

# ***Town of Starkey Planning Board***

**40 Seneca Street  
Dundee, NY 14837  
Phone: 607-243-7996  
Fax: 607-243-7764**

The Town of Starkey Planning Board met on February 6 2018 at the Town of Starkey Town Hall , 40 Seneca Street, Dundee, NY 14837.

## **Members Present**

Steven Fulkerson- Chairperson  
Bob Gaunt- absent  
Mary Rose  
Bob Schiesser- excused  
Earl Andrews  
Cleo Pollack excused  
Rivka Davis

## **Guests Present;**

Brian Quackenbush,  
George Lawson-  
Mimi Gridley

Chairperson Steven Fulkerson called the meeting to order at 7:32pm. Steven F. asked for a motion to approve the Regular and Public Meeting Minutes . They were approved 4-0

Old Business;- None

New business- 2018-PB-1 Joe Gibson from Cardinal Disposal at 635 Shannon Corners Road has applied for a special use permit to build a 40'x80' addition to his existing truck maintenance shop for additional maintenance repairs area of his own equipment. A 16'x16' area of this space will be used for office. Joe was asked about outside lighting, wastewater system, traffic flow, and water runoff. Joe said that he is working with a engineer to developed a storm water plan. Steven read through the Short Environmental Assessment Form and declared a small or no impact. A public hearing is scheduled for March 6 2018 at 7:28PM

Other Business; There was a discussion about last minute application and Brian will use a deadline of the Thursday before the meeting at 12.00 noon as the official deadline. The deadline will be added to the information provided to the applicant so that they are clear on the deadline.

The board did not have a quorum for the Jan 16 2018 workshop meeting. And have scheduled a workshop meeting for February 20 2018 at 7:00pm. This will need to have a notice in the paper.

The board begins working on the review of the current zoning book. Steven was able to work on this and passed out some sheets of his suggestions. There are some issues with the current book as to the way the numbers and letters are used and are not consistent.

There was some discussion on the best way. The following is the format that they are considering A. 1. A. (1) (a) II.

They started the review on Page 3 and will add Capital letters to each statement and will add a new statement for Air and Water Quality. Some changes to 1.30 and listing the local laws with letters

2.10 Usage – The board reviewed this and there are a lot of quotes that may need changes  
2.20 Definitions- The first definitions is Accessory Structure and this opened up a discussion on second structures on the same lot . Steven has the zoning on his computer and is making the proposed changes as we go.

The meeting was closed at 9:00pm.

Respectfully Submitted

Brian L. Quackenbush  
Code Official/ acting Clerk

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

The Town of Starkey Planning Board held a regular meeting on January 2, 2018 at Town of Starkey Town Hall, 40 Seneca Street, Dundee, NY 14837.

**Members present:**

Bob Schiesser, Chairperson  
Cleo Pollack  
Earl Andrews  
Peter Mueller  
Rivka Davis  
Steven Fulkerson  
Bob Gaunt – excused

**Guests present:**

Brian Quackenbush, Code Official  
George Lawson, Town Supervisor  
Jesse Jayne  
Mary Rose

Chairperson Bob S. opened the regular meeting at 7:32pm. Bob asked for a motion to approve the minutes of the previous meeting. Brian noted that “Respectfully submitted” was left off and should be put on. Rivka motioned to approve the minutes as amended, seconded by Bob S. motion carried 6-0. Peter and Rivka were the nomination committee for the Chairperson and Vice Chairperson positions for 2018. Peter noted that Steven volunteered to be Chairperson and Bob S. volunteered to be Vice Chairperson. Peter motioned to accept the nominating committee’s candidates for the Chairperson and Vice Chairperson positions. Motion was seconded by Rivka, motion carried 6-0 for Steven Fulkerson being the Chairperson for 2018, Rivka motioned to accept Bob Schiesser as Vice Chairperson for 2018, seconded by Cleo, and the motion carried 6-0.

Old Business: 2017-PB-11, Timothy Gibson, 4619 Dundee Himrod Rd., Dundee, NY 14837 is requesting an amended Special Use Permit to build a 16’x30’ office space and a 16’x24’ open storage addition to his building at Sunrise Insulation. Rivka asked about outside lighting. Jesse said there would be lighting at the rear of the building overhang, it will not be visible from the road. Steve questioned the septic capacity for the addition with extra employees. Jesse stated that there will be no new employees. The addition is for larger office space and storage. Steven read the criteria for a Special Use Permit with a negative declaration. Bob S. motioned to approve the application for an amended Special Use Permit as submitted, seconded by Steve, motion carried, 6-0.

Other business: A workshop meeting will be scheduled for January 16, 2018 at 7:00pm to work on updating the Zoning Regulations. Steven noted that they need to decide where to start on



the book updates. Bob S. questioned if they need to address the option to build on a legal lot on a private road. George explained that if the property is a legal lot or grandfathered in it could be built on. Brian will send an electronic version of the Zoning Regulations to Steven so that he can make changes on his laptop as the changes are decided. It was decided that board members are to review "Articles 1 & 2" for the workshop meeting.

Steven, Bob S., and 2 Town Board members met with USDA inspectors and Sue Collins DVM to visit 2 dog kennel operations. I was noted that kennels are inspected at least once a year, with some being inspected more than that. Members discussed kennels and dog manure composting. George said he got a name of the person who tests the municipal sludge and he will check with them to see what it would cost to have dog manure tested. Earl asked "what's the difference between a regular home owner leaving their dog feces on the ground with the potential run off and a commercial kennel owner who composts the dog manure?" Members discussed the pros and cons of kennels. George asked members if they still wanted the moratorium on dog kennel applications. The members decided yes they would like the moratorium as they are working on the updates to the Zoning Regulations.

Bob S. informed members that Peter Mueller was resigning from the Planning Board effective January 2, 2018 and Mary Rose agreed to take his seat on the board. Members thanked Peter for his service. He will be missed.

With nothing further, Steven adjourned the meeting at 9:04pm.

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 on January 2, 2018 at Town of Starkey Town Hall, 40 Seneca Street, Dundee, NY 14837.

**Members present:**

Bob Schiesser, Chairperson  
Cleo Pollack  
Earl Andrews  
Peter Mueller  
Rivka Davis  
Steven Fulkerson  
Bob Gaunt – excused

**Guests present:**

Brian Quackenbush, Code Official  
George Lawson, Town Supervisor  
Jesse Jayne  
Mary Rose

Chairperson Bob S. opened the Public Hearing at 7:27pm. 2017-PB-11, Timothy Gibson, 4619 Dundee Himrod Rd., Dundee, NY 14837 is requesting an amended Special Use Permit to build a 16'x30' office space and a 16'x24' open storage addition to his building at Sunrise Insulation. Jesse Jayne, contractor, was representing Tim Gibson. Brian asked Jesse about the leach line and Jesse stated that the addition was not near the leach line. Brian said one neighbor from across the street had questions regarding outside lighting. Brian showed them the application and now has no qualms with the addition. Bob S. said the Yates County Planning Board said the proposition had no county wide impact. Bob S. did not receive any letters or phone calls for this project. Bob S. closed the Public Hearing at 7:32pm.

