

Town of Starkey Planning Board
40 Seneca Street, Dundee, NY 14837

The Town of Starkey Planning Board held a meeting in person and via Zoom on Tuesday July 7, 2020 at the Town of Starkey Town Barns, 656 Dundee Glenora Road, Dundee, NY 14837.

Members present:

Steve Fulkerson, Chairperson – here
Bob Schiesser, Vice Chairperson – Zoom
Mary Rose – here
Gwen Chamberlin – here
Sue Knapp – Zoom
Rivka Davis – Zoom
Bob G – absent

Guests present:

Brian Quackenbush, Code Official
George Lawson, Town Supervisor

Ray Brewer, Jim Anderson Jane Levation, Ron Fancher, John Socha, Ron Snyder, Tim & Wendy Gibson, Kyle Gibson, Kim Miller, Lee Hardy, Richard Kaczynsk, Kevin and Gina Horn, John Coudey, Alex Mederios, Edward Worth, Tim & Kristen Senavasvits, Leon & Janet O'dronic, Frank & Margaret Trembly. Zoom Attendees: Renee Crofoot, Edward Kastreva, Gene LaDue, Rob Neu, Teresa O'Reilly, Patty ??, Lindy Hardy, Matt Romania (via l phone), Mervin Hoover, Erik Pollack, sue Benedict, Peter Mueller, Design team: John, Robert, Katie, Jamie, Beth Medeiros

Chairperson Steve Fulkerson opened the meeting at 7:30. Steve asked if anyone wanted the minutes of the previous meeting read. Rivka motioned to not read the minutes, seconded by Bob S. and Sue, motion carried 6-0. Steve motioned to approve the minutes of the previous meeting, seconded by Bob S., motion carried 6-0.

Old Business: 2020-PB-3, Matthew and Shane Romania requesting a Special Use Permit for a Short-Term Rental on a private road at 37 Red Cedar Lane, Dundee, NY. This application was held over from the June 2020 meeting as the board was waiting to hear from the Town Attorney regarding the deed stating no commercial use to the property. Steve read the letter from the Town Attorney. Steve does not think the application for use fits the area. Bob S. asked are you saying no because of changing the character of the area. Steve indicated yes that is what he is saying. Rivka noted that the Zoning Regulations says it is not in character with the neighborhood. Mary asked for a response to denial from Matthew Romania. He does not feel it is a deed issue. Mary said possible denial is because of the change in the character of the area. Steve read the criteria for a Special Use Permit and this application does not meet #4, it is not compatible with the area. Rivka noted that the board hears applications on a case by case basis. Steve motioned to deny the Special Use Permit, seconded by Sue, motion carried 6-0. Permit denied.

2020-PB-4, Erik Pollack, 4480 State Route 14, Dundee, NY 14837 requests a subdivision of his property into 15 ½ acres with the house and the balance of 20 acres remaining as one lot. Steve asked if there were any comments from the public, there were none, then asked if the board had any comments, Bob S, said he did not have problems with the application. Steve noted that the parcels meet all subdivision criteria. Bob S. motioned to approve the application as submitted, seconded by Steve, motion carried 6-0.

2020-PB-10, Mervin Hoover, Hoover Doors, 6-55 State Route 14, Rock Stream, NY 14878, requests a Special Use Permit to manufacture outdoor storage buildings. The lot to the north will be used for storage of the units. The units are being sold out of the Town of Milo. Rivka noted that there is a water course to the south that is not on the map but it should not be a problem. Yates County Planning Board is ok with the project as there is not county wide or municipal impact. Mary motioned to approve the Special Use Permit as submitted, seconded by Bob S., motion carried 6-0.

2020-PB-8, Jose and Donna Mederios, Red Cedar Falls Resort, 4793 Red Cedar Lane, Dundee, NY 14837. Jose gave an overview of the 6 buildings, restaurant and home. He also noted that the application is on file for review. Kate from Whitham Planning & Design, PLLC said that there will be 11 two story buildings with 6 units each and a restaurant/event space and 1 home for the owner. Steve said he heard from Mark Schenck, OMS (Off Shore Marine), supports the project, it will bring jobs and sales tax to the area and lodging and needed dining options, he believes it will be a top-notch facility. Yates County Planning Board stated as presented it will be a positive impact to the area. Steve had one phone caller who was concerned about traffic control. Linda a homeowner said the area is a country family area, she understands the need, but.. John spoke with Steve at lengths, neither for or against. Is concerned about the entrance from the north onto Red Cedar feels it is a dangerous situation. Will the developers bring the road back (repairs from heavy equipment). He is concerned about traffic and the financial concerns that it will be completed and what the timing is between Phase 1 and Phase 2? Edward is concerned about increased traffic on Lambs Run, Red Cedar (the private portion) and Starkey Point Road. He also asked what the RR Zone was. Steve explained that it is Resort/Residential and is a Special Use under "d". Edward concerned about emergency personnel being able to get there. George Lawson stated that the Town of Starkey is contracted with the Village of Dundee. Lee Hardy, Lambs Run Creek Rd., is concerned about the septic waste water. He spoke about 37 Red Cedar Lane not being in character then why is this? He said traffic on Lamb's Run Creek Road is dangerous, also concerned about noise, he is against the project. Steve Directly answered the question on 37 Red Cedar being on a private section of the road and the project is on a public section of the road. Whitham design team answered some of the questions posed. Peak hours of traffic may have 60 cars. The US DOT does not require a traffic study. Waste water is a raised mount system, 3 fields will rotate through higher waste water rates to cover. The lake will be the source of water for the site. There will be a separation site for intake/waste water. May not be able to see the buildings from Red Cedar Lane. They got the traffic rate from NYS, on State Route 14 as 140 cars per hour. The water and waste water systems must be approved by the State, they will need waste water/storm water /public water permits and a SPEDES permits. Kate said a 3rd party manager will manage the property with professional help, also Jose and his family will be living on site. They said the traffic volumes were from a 2015 study, the last information available. Renee Crofoot's opinion agrees with Lee Hardy about the small community feel of the area, traffic concerned. Steve pointed out that Red Cedar and Lambs Run Creek roads are public roads. Wendy and Tim Gibson own property within 100 ft of the proposed project. The bridge is only 19 ft. and there is overgrowth on Lambs Creek. Concerned about pedestrian walkways with increased traffic. She stated that Yates County Soil and Water said gray water can possibly travel to private wells. The entrance/exit for Red Cedar Falls is close to the Lamb's Run Creek bridge. Jose' Mederios said the placement is conceptional, will more than likely be moving it to the south to keep headlights from the neighbors. Kate said there will be signage showing the entrance/exit on Red Cedar Lane only. The directions will be on the website. Shale will slow waste water from entering neighboring wells, the system will be designed better than the typical to avoid that. Kate said landscaping will be maintained, resort guests will have trails on the property to explore. Gina Horn, property owner abutting on Lambs Run at the lake by the creek on the low side, concerned about water being diverted to the creek, also concerned about guests going into the creek as it is very dangerous. Also concerned about boat traffic as their dock shows going out into the

