they have been in touch with Yates County Soil and Water and with Cornell regarding placement of the vineyard. Steven noted that we need the updated maps by April 14, 2023. The Board members reviewed the Part 1 on the Seqr completed by the applicants. #5 in Part 1 should be Yes, they need a Special Use Permit. Steven said based on the answers in Part 1 of the Seqr the read and reviewed, completed Part 2 of the Seqr with a negative declaration. Steve set up a Public Hearing for Tuesday May 2, 2023 at 7:32pm. Rivka asked about the water supply. Brandon said there is 1 well and

a spring that is used on the property. The spring is on an adjacent property but his property has had deeded use for over 40 years.

2023-PB-6, Robert & Pamela Gardner, 5558 NYS Route 14A, Dundee, NY request a Subdivision of a 23 acre parcel into two parcels being parcel 1 of 17.710 acres and parcel 2 being 5.010 acres. Steve noted that they filled out the wrong part of the EAS form. Rivka and Steve said they do not need to fill out the EAS for this subdivision. Both lots have road access on NYS Route 14A. Rivka asked if there is an existing driveway, Robert said yes. Rivka requested a map of adjacent roads so that the members could locate the address. Steve completed the application. The Board will need a sketch drawing of any adjacent roads by April 14, 2023. Brian Shriver said he will help them with that. Steven set up a Public Hearing for Tuesday May 2, 2023 at 7:33pm.

2023-PB-2, Joe Gibson, d/b/a Cardinal Disposal, 635 Shannon Corners Road, Dundee, NY 14837 requests a Special Use Permit to construct a 100'x120' covered transfer station on his property. Steven noted that there is a completed application and SEQR. The DEC will be the lead agent on this project. Steve set a Public Hearing for Tuesday May 2, 2023 at 7:35pm. They still need a response from the DEC. The board will come back to this to review the Long Form SEQR.

2023-PB-3, JB3, LLC (William & Jennifer Cowie), 4082 Squaw Point Road, Dundee, NY 14837 requests a lot line adjustment with his neighbor the Morse's to the south. This will be an equal triangular swap of land. Mr. Cowie wants to take out an existing shed and build an 18'x24' pole barn. Rika read the Subdivision Regulations. Steve noted that this does not create any new non-conforming lots. Rivka said this does not make anything worse, Tim agrees, (both are pre-existing non-conforming lots). Steve asked members if anyone feels that this will make the Moore property non-conforming, they stated no. Steve noted that this needs to be an equal exchange of property and that he can stamp the plats when received. The members agreed this is a lot-line adjustment.

2023-PB-11, Mark Karasz, 378 Allen Road, Rock Stream, NY 14878 requests a subdivision of 53.048 acres from his 149.9 acre property. The 53.048 acre property will be annexed into his neighbors (purchaser, Leroy Zimmerman) property. There is road frontage on Allen Road. Steven noted that based on Local Law this is not a subdivision but rather a lot-line adjustment.

2023-PB-12, Justin Jeanray, 4121 Dundee Himrod Road, Dundee, NY 14837 requests a subdivision of 3.781 acres to be sold and annexed to Walter Hoover property. Members reviewed the application and decided that this was a lot-line adjustment.

2023-PB-13, Lloyd R. & Sally Ann Malloy, 4554 Dundee Himrod Road, Dundee, NY 14837 requests a Subdivision to divide and sell 36.455 acres from their property. The property borders on Shannon Corners to the north and Dundee Himrod Road to the east. There is legal frontage on both roads and is above 25 acres. According to Local Law this is not a subdivision, it is a lot-line adjustment.

2023-PB-10, Anthony Peelle, NYS Route 14, Dundee, NY requests a Subdivision of 10 acres bordering Squaw Point Creek and Pine Road Drive from a 27 ½ acre property. Steve told Anthony that the board will need the survey plats showing both proposed property lines before going forward with this application. Anthony will check to see when the survey will be done. If the board receives the survey plats by April 14, 2023 we can schedule a Public Hearing for Tuesday May 2, 2023 at 7:37pm. (**side note - they were not received**).

Back to the Joe Gibson Long Form SEQR - Steve reviewed the long form for members, he read it aloud. Rivka noted that we need dimensions between buildings, wetlands, roads, etc. Steve said we need a sketch map from roads to buildings, wetlands, drainage ditches, the size of the parcel and size of the proposed buildings. Based on the answers to Part 1 on the Long Form SEQR it has a negative declaration.

Member reports: Rivka got a certificate from a recent workshop she took to give to Candace. Rivka & Gwen to hand in certificates from various workshops they attended. Steven signed and stamped the survey plats for the approved lot-line adjustments.

Meeting adjourned at 9:30pm.

Respectfully submitted,

Peggy Carr, Clerk
Town of Starkey Planning Board