Respectfully submitted,

Peggy Carr, Clerk  
Town of Starkey Planning Board



## The Town of Starkey Planning Board

40 Seneca Street, Dundee, NY 14837

*Regular Meeting*

The Town of Starkey Planning Board held a Public Hearing on Tuesday March 6, 2018 at the Town of Starkey Town Hall, 40 Seneca Street, Dundee, NY 14837.

### Members present:

Steve Fulkerson, Chairperson – excused  
Bob Schiesser – excused  
Rivka Davis  
Mary Rose  
Earl Andrews  
Bob Gaunt  
Cleo Pollack

### Guests present:

Brian Quackenbush, Code Official  
George Lawson  
Joe Gibson

Acting Chairperson Rivka Davis opened the regular meeting at 7:36pm. Rivka called for a motion to approve the minutes of the previous meeting. Mary noted that it was decided that the numbering in the updated Zoning Regulations would be “A, 1, a” as needed throughout the document. Earl motioned to approve as amended, seconded by Mary, motion carried 5-0.

Old business: 2018-PB-1 Joe Gibson, 635 Shannon Corners Rd., Dundee, NY requests a Special Use Permit to construct 40’x80’ addition to his existing building for maintenance and office space. Rivka read the requirements for a Special Use Permit with a negative declaration. Mary motioned to approve the application as submitted, seconded by Cleo. Motion approved 5-0.

Rivka asked Brian if there was anything new. Brian said he had 2 subdivisions but they did not complete the paperwork. One was in Rock Stream and the other is on Sprout Hill Road. Brian said the subdivision in Rock Stream did not have a wide enough lot to subdivide. He noted that they were in a year ago to change lot lines. The board discussed having wording in the Zoning Regulations regarding changing lot lines not being a subdivision. Also Patrick Hoke from Savannah House Motel came in to speak about putting in cabins in on his property. Brian noted that he had been previously approved for cabins but the permit has expired.

George noted that the Town Board is working on Dog Kennel regulations. George and Rivka discussed a study on composting dog waste in Fairbanks, AK. Once the Town Board hashes out the kennel regulations they will bring the findings to the Planning Board. George said that the Town Board sent questionnaires to the 5 active dog kennels in the Town of Starkey. The form asked about the number of dogs, age of retirement, how many times are they seen by a veterinarian, etc.



Brian asked George about the Short Term Rental regulations. George noted that the Town Board is putting it on a standardized form and then it goes to the Town Attorney to be reviewed and from there it would go to the State for approval.

Cleo Pollack handed in her resignation for her seat on the Planning Board. Cleo was thanked for her service of being a Planning Board member.

Earl asked about Jeff Taylor being out of compliance. Brian said he spoke to Jeff about this and he said a lot of the time he is waiting for parts or payment. George said Brian could send him a warning letter regarding coming into compliance or come before the Planning Board for an expanded permit.

Workshop meetings are scheduled for March 20<sup>th</sup> and 27<sup>th</sup> at 7:00pm.

Rivka adjourned the meeting at 8:26pm.

Respectfully submitted,

Peggy Carr, Clerk  
Town of Starkey Planning Board

## **The Town of Starkey Planning Board**

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

The Town of Starkey Planning Board held a Public Hearing on Tuesday March 6, 2018 at the Town of Starkey Town Hall, 40 Seneca Street, Dundee, NY 14837.

**Members present:**

Steve Fulkerson, Chairperson – excused  
Bob Schiesser – excused  
Rivka Davis  
Mary Rose  
Earl Andrews  
Bob Gaunt  
Cleo Pollack

**Guests present:**

Brian Quackenbush, Code Official  
George Lawson  
Joe Gibson

Acting Chairperson Rivka Davis opened the Public hearing at 7:28pm. 2018-PB-1 Joe Gibson, 635 Shannon Corners Rd., Dundee, NY requests a Special Use Permit to construct 40'x80' addition to his existing building for maintenance and office space. Rivka noted that the Yates County Planning Board commented that there was no county wide impact regarding this proposal. Mary commented about questions from the previous meeting regarding lighting, DEC compliance, storm runoff etc. There were no further comments or concerns from the audience or board members. Rivka closed the Public Hearing at 7:36pm.

Respectfully submitted,

Peggy Carr, Clerk  
Town of Starkey Planning Board





## **The Town of Starkey Planning Board**

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

The Town of Starkey Planning Board held a Workshop meeting on Tuesday March 20, 2018 at the Town of Starkey Town Hall, 40 Seneca Street, Dundee, NY 14837.

Members present:

Steven Fulkerson - Chairperson  
Bob Schiesser  
Rivka Davis  
Earl Andrews  
Mary Rose

Steven opened the workshop at 7:00pm. Rivka gave a definition of "commercial use" – the use of a parcel of land or of one or more buildings for the purpose of retail or wholesale business activity etc.

Members compared the old version and new version of manufactured homes.

Definitions – starting with Factory Manufactured Home, Steve read the description of the definition from his lap top. Members read along on hard copies for changes.

Mary said she would reword floodway fringe over zone definitions.

Members will look at car wash definitions. Rivka handed out light/heavy industry definitions.

Members will read/think about it. They will add it to the document, they will decide where to put it later.

Waiting to hear from the Town Board regarding dog kennels.

Steven said we need to look into "Tiny Homes" regulations and definitions also wording on cabins.

Regarding Nursery School/Day Care Center – we need information about adult day care in addition to child care centers.

Meeting adjourned at 9:00pm.

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 regular meeting on April 3, 2018 at the Town of Starkey Town Hall, 40 Seneca Street, Dundee, NY 14837.

**Members present:**

Steve Fulkerson, Chairperson  
Bob Schiesser  
Earl Andrews  
Mary Rose  
Rivka Davis  
Bob Gaunt

**Guests present:**

Brian Quackenbush, Code Official  
George Lawson, Town Supervisor  
Jack Ossont, Town Board member

Chairperson Steve Fulkerson opened the meeting at 7:31pm. I (Peggy Carr) amended the regular minutes to read "The Town of Starkey Planning Board held a regular meeting" from "The Town of Starkey held a Public Hearing". Mary motioned to approve the Public Hearing minutes, seconded by Rivka. Motion carried 4-0-2 (Steve and Bob S. abstained as they were not at the March meeting). Rivka motioned to approve the minutes of the regular meeting as amended, seconded by Mary. Motion carried 4-0-2 (Steve and Bob S. abstained as they were not at the March meeting). Next the Steve called for motion to approve the workshop meetings of 3/20 and 3/27. Steve motioned to approve the workshop minutes, seconded by Bob S. motion carried 6-0. Steve asked if there were any changes to the 3/27 workshop meeting. Mary noted that it should be "Industry, Light", and "Industry, Heavy" not hyphenated. Steve motioned to approve the 3/27 workshop minutes as amended, seconded by Bob S. Motion carried 6-0.

New Business: Raymond & Rachael Hoover subdivided a parcel on Shannon Corners Road, Dundee, NY 14837. This parcel was not subject to Subdivision Approval as both lots are over 25 acres each. Rivka read the definitions for minor/major subdivisions. The members discussed whether to change the wording for subdivisions and will revisit it later when they have time.

2018-PB-2, Kenneth Empson, 1153 Sprout Hill Road, Himrod, NY 14842 requests to subdivide 6.312 acres for parcel A and leaving 45.564 acres for parcel B. Members discussed lot lines for minor subdivisions. Steve motioned and seconded by Bob S. to hear this application as a minor subdivision. This motion carried 6-0. Bob S. motioned to approve the subdivision, seconded by Earl. Motion carried 6-0.