water and the beach is in a cove and what about the shack on the beach. The Mederios will be living near the water and have their own dock. The dock for the resort will only have space for up to 3 boats. The beach shack will get a face lift and it will be for the Mederios private use. Jamie said they will bring infrastructure to slow storm water runoff, he said storm water permits are rigorous. The system will be over designed. Gina Horn asked about keeping guests from the creek/ravine. Jose said the DEC does not allow people in the creek. They will have signage prohibiting entrance to the creek. There will be signage posted on site and in the rooms. Jose said they would like to have wine tasting weekends with area wineries and small weddings. They will not allow fireworks and no commercial fireworks for weddings. Gina asked if the drawings will be updated showing the north dock for the family and the south dock for kayaks/paddle boards, 3 mooring spots. Peter Mueller said changes in the atmosphere is setting a precedent of neighbors setting up more resorts, concerned about additional traffic. Steve noted that the current Zoning Regulations in a RR Zone show Motel, Hotel, Resorts are permitted with a Special Use Permit. Kevin Horn said there have been problems with trees that were cut in March, was it brought to the board's attention that a tree was pushed into the lake? Bob S. said he looked at the property and it appeared that the tree fell onto the beach/lake and was cut. Steve said the board may have known. Kevin asked Brian about the tree. Jose' said when they bought the property the tree fell and there were 2 trees that had been there for years. Kristen Wills, neighbor of the Mederios current home testified that Jose' and Donna are great people. Tim Sinivitis is involved in commercial/industrial jobs were systems are over engineered and has worked with storm water/waste water systems and they are doing it right and have his full support. Frank Trembly said listening to everything he would have concerns as well. He met the Mederios 5-6 years ago and they do things right. Feels the community will embrace this once it is finished as it is not enormous and fits this town and is favor of it. Edward Worth the plan and integrity of the people are not a concern, what concerns him is the impact on neighbors, concerned about tax assessments. Steve closed the public hearing at 9:08pm.

The Board needs to go over the final EAF. Steve went over the SEQR questions with a moderate impact.

3 D.1.b – material moved on the site will be used on the site, it will not leave the site.

How long for Phase 1 – about a year, the board would recommend a letter from the bank regarding financing the project. Phase 1 is separate from Phase 2. Mary noted moderate impact on the beach. Kate said there will be modifications to the cliff area adjacent to the lake. Jose' said they will stabilize the cliff. Mary asked about construction effecting the water body. Mary said #4 impact on ground water – when drawing water from the lake the harmful algae blooms cannot be removed from the water, per the DEC, they need to verify with the Health Department that it is treated properly. Rivka noted that on a small area of the road it will have impact on traffic patterns, increased traffic on roads connected to the project.

Steve said Part 3 also needs to be completed. Steve read the instructions on completing Part 3. Steve will send the completed Part 2 to the board members. The board will reconvene on July 21, 2020 at 7:00pm to discuss answers to Part 3. Jose' has no objections to the July 21st meeting. Steve asked board members to make notes on Part 3 of the EAF.

Steve explained the process of continuing, we are about ½ way through. George spoke about the time line. We need to look at the site plan and they have 180 days to submit the final plans. Rivka asked what is the soonest the board would rule on this. Steve said we could approve the preliminary on the 21st or it could be at the August meeting if the final comes in and there are no significant changes. Rivka said the updates to be addressed in 2 weeks. We will need approval from Yates County Soil and Water, they need to be included. It was noted that all permits must be obtained before construction begins.

The July 21st meeting will be held at the Town Barns in person and via Zoom. Meeting adjourned at 10:01pm.

Respectfully submitted,

Peggy Carr, Clerk
Town of Starkey Planning Board

Town of Starkey Planning Board
40 Seneca Street, Dundee, NY 14837

The Town of Starkey Planning Board held a meeting on Tuesday July 21, 2020 at the Town of Starkey Town Hall, 40 Seneca Street, Dundee, NY 14837.

Members present:

Steve Fulkerson, Chairperson – here
Mary Rose – here
Bob Schiesser – Zoom
Rivka Davis – Zoom
Gwen Chamberlin – Zoom

Guests present:

Brian Quackenbush, Code Official
George Lawson, Town Supervisor
Tim and Wendy Gibson
Jose and Donna Mederios – zoom
Jamie Gensel – Zoom
Kate Cheseboro – Zoom

Chairperson Steve Fulkerson opened the meeting at 7:00pm.