George handed out the response from the Town Attorney regarding Short Term Rental properties. The attorney suggested that it be included in the Zoning Regulations and not as a



stand-alone law. Members discussed the attorneys' suggestions. Mary requested that we put a hyphen in short-term rental for the regulations. Steve said he sent information go George regarding accessory dwelling units. Steve then stated his pros and cons regarding this. Members discussed requirements for 2<sup>nd</sup> residences on lots to be subdivided at a later date. Steve said he had a questions on short-term rental and he spoke to Yates County Chamber of Commerce regarding bed taxes and how it was being divided. George will check into it. Rivka stated that there will be Land Use Training on April 30<sup>th</sup>.

Mary suggested that in regards to "Floodway Fringe Zone" wording in 5.72 should be changed and take out "over zone", making it "Floodway Fringe". Eliminate FF-O and make it "Floodway Fringe". Steve asked George to speak to the Town Board members regarding "Tiny Homes" and how and if they should be regulated.

Rivka wrote a definition for "Road Side Stands" – a partially enclosed structure for the sale of agricultural products, the preponderance of which are produced on the same property.

The members will review the balance of the definitions thru Article 6. They will hold a workshop meeting on April 17<sup>th</sup> at 7:00pm. Meeting adjourned at 9:15pm.

Respectfully submitted,

Peggy Carr, Clerk

Town of Starkey Planning Board

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

Town of Starkey Planning Board held a meeting on Tuesday May 1, 2018 at the Town of Starkey Town Hall, 40 Seneca Street, Dundee, NY 14837.

Members present:

Steven Fulkerson, Chairperson  
Bob Schiesser  
Mary Rose  
Rivka Davis  
Earl Andrews  
Bob Gaunt

Guests present:

George Lawson, Town Supervisor  
David Hoover  
Kent Eberly

Steven opened the meeting at 7:30pm. Bob S. motioned to approve the minutes of the previous meeting, seconded by Mary. Motion carried, minutes approved 5-0, (Rivka had not yet arrived).

New Business: 2018-PB-3, David Hoover, 863 Stone Mill Road, Dundee, NY 14837 requests a property line adjustment so that it does not go through Kent Eberly barn by moving the property line 30 ft. to the east. Members checked the maps to see property. Mr. Hoover is transferring the 30 ft. property to Mr. Eberly. The board does not see a problem with moving the property line as both lots will remain conforming lots. Rivka motions that this is only a movement of lines between two parcels over 25 acres each and needs no further review from this board, seconded by Steve. Motion carried 6-0.

George spoke to the board regarding the Town Board continuing to work on the current law for dog kennels. They are looking to change it to read that dog waste must be composted separately and may not be spread on property that will be planted with product for human consumption. Dr. Fanestock and DEC interested in studying the composting. Another requirement might be the pen size will be 200% of the USDA minimum requirement and a 50% solid floor. They will require a Veterinarian affidavit for new kennel or expansion kennels and the number of dogs that can be taken care of. The Vet will perform all veterinarian procedures that are required of the Vet. The Town Board stated kennels will need noise reduction fences/screens. Mary asked if the Board will limit the number of dogs per kennel, George said it goes back to the Vets affidavit stating if applicant is capable of handling the number of dogs. Members discussed kennels and the information the Town Board came up with. Town Board to vote on kennel regulations at next meeting. Bob S. commended George and the Town Board members for the work they put into the kennel regulations.

Earl asked George if Brian did anything with the Jeff Jackson property. Brian has sent letters about him being out of compliance. Brian believes Jeff will be in for an expansion permit.

Rivka went to a training meeting on April 30<sup>th</sup> in Penn Yan. They discussed "view shed" areas. Should the Planning Board discuss having scenic overlay view scape areas? They were talking about clearing the top of a hill with a house/structure changing the views of the area.

Steve talked about updating the format on the "short term rental regulations". The board used the rest of the meeting going over the Zoning Regulations starting with 5.60. The board discussed delineation of floodway zone. Bob and Rivka stated that they were being reworked by USGS(?). Planning Board will incorporate new information when it is available. Discussed floodway fringe over zone – will take over zone.

Adjourned meeting at 9:00pm.

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 June 5, 2018 at the Town of Starkey Town Hall, 40 Seneca Street, Dundee, NY 14837.

**Members present:**

Steven Fulkerson, Chairperson  
Bob Schiesser, Vice Chairperson  
Bob Gaunt  
Earl Andrews  
Rivka Davis  
Mary Rose

**Guests:**

Brian Quackenbush, Code Official  
George Lawson, Town Supervisor  
Henry Hoover  
Jack Ossont, Town Councilman

Chairperson Steven Fulkerson opened the meeting at 7:31pm. Steven called for a motion to approve the minutes of the previous meeting. Bob G. had questions regarding kennel information regarding the number of dogs. The Planning Board can limit the number of dogs allowed. George explained that the problem is the number of dogs per worker. Bob S. motioned to approve, seconded by Steve, motion carried, minutes approved 6-0.

**New Business:**

2018-PB-5, Henry Hoover, 974 Stone Mill Rd., Dundee, NY 14837 requests a Special Use Permit to construct a 40'x80' storage pole barn for storage of lumber to keep it out of the elements. The members discussed the dimensions of the property. Steve asked about storage of logs, Henry stated there may be some behind the building, but will saw them and put them in the barn to dry. Earl asked if it would be a retail or wholesale business. Henry stated wholesale. Steven completed the short EAS with a negative declaration. A Public Hearing is scheduled for July 3, 2018 at 7:28pm.

2018-PB-4, Edward R. Sisson, Catherine Timpy and Nancy Bernhard are requesting to subdivide 2.36 acres. Applicants are moving lot lines. The members discussed the location of the property and the size of the lots involved. Bob S. motioned that no further action is necessary with this application as moving the lot lines will not create non-conforming lots, also will not create any new lots or prevent road access, seconded by Steve, motion carried 6-0.

2018-PB-6, Steven & Sayre Fulkerson, Fulkerson Winery, 5576 State Route 14, Dundee, NY 14837 request an amended current Special Use Permit to put a tasting room in an existing building and adding 10'x30' 2 story addition, plus adding additional signage on the property.

Vice Chairperson Bob S. took over the meeting as Steven is the applicant. Steven explained his proposal to have a second tasting room with light food, etc. The proposed addition will not exceed the height of the original building. Steven stated that the signage will be placed with one across from Moon Valley Plants and the second sight to the north of the property near the Beers property. Bob S. completed the short EAS with a negative declaration. A Public Hearing is scheduled for July 3, 2018 at 7:25pm.

Other business: Steve spoke to Mr. Welsh regarding the boats being out of compliance and he has moved them. Brian said he spoke with Jeff Jackson regarding his property being out of compliance and Jeff indicated he is trying to come back into compliance.

George handed out a draft proposal regarding kennel regulations. Members spoke about decibel levels. Rivka suggested the Town Board check a veterinarian regarding decibel levels. George will send an email to area vets on this subject. The Town Board is compiling a "Breeder's Guide", for breeders and the Planning Board to refer to when reviewing kennel applications. Steve asked if the breeders guide will be complete when the regulations are updated in the Zoning Regulation book. George stated that was the intention to have both ready at the same time. The members and George and Jack discussed adding wording to include socialization, exercise and human interaction for the dogs. George will send out updates for members to review. One objective is to obtain and maintain a good working status between the kennel owners and the Town Board.

Steven adjourned the meeting at 9:16pm.

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 meeting on July 3, 2018 at the Town of Starkey Town Hall, 40 Seneca Street, Dundee, NY 14837.

**Members present:**

Steven Fulkerson, Chairperson  
Bob Schiesser, Vice Chairperson  
Mary Rose  
Rivka Davis  
Earl Andrews  
Bob Gaunt

**Guests present:**

Brian Quackenbush, Code Official  
George Lawson  
Henry Hoover  
Robin St. George

Chairperson Steven Fulkerson opened the regular meeting at 7:37pm. Steve called for a motion to approve the minutes of the previous meeting. Bob S. motioned to approve the minutes, seconded by Steven, motion carried 6-0, minutes approved.

Old business: Vice Chairman took over the meeting for this application. 2018-PB-6, Steven Fulkerson representing Fulkerson Winery LLC, 5576 State Route 14, Dundee, NY 14837 requesting a Special Use permit to utilize the existing temporary testing room building that was used during the construction of our current facility as a permanent tasting establishment (2<sup>nd</sup> tasting room) and wine bar along with new signage. The building is currently being used for storage. There may be a 10x30 ft. 2 story addition at a future date. Rivka said she looked over the property said is the same use as previously used, has adequate parking etc. Bob S. read the criteria for a special use permit with a negative declaration. Rivka moved to approve the Special Use permit according to the site plan and the application, seconded by Bob S. Motion carried 5-0-1 (Steven abstained from voting). Special Use permit approved.

Steven took over the meeting for 2018-PB-5, Henry Hoover, 974 Stone Mill Rd., Dundee, NY 14837 requests a Special Use Permit to operate a Sawmill and construct a 40'x80' pole barn for storage of the lumber that can be outside. Steven read the criteria for a special use permit with a negative declaration. Rivka motioned to approve the special use permit according to the application and the site plan with the following addendum: There must be an area for the delivery/pickup trucks to turn around without backing onto the road. Seconded by Mary, motion carried 6-0.



New business: 2018-PB-7, Robin St. George, 5 Cassidy Ct., Penfield, NY 14526, Power of Attorney for her mother Patricia Marjama, 27 Buttonwood Lane, Dundee, NY 14837 requests a Special Use Permit for a 2 family dwelling on their property. Brian explained the history of the property. The apartment above the garage was originally used as an art studio, then an addition attached the house to the garage. Rivka asked Brian about the septic being up to building code and he said yes. Robin explained that her mother's health is failing and the property is now for sale and Brian suggested to have the property go through the special use process to make it easier for the new owners. Members discussed the size of the lot. Steve completed the short EAS with a negative declaration. A public hearing is scheduled for August 7, 2018 at 7:28pm. Robin will get a copy of her Power of Attorney to Brian before the next meeting.

Other Business: George handed out the 6/6/18 draft of the kennel regulations. Rivka asked where George got the number of 95 decibels. He said he emailed the lady from Purdue that he is working with and as of this date he has not heard back from her. The members suggested taking out, "Total" and make it "intermittent". #2, remove the wording "minimum of fifty percent solid flooring." #4 added minimum of solid flooring is required and plastic covered wire flooring is permitted on remaining area as long as the openings are small enough to prevent injuries to the size of the dog being housed. #8 Rivka suggests takeout "agreed upon". The members discussed kennels further.

Rivka asked about the Short Term Rental regulations. George said it was passed by the Town Board and the Planning Board needs to put it into the Zoning Regulations book. Steve asked George about kennel definitions and he suggested that when reviewing the regulations update the definitions at that time.

Steven adjourned the meeting at 9:53pm.

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 two Public Hearings on July 3, 2018 at the Town of Starkey Town Hall, 40 Seneca Street, Dundee, NY 14837.

Members present:

Steven Fulkerson, Chairperson  
Bob Schiesser, Vice Chairperson  
Mary Rose  
Rivka Davis  
Earl Andrews  
Bob Gaunt

Guests present:

Brian Quackenbush, Code Official  
George Lawson  
Henry Hoover  
Robin St. George

Vice Chairperson Bob Schiesser opened the Public Hearing at 7:28pm. 2018-PB-6, Steven Fulkerson representing Fulkerson Winery LLC, 5576 State Route 14, Dundee, NY 14837 requesting a Special Use permit to utilize the existing temporary testing room building that was used during the construction of our current facility as a permanent tasting establishment (2<sup>nd</sup> tasting room) and wine bar along with new signage. The building is currently being used for storage. There may be a 10x30 ft. 2 story addition at a future date. George Lawson is ok with the project, does not feel it is a significant change in operations. Mary asked what the 2<sup>nd</sup> story was for. Steven said for storage and possible office space. Bob S. said that the Yates County Planning Board said that there was not a county wide impact. This Public hearing closed at 7:31pm.

Chairperson Steven Fulkerson opened the second Public Hearing opened at 7:31pm. 2018-PB-5, Henry Hoover, 974 Stone Mill Rd., Dundee, NY 14837 requests a Special Use Permit to operate a Sawmill and construct a 40'x80' pole barn for storage of the lumber that can be outside. Rivka said she drove by and the line of sight is not great and was concerned about the delivery trucks backing into the road. Steven said that the Yates County Planning Board said there was not a county wide impact. This Public Hearing closed at 7:37pm.

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 regular on Tuesday August 7, 2018 at the Town of Starkey Town Hall, 40 Seneca Street, Dundee, NY 14837.

**Members present:**

Steven Fulkerson, Chairperson  
Bob Schiesser, Vice Chairperson  
Rivka Davis  
Earl Andrews  
Mary Rose  
Bob Gaunt

**Guests present:**

Brian Quackenbush, Code Official  
Robin St. George  
Gail Eyer  
Janet O'droneic  
Leon O'droneic  
Lee Hardy  
Plus two people that did not sign in

Chairperson Steven Fulkerson opened the regular meeting at 7:50pm. Steven asked if everyone had read the minutes of the previous meeting and if they had any comments. Mary noted that there had been a conversation with George Lawson, Town Supervisor requesting the Town Board to publish the Short-Term Rental Law in the local paper before some of the property owners leave for the season. Steven called for a motion to approve the minutes as amended. Motion carried 6-0. Steven read the letter he drafted to take to the Town Board about publishing the Short-Term Rental Law in the paper. Brian said that the Town Board did publish a notice about the law in the Observer for two weeks. Steven read the notice from the paper. Brian informed the members that he will be sending a letter to all known Short-Term Rental property owners regarding the new law. He received a list from Yates County. Rivka said she would still like a press release regarding the Short-Term Rental law put in the Observer. After much discussion Mary said she would create the press release and will email the board members a copy for their approval. Steven said she would take it to the Town Board meeting on Thursday. Steven clarified with the board members that the Planning Board does not need to have the Town Board print the whole document.