Part 2, 1b, moderate – due to the amount of land being disturbed. Steve read his reasoning for this answer. Rivka said it should be a conditional/negative. Working with Yates Soil and Water, need a letter from Yates Soil and Water and DEC. Jamie asked that all conditions be put on one page at the end. Kate said they expect conditions and letters/permits will be in place.

1c – Steve read his explanation. Mary asked where it was, Steve said he sent a PDF, EAR part 3, 1-q-1c. 1e Steve read his reasoning for his answers. Developer – construction hours will be 8am to 5pm, regular business hours, Phase 1 will take 1 year.

Rivka state that the Special Use Permit procedure requires a project plans must be completed within 2 years. Phase 2 would have to come back before the board. Steve thinks if it is approved it's without it having to come before the board, we don't want construction to drag on for 8 years. Kate said they would only come back for the SEQR, not necessary to redo the whole thing. The Board will ask the Town Attorney.

1f – Steve read his answers. 2a – Steve read his answers. Steve read a letter he received from Kate regarding the cliff shale, (he will email it to members). Mary asked if the cliff will be covered? Kate answered that it will be natural and netted. Brian said they will need a variance if a structure is within 50 ft. of the high-water mark. Brian also concerned if they remove cliff material it will top the project over 1000 tons. Steve said it will be excavated but left on the site. George said we need clarification from the DEC as if excavation and leaving on site is ok.

Bob S. said he looked at the cliff and it looked to be part dirt/shale then more dirt. Jose said that is not the case, it is solid shale all the way down.

3d – Steve read his answers – add state and local agencies.

3h – Steve read his answers. Mary asked about run-off from the parking lots. Jamie answered the storm water prevention plan is for the whole site. Bob S. had sent suggestions for wording to Steve and he read them. He will forward them to the members.

Rivka wants to discuss 1.8.g, concerned about the impact on South Red Cedar Lane, Lamb's Creek and Buttonwood Road being. The resort will signage to encourage resort traffic away from the smaller roads and enter/exit from the south entrance from State Route 14 and will have instructions to guests about the entrance and exit. Jose said they will be putting signage pointing to the south Red Cedar Lane and put "No Right Turn" on the exit of the resort.

Steve listed items for clarification.

- 1) Planning Board wants clarification of excavation removal, (part 1b), need letters of approval.
- 2) A Variance will be needed for any structure less than 50 ft. from the high-water mark.
- 3) Town Board needs clarification of 1c, letters of approval from Yates County Soil and Water and the DEC before construction starts. Kate added the Health Department for the septic system. Kate said according to Jose letters of approval will be obtained from the DEC, Health Department and Yates Soil & Water.

Steve motioned for a conditional negative declaration with the following conditions: That letters of approval/permits be received from the DEC, Yates County Soil and Water and other applicable agencies prior to construction. A Storm Water Pollution Prevention Plan, (SWPPP), be in place, Engineering for cliff-side structures, Health Department for septic systems, etc. according to State health and safety laws/regulations. A variance may be needed for any structures closer than 50' to the mean high-water mark. Signage and wayfinding placards would be worded and positioned in a way to direct visitors to and from the project from State Route 14 via Red Cedar Lane. This will include, based on an agreement from the property owner that a "No Right Turn" sign be posted when leaving the property. Seconded by Rivka, motion carried 5-0.

The board will now move forward with the site plan review. George asked what the procedure is now. Steve said he will send it to the county, and town clerk. In moving onto the site plan review we can look at the site as a whole, it then goes to the approval phase. The latest a determination will be made will be at the September meeting, they then have 6 months to get the final plans to the board. The meeting adjourned at 8:25pm.

Respectfully submitted,
Peggy Carr, Clerk
Town of Starkey Planning Board

Town of Starkey Planning Board
40 Seneca St., Dundee, NY 14837

The Town of Starkey Planning Board held a meeting in person and via Zoom on Tuesday August 4, 2020 at the Town of Starkey Town Hall, 40 Seneca St., Dundee, NY 14837.

Members present: Steven Fulkerson, Chairperson (Zoom)
Bob Schiesser (Zoom)
Rivka Davis (Zoom)
Gwen Chamberlain (Zoom)
Mary Rose (present)

Guests present: Brian Quackenbush, Code Official
George Lawson, Town Supervisor
Eugene Newswanger
Tim & Wendy Gibson
Paul Jayne

Guests via Zoom: Kevin Horn, Ericka Davis, DS Stevens, Lee Hardy, Bob Ladue, Gene Ladue, Christine Hopper, Kate and Jamie from Whitham Planning & Design, Jose Mederios

Chairperson Steve Fulkerson opened the meeting at 7:30pm. Steve called for a motion to waive the reading of the previous meetings minutes. Bob S. motioned to waive the reading of the minutes, seconded by Gwen, motion carried 5-0. Rivka had emailed a change in the minutes to read 60 cars not 30 cars. Steve motioned to approve the minutes as amended, seconded by Bob S., motion carried 5-0.

New business: 2020-PB-11, Erica Davis, 19 Buttonwood Dr., Dundee, NY 14837 requests an amendment to her current Special Use Permit to allow guests to park one vehicle in her designated parking space at the bottom of the road. Mary asked Erica about the location of the parking space. Erica stated that she owns the parking space and wants her renters to be able to park there. Steven said there was a history of the original permit was from complaints from the last house owner, having more than one car down there. Rivka noted that someone turning around would have to go on the last home owners property. Rivka thinks it is a significant change from the original Special Use permit. Brian noted that the gentleman at the bottom of the hill is concerned about spinning tires. Erica tells her renters what type of vehicle they need to drive down there. Bob S. noted that each property owner has one parking spot at the lake. Steven set up a Public Hearing for September 1, 2020 at 7:30pm.