Old Business: 2018-PB-7, Robin St. George, 5 Cassidy Ct., Penfield, NY 14526 POA for Patricia Marjama, 27 Buttonwood Ln, Dundee, NY 14837 requests a special use permit for a 2 family dwelling on their property that is located in an RR Zone. Robin has returned with the deed and showed it to Steven and Rivka. According to the deed the Stairs and boardwalk at the lake are common use between all three parcels and three property owners take care of the road. Steven feels that the deed restrictions do not have bearing on the application before the board



tonight. Rivka thinks it could be used as a long term rental or an in-law apartment. Steven read the criteria for a Special Use Permit with a negative declaration. Steven motioned to approve the Special Use Permit according to the site plan and application for a two family residence on one property, seconded by Earl, motion carried 6-0.

Other business: Brian said someone approached him about putting something like Rainbow Cove near Red Cedar Lane. Also someone called him about putting a restaurant on Old Lake Road, Rock Stream, NY near Harlan's pole barn. As of this meeting nothing has come from either proposal.

With nothing further Steven adjourned the meeting at 8:44pm.

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 on Tuesday August 7, 2018 at the Town of Starkey Town Hall, 40 Seneca Street, Dundee, NY 14837.

**Members present:**

Steven Fulkerson, Chairperson  
Bob Schiesser, Vice Chairperson  
Rivka Davis  
Earl Andrews  
Mary Rose  
Bob Gaunt

**Guests present:**

Brian Quackenbush, Code Official  
Robin St. George  
Gail Eyer  
Janet O'droneic  
Leon O'droneic  
Lee Hardy  
Plus two people that did not sign in

Chairperson Steven Fulkerson opened the public hearing at 7:28pm. 2018-PB-7, Robin St. George, 5 Cassidy Ct., Penfield, NY 14526 POA for Patricia Marjama, 27 Buttonwood Ln, Dundee, NY 14837 requests a special use permit for a 2 family dwelling on their property that is located in an RR Zone. Leon O'droneic is concerned about being responsible if a renter gets injured on the stairs to the lake and also commented on the road condition and parking areas with having extra traffic on the road. Steven handed to board members a copy of a suggested letter to the Town Board regarding advertising the Short-Term Rental Ordinance in its entirety. There was discussion about the parking spaces for each property on the road. Robin said that according to the deed all three houses on the road share equally in road maintenance and upkeep of the stairs to the lake. Robin said she had the deed at home and would go get it. Lee Hardy, 109 Lambs Creek Run Rd., Dundee, NY 14837 said he does not have a problem with the proposition but wants to keep it residential. Mrs. O'droneic is upset with the rental people smoking and leaving their butts all over and spinning wheels, etc. Rivka asked about parking at the end of the road. Mr. O'droneic said there are 3 parking spaces. Gail Eyer a neighbor on Eagle Cove Road about 300 ft. from the property has no problem with the proposal. A woman named Erica said she rents the property out, (it is her grandparents' home) in order to help pay taxes etc. Steven closed the public hearing at 7:50pm.

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 regular meeting on Tuesday September <sup>11</sup>5, 2018 at the Town of Starkey Town Hall, 40 Seneca Street, Dundee, NY 14837.

**Members present:**

Steven Fulkerson, Chairperson  
Bob Schiesser, Vice Chairperson  
Mary Rose  
Earl Andrews  
Rivka Davis  
Bob Gaunt

**Guests present:**

Brian Quackenbush, Code Official  
George Lawson

Steven Fulkerson opened the meeting at 7:30pm. Members reviewed the updated minutes. Bob S motioned to approve the Public Hearing minutes and regular meeting minutes presented from the previous meeting, seconded by Bob G. Motion carried, minutes approved 5-0. Rivka had yet to arrive.

New Business: None.

Steven mentioned that he heard from members of the community regarding the Short Term Rental permit states that trash cans must be removed from curb within 24 hrs and the legislation states they should be removed in a timely manner. Mary stated that the press release in the Observer was not hers. The reporter had already interviewed Sue Crans, Town of Starkey Town Clerk.

Brian said he sent out about 40 letters to property owners from a list he received from the County of property owners renting short term. Brian said that he also looked on-line for Air B&B's etc. for rental properties. He had only heard back from some of them. One said they are no longer renting and another one feels they should be grandfathered in.

Steve spoke with colleagues in the Vineyard Industry about "Air Blast" spraying of vineyards needs to be 100' of a dwelling and our current setback in the Ag Zone is only 25'. Members discussed this subject. Earl said that per the EPA that neighbors must be notified when they are going to spray, what type of material they are spraying, when they can go back on their lawns, this is done for any property adjacent to a field being sprayed. Steve asked if this board should consider changing the setbacks in the Ag zone. George suggests the board review it when revising the Zoning Regulations. The rear and side setbacks should be 100ft but the front side (road) would stay the same for new construction. Rivka suggested that when we review



subdivision ordinance we review setbacks. Steven suggested we put it in the Zoning Regulations also.

Other Business: Brian said that Pat Hoke, Savannah House motel wants to redo his permit to put cabins on his property where there used to be mobile homes.

George said the Town Board is holding a Public Hearing on Thursday September 7, 2018 for Dog Kennel regulations. George would like to have the County Animal control officer inspect the kennels as they have the authority to write tickets for violations.

The balance of the meeting was used to work on updating the Zoning Regulations starting with section 5.71 Delineation of Floodway Zones. FW-1. Steven was reading the regulations, Brian and George discussed the National Geodetic Vertical Datum. Members discussed Floodway Zones and Fringe Zones. It was suggested to rewrite the regulation to simplify the wording. Steven will try to re-write it and Mary will also check other state regulations on flood zones.

With nothing further, Steven adjourned the meeting at 9:00pm.

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 regular meeting on Tuesday October 2, 2018 at the Town of Starkey Town Hall, 40 Seneca Street, Dundee, NY 14837.

**Members present:**

Steve Fulkerson, Chairperson – excused  
Bob Schiesser, Vice Chairperson  
Bob Gaunt  
Earl Andrews  
Mary Rose  
Rivka Davis

**Guests present:**

Brian Quackenbush, Code Official  
George Lawson  
Ralph and Nancy Dubendorfer  
Gary & Linda Cornell  
Jerry Cadwell

Bob Schiesser opened the meeting at 7:32pm. He called for a motion to approve the minutes of the previous meeting. Rivka motioned to approve the minutes seconded by Bob G. Motion carried, minutes approved 4-0 (Mary arrived late). Before the board this evening was 4 Short Term Rental applications. Bob S. explained the process to the applicants.

New Business: 2018-PB-8 and 2018-PB-9, Gary and Linda Cornell, GL Rental Properties, 315 East Washington Ave., Elmira, NY 14901 requesting a Short Term Rental permit for their properties at 3998 and 4008 Pine Road Drive, Dundee, NY 14837. The Cornell's explained their properties locations. George noted that part of Pine Road Drive is a Public Road. A Public Hearing is scheduled for Tuesday November 6, 2018 at 7:25pm.

2018-PB-10 Jerry Cadwell and Clay Cadwell, 4038 Pine Road Drive, Dundee, NY requesting a Short Term Rental permit for their property. Members discussed location, septic system etc. A Public Hearing is scheduled for November 6, 2018 at 7:25pm.

2018-PB-11, Ralph and Nancy Dubendorfer, 4418 Juniper Point Rd., Dundee, NY request a Short Term Rental permit for their property. Rivka asked about the road condition, Nancy said there are places to pull over for on-coming traffic, the road is being repaired and will eventually be black topped. Mary asked about the septic system. Brian explained the type of septic system they had. A Public Hearing is scheduled for November 6, 2018 at 7:15pm.

Bob S. asked if the applications had to go to the County and they said no. George said that it is a house being used as a house so it is not a different use.

The board set up 2 work sessions to work on the Zoning Regulation updating for October 23, 2018 and November 13 at 7:00pm. Mary said she read the Town of Milo Zoning regulations online and liked how they looked. Mary asked about starting the meetings at 7:00pm instead of 7:30pm, members discussed it with no decisions made. Mary asked Brian if he received any written complaints about the Short Term Rental permit process. Brian said nothing written.

Bob S. adjourned the meeting at 8:40pm.

Respectfully submitted,

Peggy Carr, Clerk  
Town of Starkey Planning Board

\*\* The October 23<sup>rd</sup> work session was held on October 30<sup>th</sup>.



# **Town of Starkey Planning Board**

**40 Seneca Street Dundee, NY 14837**

The Town of Starkey Planning Board held a work session on Tuesday October 30, 2018 at the Town of Starkey Town Hall, 40 Seneca Street, Dundee, NY 14837.

Members present:

Rivka Davis  
Earl Andrews  
Bob Gaunt  
Mary Rose  
Steve Fulkerson – excused  
Bob Schiesser – excused

Guests present:

Brian Quackenbush, Code Official

The meeting was opened at 7:08pm. The members discussed Floodway zones from Steven's email. Mary said she checked out the Town of Milo's zoning regs on line and printed their wording but forgot to bring it to the meeting. Mary had questions about the Datum numbers. Brian said the state is in the process of updating that information but not sure when it will be released. Rivka said once the state updates new figures for the high water levels, Datum etc. the planning board will update the Zoning book.

Section 5.80 – paragraph "a" (delete space from first work "lf"); paragraph "c" change "a.1." to "a." in all areas where it is listed throughout the document; paragraph "d" spacing issues in line 3 and 4. Rivka noted that this language is from the attorney.

Section 6.10 – Under Site Plan Specifications "a" second sentence place a period after "board" and capitalize "s". Rivka had previous notes about adding a section on "sidewalks". Members decided to add wording under a new #3 between Circulation and Parking and Open space, then re-numbering the balance 4-6. The wording shall be: Provision for ease of pedestrian access to and within the site shall be made as appropriate for the particular development.

b. Supplemental Controls: paragraph 5 – states parking spaces of 10'x20', Brian noted that in the Short Term Rental regulation states 9x'18' should it be changed in the regulations. Paragraph 6 line 2 take out the word "out".

Section 6.21 Amusement Center – a. change Planning Board to The Planning Board. Delete section "d" and put it under special use.

Section 6.31 need to clarify sentence "a" need a definition of "residential street" or should it be a "residential road"? Delete it or keep it. Start with Section 6.31 for the next work session.

Peggy Carr, Clerk  
Town of Starkey Planning Board





## **Town of Starkey Planning Board**

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

The Town of Starkey held regular on Tuesday November 6, 2018 at the Town of Starkey Town Hall, 40 Seneca Street, Dundee, NY 14837.

**Members present:**

Steve Fulkerson, Chairperson  
Bob Schiesser - excused  
Bob Gaunt  
Mary Rose  
Earl Andrews  
Rivka Davis

**Guests present:**

Brian Quackenbush, Code Official  
Nancy & Ralph Dubendorfer  
Peter Honsberger, Myron Glick  
Linda & Gary Cornell  
Jerry Cadwell, Jim Anderson  
Peter Levatino, Bill Cowie  
Bob Taylor, Scott Vura  
Robert Boudinot, Kathi Heimbach  
Joe & Nancy May  
Diana Lougen, Vince Natale

Chairperson Steve Fulkerson opened the meeting at 7:42pm. Steve called for a motion to approve the amended minutes correcting a typo of 7:15pm that should have been 7:20pm. Mary motioned to approve as amended, seconded by Rivka, motion carried, 5-0 minutes approved. Next Steve asked for a motion to approve the minutes of the workshop meeting minutes. Rivka motioned to approve, seconded by Earl. Motion carried 4-0-1 with Steve abstaining as he was not at the meeting.

Old Business: 2018-PB-11, Ralph & Nancy Dubendorfer, 4418 Juniper Point Rd., Dundee, NY 14837 requesting a Special Use Permit for a Short Term Rental permit. Rivka said she drove down the road and it is narrow, there are spots where you can pull over. Mary asked Brian if this board will have written forms stating that the septic has been inspected. Brian said he inspects the septic systems and there should be an affidavit with the application regarding this. Rivka noted that this property is advertised as sleeping 10 people and only has two bedrooms. Steve clarified that the Short Term Rental permit is written as 2 people per bedroom plus two for the house and in this case that would be a maximum of 6 people. Steve read the criteria for Special Use Permits for all four applications before the board tonight. Rivka move that this application be approved as long as the property stays in compliance seconded by Mary. The Special Use Permit was approved 5-0.

2018-PB-8 & 9, Gary and Linda Cornell, 3998 & 4008 Pine Road Dr., request a Special Use permit for a Short Term Rental permit for their properties on Pine Road Dr. Rivka said she went down both branches of Pine Road Dr. and they are paved and in good condition. With no further comments Steve asked for motioned to approve the Special Use Permit for both properties, Rivka motioned to approve as long as the property stays in compliance, seconded by Earl, motion carried 5-0.

New Business: 2018-PB-12 Scott and Rebecca Vura, 8610 Camelot Dr., Chesterland, OH request a Special Use Permit for a Short Term Rental Permit at 4238 Upson Point Rd., Dundee, NY 14837. Scott said that the road is in good condition and has an Upson Point Road Association. Rivka asked about line of sight regarding the road. Scott said there are some pull offs on the corners. A Public Hearing will be held Tuesday December 4, 2018 at 7:28pm. The Board discussed the seqr criteria and is it necessary for this type of permit. Brian said no as it is not going to the County. Steve noted that this board will leave compliance to Brian.

2018-PB-17 Vincent Natale 4758 Lambs Creek Road, Dundee, NY 14837 requests a Special Use Permit for a Short Term Rental permit. Mary drove to the site and there is plenty of parking. Mr. Natale requested that his Public Hearing be scheduled in January. The Public Hearing will be scheduled for January 8, 2019 at 7:28pm.

2018-PB-15 Kathleen Heimbach, 3990 Pine Road Dr., Dundee, NY 14837 requests a Special Use Permit for a Short Term Rental Permit. The board reviewed the application and noted that it needs a site plan and the number of parking spaces shown. A Public Hearing is scheduled for December 4, 2018 at 7:26pm.

2018-PB-16 James and Diana Lougen, 4548 Lakeview Rd., Dundee, NY 14837 request a Special Use Permit for a Short Term Rental permit. The board reviewed the application and set up a Public Hearing for December 4, 2018 at 7:24pm.

2018-PB-13 Robert Boudinot 4342 Belden Howell Rd., Dundee, NY requests a Special Use Permit for a Short Term Rental Permit. The Board reviewed the application and scheduled a Public Hearing on December 4, 2018 at 7:22pm.