2020-PB-12, Nevin Martin, 1641 State Route 54, Penn Yan, NY 14527 requests a Special Use permit to construct a 56'x96' building to manufacture moldings and furniture on property at 719 Dundee Starkey Rd., Dundee, NY 14837. The property is located in an A1 Zone. Eugene Newswanger representing Mr. Martin gave an overview of the proposal. Rivka asked if there would be any outside storage, Mr. Newswanger said no. Rivka asked about storm water

drainage. Mr. Newswanger said the property would be tiled and drained to an existing ditch. Steve read the qualifications for a Special Use Permit and set up a Public Hearing for September 1, 2020 at 7:25pm.

2020-PB-13, Susan Strohl, 4675 Red Cedar Ln., Dundee, NY 14837 requests a Special Use permit to obtain a Short-Term Rental permit. The property is on part of a private driveway with several cottages. Rivka said we need a diagram of the location from the road, especially on private roads. Susan said to go south on Starkey Road, turn left on Red Cedar Ln., her drive is there. After discussion a drawing must be received by Brian Quackenbush no later than August 18th. Steven set up a Public Hearing for September 1, 2020 at 7:20pm.

2020-PB-14, Paul Jayne, 1375 Gibson Rd., Dundee, NY 14837 requests to subdivide 21 acres into 4 parcels at 5252 State Rte. 14, and 5185, 5181 and 5171 Lakemont Himrod Rd., Dundee, NY 14837. After discussion Paul said that all lots will conform to Zoning Regulations. Steven requested preliminary drawings with lot sizes/lot lines. George suggested that Paul draw the measurements for each lot.

2020-PB-15, Paul Jayne, 1375 Gibson Rd., Dundee, NY 14837 requests to subdivide a 33 acre at 4999 Lakemont Himrod Rd., Dundee, NY with one lot being 3 acres and a house and one lot of 30 acre open. A Public Hearing is set up for both sub-divisions requests for September 1, 2020 at 7:15pm.

Next the board continued with the Red Cedar Falls Resort project. Kate said they moved the driveway to protect the neighbors from the headlights. They will have signage asking "No Right Turn" at the exit to attempt to keep guests from going on the private roads. The parking areas will have plantings to help with storm water runoff. They then spoke about what they want to do with the cliff. They would like to have patios over the cliff for the guests to use. They will need a variance for this. They also would like to have a 12 ft. wide dock for use of paddle boards and kayaks which will also need a variance for this as the Town of Starkey Zoning Regulations allow 8 ft. wide docks. They will also need a variance for the water treatment building on the beach that does not meet the lakeside setback. Jamie stated that it will be back as far as possible and the property to the south will be landscaped. Mary asked about the noise level of the pump house. Jamie said that it is more of an injection site to inject chlorine into the water being pumped out of the lake. Kate said phase 1 includes the restaurant and then she showed the other proposed buildings. Mary asked Jose if the personal home will be tied into the projects water and sewer system, he said yes. Jose doesn't think the beach area will be full at any given time. Gwen asked if the driveway and parking areas will be done in phase 1. Kate said there will be 6 paved parking spots for each unit. Rivka asked about the building time line. Steve said the board will need letters of approval from the appropriate agencies. Steve amended the conditional negative SEQR declaration to approve the preliminary site plan pending variance approval, seconded by Bob. 5-0 approval. Kate said they will attend a meeting with the Zoning Board of Appeals in August and September.

Other business: Mary noted that the Short-Term rental on North Glenora Road has been renting all season and they have not received their permit until the septic system was updated. Brian said he gave her a temporary permit as she was waiting on the septic. She needs to send the letters to the neighbors. The mirror that was requested in the permit has not been installed yet. She bought it but a neighbor does not want it. Mary asked what is the follow up on short-term rentals. George said if the short-term rental permit terms are not being followed all complaints must be in writing to the Town Board.

With no other reports Steven adjourned the meeting at 8:54pm.

Respectfully submitted,

Peggy Carr, Clerk
Town of Starkey Planning Board

Town of Starkey Planning Board
40 Seneca Street, Dundee, NY 14837

The Town of Starkey Planning Board held an in person and virtual Public Hearing and regular meeting on September 1, 2020 at the Town of Starkey Town Hall, 40 Seneca Street, Dundee, NY 14837.

Members present:

Steven Fulkerson, Chairperson
Bob Schiesser, via Zoom
Mary Rose, via Zoom
Rivka Davis, via Zoom
Gwen Chamberlin, via Zoom

Guests present:

Brian Quackenbush, Code Official
George Lawson, Town Supervisor
Paul Jayne
Erica Davis
Eugene Newswanger
Nevin R. Martin
Susan Strohl, via Zoom

Steve asked any of the attendees if they would like the minutes of the previous meeting read aloud, the declined. Steve motioned to waive the reading the previous months minutes, seconded by Bob, motion carried 5-0. Steve then asked for a motion to approve the minutes of the previous meeting. Rivka noted she had sent a correction to Peggy which was corrected before the meeting. Mary said she also sent in a correction but it was not received by Peggy. Mary wanted to correct under "Other Business – She referenced at least two written complaints that had been submitted to Brian Q by a neighbor at 42 N. Glenora Rd., George commented that the Town Board had been lax in not responding to those complaints and in the future appropriate follow-up would take place on all written complaints. Bob S. motioned to accept the minutes as amended by Rivka and Mary, seconded by Steve, motion carried 5-0.