2018-PB-14 Bill Cowie, 4082 Squaw Point Rd., Dundee, NY requests a Special Use Permit for a Short Term Rental permit for a Short Term Rental. The board reviewed the application and scheduled a Public Hearing is scheduled for December 4, 2018 at 7:18pm.

2018-PB-21 Tina Bowers, 4112 Squaw Point, Dundee, NY 14837 requests a Special Use Permit for a Short Term Rental. The board reviewed the application and set up a Public Hearing for December 4, 2018 at 7:15pm.

2018-PB-19 & 20 Scenic Homes LLC 270 Pine Road Drive, Dundee, NY 14837 requests Special Use Permits for Short Term Rentals at 3937 and 3929 Paradise Dr., Himrod, NY 14842. The board reviewed both applications and set up a Public Hearing for December 4, 2018 at 7:05pm.



2018-STR-15 Michael J. Thomas, 4324 Belden Howell Rd., Dundee, 14837 completed a Short Term Rental Permit paperwork but did not complete the Special Use Permit paperwork therefore, his application is on hold.

2018-PB-22, Charles Honsberger 107 S. Glenora Rd., Dundee, NY 14837 is requesting a subdivision. Peter Honsberger representing Charles stated that he will be changing lot lines taking 3 non-conforming lots and making 3 different shaped non-conforming lots. Board members discussed the application and the lot line changes and Steve motioned to approve the lot line changes with the less non-conforming lot be deeded with a right of way for the other lots and labeled on the deed a caveat that the lot is unbuildable. Rivka motioned that this is not a subdivision and no further action necessary by this board.

Steve closed the meeting at 9:15pm.

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 held Public Hearings on Tuesday November 6, 2018 at the Town of Starkey Town Hall, 40 Seneca Street, Dundee, NY 14837.

**Members present:**

Steve Fulkerson, Chairperson  
Bob Schiesser - excused  
Bob Gaunt  
Mary Rose  
Earl Andrews  
Rivka Davis

**Guests present:**

Brian Quackenbush, Code Official  
Nancy & Ralph Dubendorfer  
Peter Honsberger, Myron Glick  
Linda & Gary Cornell  
Jerry Cadwell, Jim Anderson  
Peter Levatino, Bill Cowie  
Bob Taylor, Scott Vura  
Robert Boudinot, Kathi Heimbach  
Joe & Nancy May  
Diana Lougen, Vince Natale

Chairperson Steve Fulkerson opened the first Public Hearing at 7:23pm. 2018-PB-11, Ralph & Nancy Dubendorfer, 4418 Juniper Point Rd., Dundee, NY 14837 requesting a Special Use Permit for a Short Term Rental permit. Peter Levatino, neighbor to the Dubendorfer property and treasurer of the Juniper Point Road Association stated that he is concerned that the Dubendorfers do not pay their dues on time and with the extra traffic with renters will create more wear and tear on the road. Nancy D. stated that yes they were late twice, but there is nothing in writing as to when payment is due. Mary asked how many people are part of the Road Association, Peter answered 14. Nancy D. said they have only had 6 renters so far. Jim Anderson wanted to understand the permit process for a Short Term Rental permit; if there is a problem who do they contact etc. Steve said Jim could go to the Town Clerk to see a copy of the law. Steve clarified that for a Special Use Permit for a Short Term Rental the Planning Board is concerned about the septic systems being adequate for the use, parking spaces etc. The parking must be 1 space per bedroom plus one for the house. The limit on the household goes by the number of bedrooms. Steven closed this Public Hearing at 7:40.

Next Public Hearing opened at 7:40pm. 2018-PB-8 & 9, Gary and Linda Cornell, 3998 & 4008 Pine Road Dr., request a Special Use permit for a Short Term Rental permit for their properties on Pine Road Dr. Steve asked if there were any comments or questions from the audience or the board members. There were none. Steve closed the Public Hearing at 7:41pm.

The last Public Hearing opened at 7:41pm. 2018-PB-10, Jerry Cadwell and Clay Cadwell, 4038 Pine Road Dr., Dundee, NY 14837 request a Special Use Permit for a Short Term Rental Permit. With no comments from the audience or the board members Steve closed the Public Hearing at 7:42pm.

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 on Tuesday December 4, 2018 at the Town of Starkey Town Hall, 40 Seneca Street, Dundee, NY 14837.

**Members present:**

Steven Fulkerson, Chairperson  
Rivka Davis, Vice Chairperson  
Bob Schiesser  
Earl Andrews  
Mary Rose  
Bob Gaunt

**Guests present:**

Brian Quackenbush, Code Official  
Myron Glick   Mike Thomas  
Linda & Gary Cornell  
Gale Perkowski   Robert Perkowski  
Matt Messick   Greg Messick  
Bill Cowie   Kathleen Heimbach  
Scott Vura   Rick Wilson

Chairperson Steven Fulkerson opened the Public Hearings at 7:05pm. Steve read the Short Term Rental Law for those trying to obtain a Special Use Permit for a Short Term Rental.

2018-PB-19&20, Scenic Homes, LLC, 270 Pine Road Dr., Dundee, NY 14837 requesting Special Use Permits for property at 3937 & 3929 Paradise Dr., Himrod, NY 14842 for a Short Term Rental Permit. Steve asked if there were any questions or comments regarding this application; there were none. Steve closed this Public Hearing at 7:15pm.

Next Public Hearing at 7:15pm – 2018-PB-21, Tina Bowers, 4112 Squaw Point Rd., Dundee, NY 14837 requesting a Special Use Permit for a Short Term Rental at her Squaw Point residence, Steve said he heard from David ?, Michael Flint and Bill Mullin and they have no objections. Matt and Greg Messick voiced concerns regarding “short term rentals” as when they came before the board for rental cabins the neighbors were against it. Matt said the neighbors came in their place of business and yelled at them regarding the proposed cabins and now the neighbors think this application is ok. Linda Cornell, representing Tina Bowers said the entrance to the Bower property is on Squaw Point and Villa Bellangelo Winery (the Messick property) is on Poplar Point and the renters cannot get to the Bower rental property via Poplar Point. Steven closed this Public Hearing at 7:25pm.

Next Public Hearing opened at 7:25pm, Bill Cowie, 4082 Squaw Point Rd., Dundee, NY 14837 requesting a Special Use Permit for a Short Term Rental Permit at 4082 Squaw Point Rd.,



Dundee, NY 14837. Bill noted that the leach field will be changed. Steve closed the meeting at 7:27pm.

Next Public Hearing opened at 7:27pm. 2018-PB-13, Robert Boudinot, 4342 Belden Howell Rd., Dundee, NY 14837 requests a Special Use Permit for a Short Term Rental Permit at his Belden Howell Rd. property. With no questions or comments Steve closed the Public Hearing at 7:30pm,

Next Public Hearing opened at 7:30pm, 2018-PB-16, Jack and Diana Lougen, 4548 Lakeview Rd., Dundee, NY 14837 requesting a Special Use Permit for a Short Term Rental Permit at their property at 4548 Lakeview Rd., Myron Glick is representing the Lougens'. A neighbor (unknown name) was concerned about the process. It was explained to him regarding notifications etc. Steven said he received a letter from Lawrence Krause and he is ok with the application. With no further questions Steve closed the Public Hearing at 7:35pm.