Steve opened the Public Hearing at 7:15pm. First on the docket was 2020-PB-14 and 2020-PB-15, Paul Jayne 1375 Gibson Road, Dundee, NY 14837 requesting subdivisions of a 5252 State Route 14, 5185, 5181 and 5171 Lakemont Himrod Road, Dundee, NY which consist of 21 acres into 4 parcels. The homes on Lakemont Himrod Road would be 3 homes with +/- 2 acres and at 4999 Lakemont Himrod Road, he would like to subdivide a 33-acre parcel into one 3-acre lot with a house and the balance of 30 acres would remain an open field. Steve said he received one phone call asking what was going on so he explained it to the person. For 2020-PB-14 Paul submitted hand drawings for the 21-acre subdivision. The board needed better drawings with boundary lines, water courses etc. Steve tabled this application until the October 6, 2020 meeting. Regarding 2020-PB-15, subdividing 4999 Lakemont Himrod Road, the board discussed the location of the property and the dimensions. Rivka noted that all dimensions are all over

the required measurements for a subdivision and the parcel is in an R1 zone. Steve motioned to approve the subdivision at 4999 Lakemont Himrod Road, Dundee, NY 14837.

2020-Pb-13, Susan Strohl, 4675 Red Cedar Lane, Dundee, NY 14837 requests a Special Use Permit to obtain a Short-Term Rental Permit on a private shared driveway. It was noted that it is a shared driveway with all properties having private driveways to their property. Mary said she couldn't find the property (driveway) as it is called "Hollenbeck Ln.", she questioned how renters will be able to find the location, there needs to be better clarification in the directions. Bob S. said he approached from the south and had a hard time finding the driveway also. Steve noted that he had not hear from the neighbors. It was recommended that they advertise that renters turn onto Hollenbeck Ln. and have signage at the mailbox. Mary also suggested they take down the "gazette paper" tube and email them to let them know it was coming down. They could put the signage to the rental there. Steve motioned to approve the application with the stipulations that there be adequate signage at Red Cedar Lane and information for the rental shows they must turn onto Hollenbeck Ln. and if a road association is formed, that she join it and follow all regulations for the Short-Term rental permit. The motion was seconded by Mary, motion carried 5-0.

The next Public Hearing opened at 7:39pm. 2020-PB-12, Nevin Martin, 1641 Route 54, Penn Yan, NY requests a Special Use Permit to build a 56'x96'x12' woodworking shop at 719 Dundee Starkey Rd., Dundee, NY. Steve said he received one phone call and the person noted that there are a lot of buildings on the property and this one might be blocking her view. It was noted that the building will be 260' off the main road. Rivka concerned about the proposed new driveway being too close to the blind curve. Nevin Martin and Eugene Newswanger (property owner) stated that the Yates County Highway Department has approved it and has already installed the culvert pipe. Brian noted that the Yates County Planning Board has not heard this application yet. Steve tabled this application until the October 6, 2020 meeting to wait to hear from the County. Rivka is concerned about vehicles backing out on to the road.

2020-PB-11, Erica Davis, 19 Buttonwood Lane, Dundee, NY is requesting an amended Special Use Permit to allow her renters to use her designated parking space for lake access. Steve heard from Leon O'dronik and he indicated the renters from Lot #27 have torn up the driveway. Steve suggested that Erica stipulate that the renters have all-wheel drive vehicles or 4-wheel drive vehicles for access to the parking spot. Erica said Leon had called her about people parking there and causing issues. Peter Mueller emailed Steve and is against it because of how it was originally set-up. Brian said he spoke with Leon and he is concerned about vehicles kicking up stones and someone getting hurt. Brian suggested that property owners from #19 and #27 Buttonwood Lane put some sort of surface in the parking areas, either stone and oil or blacktop. Erica stated that after speaking with Leon she increased her rental rates, added security cameras and rents to older clientele. Leon has told her renters to park there if needed. Bob S. motioned to approve the amendment with the stipulations that if a road association is formed the property owner is to join, that all-wheel or 4-wheel vehicles be used to access the parking spot and that there be some sort of parking space delineation so the renters will know which spot is hers, seconded by Gwen, motion carried 5-0.

Steve read the Special Use Criteria for the Red Cedar Lane Resort project. The use conforms with all Special Use Criteria. The board voted 5-0 to approve the application as a Special Use. The next step will be site plan approval. George noted that Peter Mueller state that this is setting up a precedence and that we should review our comprehensive plan to see if this creates a precedence. Rivka suggested also going over our Hotel/Resort regulations. It was noted that this was addressed by the developer.

Meeting adjourned at 8:25pm.

Respectfully submitted,

Peggy Carr, Clerk
Town of Starkey Planning Board

Town of Starkey Planning Board
40 Seneca Street, Dundee, NY 14837

The Town of Starkey Planning Board held a meeting (both in person and via Zoom), on Tuesday October 6, 2020 at the Town of Starkey Town Hall, 40 Seneca Street, Dundee, NY 14837.

Members present:

Steven Fulkerson, Chairperson
Mary Rose
Nowel Faus
Bob Schiesser (via Zoom)
Rivka Davis (via Zoom)
Christine Hople (via Zoom)
Gwen Chamberlain (via Zoom)

Guests present:

Brian Quackenbush, Code Official
George Lawson, Town Supervisor
Eugene Newswanger
Nevin Martin
Nelson Hoover
Jamie Geasel (via Zoom)
Jose Mederios (via Zoom)
Yifei Yan (via Zoom)
Scott Whitham (via Zoom)

Chairperson Steven Fulkerson opened the meeting at 7:30pm. Steve welcomed new members Christine Hople and Nowel Faus to the board. Bob S. asked if the County Planning Board approved the placement of the driveway in the Nevin Martin application. Steve clarified that the Yates County Dept of Transportation put in the culvert for the driveway. Steve asked if anyone wanted the minutes of the previous meeting read. With no answers Steve motioned to waive the reading of the minutes, seconded by Mary, motion carried 7-0. Steve motioned to approve the minutes as amended by Rivka (which were amended before the meeting), seconded by Bob, motion carried 5-0 with the new members abstaining.

Old Business: 2020-PB-14, Paul Jayne, 1375 Gibson Road, Dundee, NY 14837 requesting a subdivision of property on Lakemont Himrod Road, Dundee, NY. The matter will be tabled until the November 3, 2020 meeting as the applicant is not in attendance.

2020-PB-12 Nevin Martin, 1654 Route 54, Penn Yan, NY 14527 requesting a Special Use Permit to construct a 56'x96'x12' building for manufacturing of furniture and moldings. The application was held over from the September 2020 meeting to hear back from the Yates County Planning Board regarding the application. Per Brian, the County stated that the proposed project has no or moderate county wide impact. Rivka wanted it noted that customers are not to back out onto

the roadway. Steve noted that the building is 260' from the roadway and there is ample room for customers to turn around before pulling out of the driveway safely. Steve completed the Seqr with a negative declaration. Steve noted that it is a complete application. Rivka asked if it meets the Special Use Requirements. Steve read the Special Use Requirements. Steve motioned to approve the Special Use Permit with the addition that patrons do not back out onto the Dundee Starkey Road, seconded by Mary, motion carried 7-0.

New Business: 2020-PB-16, Nelson Z. Hoover, 4784 Lakemont Himrod Road, Dundee, NY 14837 requests an amendment to his current Special Use Permit to construct a 60'x72' greenhouse for the production and sale of hanging baskets, bedding plants and vegetable plants for retail sale. Bob asked it would have plastic covering, Nelson answered yes. Bob asked if people would be going into the greenhouse, Nelson, Steve and Brian said yes. Steve read the Special Use requirements to set up a public hearing. A public hearing is set up for November 3, 2020 at 7:30pm. Nowel has questions regarding the hours of operation stated on the application that they might want to be open longer than June. After discussion Nelson said to take that off the application. Steve noted to strike the open hours or month of operation from the application.

2020-PB-17, Carlton Gernold, 5204 State Rte 14A, Dundee, NY 14837 requests a lot line adjustment to sell a triangle shape area to 5320 State Rte 14A, Dundee, NY 14837. Nelson Faus the proposed new owner of the property said that the property will be annexed into his current property. The members discussed whether the lot was conforming. Brian said the 150' wide requirement is at the building line. Steve noted that it is a conforming lot becoming a more conforming lot. The application is postponed until the November meeting with hopes that Carlton Gernold or his representative will be at the meeting.

Next the board reviewed the final site plan for the Red Cedar Falls Resort project. Rivka has questions about the size of the buildings shown on the plans. Jamie noted that they are just boxes shown on the site plan for placement of the buildings and in reality, they will not be that big. Yife Yan gave an overview of the greenspace changes, storm water features, and parking for larger vehicles. Jamie mentioned the boardwalk is a step transition and he noted that they added a "T" shape to the dock to create an area for patrons to safely swim. The Town of Starkey Zoning Board of Appeals has permitted the 12' width of the dock from the beach. Rivka asked if the DEC/Dept. of Health permits have been issued yet. Jamie said not yet, they want them to get the site plan approval first. Scott Whitham also noted that a lot of the government workers are working from home. Rivka asked if they have contacted Yates County Soil and Water, Jamie said not sure, he will have to check with his people. Steve asked if the oversized parking area will put them over the maximum allowed of 20% impervious spaces. George noted that the patios would also have to be figured into that also. Jamie said the decks are not part of the impervious surface as water flows through them. Mary asked what are the rectangle images near the private residence? Scott said they are rocks (blocks) for erosion control. Mary asked what the stair tower is made of. Jose said steel, metal posts with steel stairs. Mary asked about keeping patrons out of the creek/gully, Jose said some seating areas for guests, there is some natural blockage to keep people from the area. Yife noted that in phase one there will be the restaurant, 2 center units, 3 cliff units and 1 unit to the north. Phase two will consist of 2 more center units and 3 units to the north. Quiet

hours will be from 10:00pm to 7:00am. George noted that there are performance standards regarding noise to the neighbors. George also mentioned that this board is hearing the use for that location if it is ever sold. It was also noted that a Variance was granted for the width of the dock at the shore and the Army Corp of Engineers oversees the dock in the water. Mary made an observation regarding the entrance from Route 14. Christine Hopple asked for a quick review of how they are providing water. Jamie explained to her. How deep into the lake is the pump? They do not know yet, it is to be determined by the DEC and Department of Health. Christine asked about the noise levels from pumping the water from the lake, Jamie explained it to her. Rivka asked about the pump noise underwater effecting lake species. Mary asked what they are putting on the cliff under the patios to keep the erosion down. Jose said they might put a chain link fencing; they will have the engineers help determine that. Rivka clarified that if we grant the permit that it be in compliance with Town of Starkey Zoning Regulation section 6.1 and all outside permits be in place and conditional of receiving permits from the Department of Health, Department of Environment Conservation, Army Corp of Engineers and Yates County Soil and Water. Steve motioned to approve the application as submitted with the request that all necessary permits be obtained before building permits are issued, seconded by Bob. Motion carried 5 yay, 1 nay (Mary) and 1 abstain (Christine). Jose thanked everyone for their hard work on this project.

New Business: George mentioned that The County Planning Board said that New York State might be legalizing Marijuana and THC containing products. We might want to have a moratorium on this. After discussing this George suggesting this board wait until they hear from the State. Jose is on a board in New Jersey and suggested regulating the grow houses not what is grown inside or in the fields. Steve asked Brian about training sessions. Brian believes most have been cancelled. Steve gave information to the new members where to find information on the SEQR process and online information. Rivka asked about the sexual harassment training is it an annual thing? George said yes it was. Gwen said she participated in the webinar on Zoning.