Next Public Hearing opened at 7:35pm. 2018-PB-15, Kathleen Heimbach, 3990 Pine Road Dr., Dundee, NY 14837 requests a Special Use Permit for a Short Term Rental Permit for her property at 3990 Pine Road Dr., Dundee, NY 14837. Steven asked for comments or concerns there were none. Steve closed the Public Hearing at 7:37pm.

Next Public Hearing opened at 7:37pm. 2018-PB-12, Scott and Rebecca Vura, requesting a Special Use Permit for a Short Term Rental Permit on their property at 4238 Upson Point Rd., Dundee, NY 14837. There were no questions or comments, Steve closed the Public Hearing at 7:40pm.

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 regular meeting on Tuesday December 4, 2018 at the Town of Starkey Town Hall, 40 Seneca Street, Dundee, NY 14837.

### **Members present:**

Steven Fulkerson, Chairperson  
Rivka Davis, Vice Chairperson  
Bob Schiesser  
Earl Andrews  
Mary Rose  
Bob Gaunt

### **Guests present:**

Brian Quackenbush, Code Official  
Myron Glick   Mike Thomas  
Linda & Gary Cornell  
Gale Perkowski   Robert Perkowski  
Matt Messick   Greg Messick  
Bill Cowie   Kathleen Heimbach  
Scott Vura   Rick Wilson

Chairperson Steven Fulkerson opened the meeting at 7:42 pm. Steve called for a motion to approve the minutes of the previous meeting. Mary motioned to approve, seconded by Rivka, motion carried 5-0-1 with Bob S. abstaining as he did not attend the previous meeting. Steven called for a motion to approve the minutes of the workshop meeting. Rivka motioned to approve, seconded by Earl, motion carried 5-0-1 with Bob S. abstaining as he was not at the meeting. Rivka noted that there was not workshop meeting on November 13<sup>th</sup> as there was not a quorum.

Old Business: Steven and Rivka noted to the Special Use Permit applicants regarding Short Term Rental permits that if for any reason the Short Term Rental permit is revoked the Special Use Permit will be revoked also.

2018-PB-19 & 20, Scenic Homes, LLC, 270 Pine Road Dr., Dundee, NY 14837 applying for Special Use Permits for Short Term Rental Permits at 3929 Paradise Dr. and 3937 Paradise Dr., Himrod, NY 14842. Rivka noted that Paradise Dr. is off of Castle Point Rd. and they are both in good shape. Steve motioned to approve the application for 3929 Paradise Dr. as submitted as long as the property stays in compliance with the Short Term Rental law, seconded by Bob S., motion carried, application approved 6-0. Regarding the Special Use Permit for 3937 Paradise Dr., Rivka motioned to approve the application as submitted as long as the property stays in compliance with the Short Term Rental law, seconded by Bob S. motion carried 6-0 application approved.



2018-PB-21, Tina Bowers applying a Special Use Permit for a Short Term Rental Permit at her property at 4112 Squaw Point Rd., Dundee, NY 14837. Rivka noted that there are pull offs for oncoming traffic on the road. It was also mentioned that there is a Squaw Point Road Association that tends to the upkeep of the road. Steve motioned to approve the application as submitted as long as the property stays in compliance with the Short Term Rental law, seconded by Mary, motion carried 6-0.

2018-PB-14, Bill Cowie, 4082 Squaw Point Rd., Dundee, NY applying for a Special Use Permit for a Short Term Rental Permit. Mary motioned to approve as submitted as long as the property stays in compliance with the Short Term Rental law, seconded by Bob S., motion carried 6-0.

2018-PB-13, Robert Boudinot, 4342 Belden Howell Rd., Dundee, NY 14837 applying a Special Use Permit for a Short Term Rental Permit. Rivka noted that part of the road is washed out and is very steep. Bob noted that there are 3 turn-around/pull off areas. He also mentioned that Finger Lakes Premier properties manages the property and they advertise that a 4-wheel drive or all-wheel drive vehicle to access the property. Tom Hamilton, 2 lots north has no problem accessing his property and Michael Thomas has owned his property for 22 years and has no problem with the road. Steve motioned to approve as submitted with the amendment that the property be listed as needing an all-wheel drive vehicle and is in compliance with the Short Term Rental law, seconded by Bob G, motioned carried 5-0-1 with Rivka abstaining.

2018-PB-16, James and Diana Lougen, 4548 Lakeview Rd., Dundee, NY 14837 applying for a Special Use Permit for a Short Term Rental Permit. Steve said he received 3 phone calls regarding this and all are ok with it. Steve motioned to approve as submitted and the property is in compliance with the Short Term Rental law, seconded by Earl, motion carried 6-0.

2018-PB-15, Kathleen Heimback, 3990 Pine Road Dr., Dundee, NY 14837 requests a Special Use Permit for a Short Term Rental Permit. Steve said there were no comments. Rivka noted that the board need a site plan. Kathleen handed out copies for the board to review. Rivka motioned to approve as submitted, and as long as the property is in compliance with the Short Term Rental law, seconded by Bob S., motion carried 6-0.

2018-PB-12, Scott and Rebecca Vura, 4238 Upson Point Rd., Dundee, NY 14837 requests a Special Use Permit for a Short Term Rental Permit. Rivka noted that at the end of the road it narrows and has a sharp blind corner. Scott noted that there is a road association and there are rules for the dwellers of the cottages that they need to blow a horn before rounding the corner, etc. The also place a "seasonal road" up during winter months. The board discussed the possibility of putting up a "beware of sharp corner" sign. Steve motioned to approve the application as long as the property is in compliance with the Short Term Rental law as well as the Road Association rules and at Brian's discretion as to whether to put up a sharp corner sign, seconded by Earl, motion carried 6-0.

New Business: 2018-PB-22, Michael Thomas 4324 Beldon Howell Rd., Dundee, NY 14837 requests a Special Use Permit for a Short Term Rental Permit. The application is complete and

he meets all Short Term Rental requirements. A Public Hearing is scheduled for Tuesday January 8, 2019 at 7:26pm.

2018-PB-23, Rick Wilson 3970 Chestnut Rd., Himrod, NY 14842 requests a Special Use Permit for a Short Term Rental Permit. Brian said the application is complete and a new septic system will be installed. A Public Hearing is scheduled for Tuesday January 8, 2019 at 7:20pm.

Rivka noted that we need to advertise in the Observer that the Town of Starkey Planning Board will meet on January 8, 2019 due to the New Year's Day holiday falling on the first Tuesday of the month.

Other Business: Brian stated that there might be an application for a subdivision on the corner of PreEmption Rd and Chambers Rd. He also spoke with someone that may want to plant grapes on the north side of Juniper Point Rd., and State Rte. 14; it would need a Special Use Permit as it is an RR Zone.

Rivka suggested setting up work sessions to work on the Zoning Regulations re-write. Steve will re-write the "floodway zone" verbiage.

Earl noted that we need a nominating committee for Chairperson and Vice Chairperson for 2019. Steve said he would like to be Chairperson again and Bob S. agreed to be Vice Chairperson.

Meeting adjourned at 9:07pm.

Peggy Carr, Clerk  
Town of Starkey Planning Board