Steve adjourned the meeting at 9:02pm.

Respectfully submitted,

Peggy Carr, Clerk
Town of Starkey Planning Board

Town of Starkey Planning Board
40 Seneca Street, Dundee, NY 14837

The Town of Starkey Planning held a Public Hearing and Regular meeting on Tuesday November 3, 2020 in-person and via Zoom at the Town of Starkey Town Hall, 40 Seneca St., Dundee, NY.

Members Present: Steven Fulkerson, Chairperson (here)
Mary Rose (here)
Nowel Faus (here)
Rivka Davis (Zoom)
Bob Schiesser (Zoom)
Gwen Chamberlain (Zoom)
Christine Hopple (Zoom)

Guests Present: Brian Quackenbush, Code Official (here)
George Lawson, Town Supervisor (here)
Nelson Z. Hoover (here)
Donald Schneider (here)
Kelly & Glen Cooper (Zoom)

Chairperson Steven Fulkerson opened the meeting at 7:30pm. Steve asked if anyone wanted the minutes of the previous meeting read. No one in audience wanted them read. Steve motioned to waive the reading of the minutes, seconded by Mary. Motion carried 7-0. Mary motioned to approve the minutes as edited by Rivka, seconded by Bob S., motion carried 7-0.

Steven opened the Public Hearing for 2020-PB-16, Nelson Z. Hoover, 4784 Lakemont Himrod Road, Dundee, NY 14837 requests to amend his current Special Use Permit to construct a 60'x72' greenhouse for commercial sale of plants. Steve said he has not received any phone calls or comments regarding this application. There were no questions from the board. Rivka noted that she drove by the property and everything looks in order. Steve closed the Public hearing at 7:34pm. Steve completed the SEQR with a negative declaration. Steve read the Special Use Criteria noting that it is an existing use. Steve motioned to approve the application as submitted, seconded by Mary, motion carried 7-0.

Old Business: The Public Hearing for the application of Paul Jayne for a subdivision is being held over until the December meeting.

Old Business: Held over from the October meeting, 2020-17-20, Carlton Gernold, 5264 State Route 14A, Dundee, NY 14837 requesting a lot line adjustment to be annexed into 5320 State Route 14A, Dundee, NY 14837. Attorney Donald Schneider representing Mr. Gernold explained the reason for the lot line adjustment to the board. Steven noted that it is making a more conforming lot. Bob S. motioned to approve the lot line adjustment, seconded by Rivka, motion carried 7-0.

New Business: 2020-PB-18, Glen & Kelly Cooper, 9 Mill Neck Ln., Pittsford, NY 14534 request a Special Use Permit to obtain a Short-Term Rental Permit on a private shared drive at 75D South Glenora Rd., Dundee, NY 14837. The Cooper's gave an overview of their request. Steve questioned the number of bedrooms. Kelly said the 4th bedroom is downstairs and used to be an office. Brian will look at the original drawings to see if the septic system is large enough for 4 bedrooms. Mary asked Kelly to provide the dimensions of the 4th bedroom. Rivka asked for permission to drive to the property as it is on a private drive. Permission was given. Steve set up a Public Hearing for December 1, 2020 at 7:30pm.

Other Business: Steve said we need a nominating committee for the Chairperson and Vice Chairperson positions on the board. Steve offered to be Chairperson again. Rivka suggested revisiting this at the December meeting to see if anyone wants to be the Chairperson and Vice Chairperson. Mary motioned to have Rivka and Bob as the nominating committee.

Members discussed what to work on at the December meeting. Rivka asked if the Subdivision Regulations had been submitted to the Town Board. Steve said yes, they had. George said "we" (the Town Board) have been working on the water treatment/septic system regulations and have not reviewed the document yet. Steven said we need to review the Zoning Regulations starting at Section 6.3 to the end of Section 6 and Article 9. Steve will send copies of the regulations to the members for review before the December meeting.

Steven adjourned the meeting at 8:24pm.

Respectfully submitted,

Peggy Carr, Clerk
Town of Starkey Planning Board

**Town of Starkey Planning Board
40 Seneca Street, Dundee, NY 14837**

The Town of Starkey Planning Board held a Public Hearing and monthly meeting in person and via Zoom on Tuesday December 1, 2020 at the Town of Starkey Town Hall, 40 Seneca Street, Dundee, NY 14837.

Members present:

Steven Fulkerson, Chairperson
Mary Rose
Nowal Faus
Bob Schiesser, Vice Chairperson – Zoom
Rivka Davis – Zoom
Gwen Chamberlain – Zoom
Christine Hopple – Zoom (she arrived late as she was in another meeting)

Guests present:

Brian Quackenbush, Code Official
George Lawson, Town Supervisor
Paul Jayne

The following people attended via Zoom: Hank & Lynda Kimball, Harriet Rose, Martha Iszard, Kelly & Glen Gooper, Mimi Gridley, Eileen Holgate, Nancy Fulkerson.

Chairperson Steven Fulkerson opened the meeting at 7:30pm. Steve asked if there were any questions or changes to the previous November 2020 minutes. There were none. Steve motioned to waive the reading of the minutes, seconded by Mary, motion passed 6-0.

Steve opened the public hearing at 7:31pm for the application of Glen and Kelly Cooper, 9 Mill Creek Ln., Pittsford, NY 14534 for a Special Use Permit to obtain a Short-Term Rental Permit on a shared private driveway at 75D South Glenora Road, Dundee, NY 14837. Steve received a call from Mr. Doan at 75B South Glenora Rd., and he is concerned about speed on the lane/driveway. Mary Rose (resident) said she is and other family members own the property across the creek from 75D and they did not get a letter about this meeting, so she informed the other owners. Mary stated “that the special use application could be table until this administrative oversight was corrected. She also urges that the Board, and CEO give the applicant the responsibility of the notification process”. She does not have any objections. Harriet Rose did not hear what was said so Steven explained it. Martha Iszard noted that the property was sold as a 3 bedroom and the application is for a 4 bedroom, where is the new bedroom? She believes there are too much traffic and too many cars in the area already. The Planning Board should be more sensitive to the character of the area. Harriet Rose lives in California in an area where there are many rental homes and does not feel the permit should be granted for more than it is allowed for sleeping. Mary Rose (Board member) asked what is the size for the fourth bedroom, Kelly answered about 80sq. feet which is large enough for 1 person per the regulations. Mary “asked the applicant to give specific dimensions to Brian for

the STR permit.” The septic guidelines, road access and the Short-Term Rental Law is to be followed and given by the Zoning Officer. The Code Enforcement Official will determine if the septic system is large enough for this proposal. Mary Rose (resident) has pet peeves regarding parking and people locking their cars and the horn beeping and later hours and the lights being left on all night. Bob Schiesser drove by today and the driveway needs to be better marked. The parking area is a round area and he is not sure how many cars can be parked there. Rivka agrees with Bob about the signage. Martha Iszard said the house has a lot of outside lighting and they need to not have them on at all hours. Nowel Faus stated that he knows Myron Glick (rental agent) and he is quite strict about the regulations and will not allow repeat renters if they are in violation. Kelly noted that they want to be there personally as much as possible. Steve closed the public hearing at 7:54pm.

Steve opened the discussion to the board members; Rivka thinks there should be something put in the permit about lighting, put a condition that lighting between 10:00pm and dawn be kept to a minimum. Bob suggests putting a speed limit sign/child at play sign. Steve suggested that they put that in the rental agreement. Kelly said there is no road association per her attorney. Glen said it is a driveway and speed would be difficult and doesn't think a sign is needed if it is in the rental agreement. George noted that 75D North Glenora Road is not listed on the Fire Department location list. The “75” should be displayed for the Fire Department to find them in the event of an incident. It could say 75 A-D South Glenora Road. Mary noted that when property was for sale people would come to her house looking for 75D. Glen asked if/when they are there should they not use the lights. Rivka looked up the wording in the Performance Standards for Illumination/Glare and read the same. Hank Kimball asked Glen and Kelly how often they plan to rent the property. Glen said “We don't know what we don't know”. Glen stated that the manager Myron Glick would be making most recommendations for who will be renting. They don't know how many times they will personally be there. Gwen asked if they knew the minimum/maximum length of stay. Glen said he wants to have weekly rentals at the minimum to help weed out people. Bob S. said the people next door to him do weekly rentals with no problems, definitely recommends weekly rentals. Steve said we have 3 stipulations on the table, 1) speed noted in the rental agreement; 2) adequate signage to the property and 3) if there is a Road Association is formed that the property owners join. Nowel asked if the signage could be put in the Public Right of Way. Steve called for a motion to approve the Special Use Permit to obtain a Short-Term Rental Permit with the stipulations that a speed limit of 5mph be listed in the rental agreement, adequate signage (minimum for Fire Number) and if a Road Association is formed the property owners must join. Rivka motioned to approve as stated and according to the application, seconded by Steve. Motion passed 7-0.

Steve opened the public hearing from September 2020 as this is the last day to keep it open for the application of 2020-PB-14, Paul Jayne 1375 Gibson Rd., Dundee, NY 14837 for a subdivision of 21 Acres at 5252 State Rte. 14, and 5171, 5181, 5185 Lakemont Himrod Road, Dundee, NY into 4 parcels. The board members received the official survey this morning. Steve said it meets the side yard and road side set-backs. Rivka asked if there is a deeded wording for the shared driveway. Paul noted that there is a right-of-way laneway for the water line from Rte. 14 to Lakemont Himrod Road. Steve believes the lots meet the subdivision regulations. Steve

motioned to approve the subdivision, seconded by Mary, motion carried 7-0 for the preliminary drawings. He would need copies of the final drawings for signatures. After more discussion it was noted that the shared driveway for parcels 1 & 2 is on the survey. Steve asked if the members would have a problem approving the application with the current survey map as the final plat with the stipulation that the deeds for the parcels 1 & 2 have a shared driveway noted. The members agreed. Steve motioned the above, seconded by Nowel, second motion approved for the subdivision 7-0. Steve will sign the mylar copies once they are received.

Member reports: Bob S. stated that the nominating committee has nominated Steve for Chairperson and Mary as Vice Chairperson. The board will vote on it at the January 5, 2021 meeting. The members will hold a workshop meeting via Zoom on Tuesday December 15, 2020 at 7:00pm. It will be advertised for 1 week. Brian Quackenbush is retiring from the Code Enforcement Official as of March 31, 2021.

The board then went on to work on the Zoning Regulations revisions. Section 6 – 6.10 a typo #3 Pedestrian access. Rivka gave changes that had been made earlier but not saved to Steven that were not in the email sent earlier. Bob S. had questions on 6.71 “Restoration of Land”. George said this is part of the DEC permits language. Steve noted that he believes that Section 9 regulations governing manufactured homes should be in Section 6. They will move it to 6.5. Steve would like to finish the book, sections 7, 8 and 9 (review these sections). Mary noted that there is on-line training on December 15, 2020 from 5:00pm to 7:00pm regarding Flood Plains. The meeting is being changed to 7:30pm on December 15th to accommodate members that wish to attend the on-line training. Meeting adjourned at 9:05pm.

Respectfully submitted,

Peggy Carr, Clerk
Town of Starkey Planning Board