

Minutes for the Town of Sennett Zoning Board of Appeals on Thursday, December 26, 2024 at the Town of Sennett Office Building.

Members: Dennis Sherry
Jeff Hofmann
Dave Sikora
Marian Cool
Bob Steiner

Via Teams: Rich Andino, Attorney

Dennis opens the meeting at 7 PM. Jeff makes a motion to accept the minutes from the July 25, 2024 meeting. Marian seconds, all ayes.

Bob Barry is attending the meeting in addition to Mike O'Neil via Teams, to discuss their application for a new Pizza Hut at 365 Grant Avenue Rd. O'Neil and Barry have spoken about their project with the Planning board and was referred to the ZBA to request a few variances. O'Neil is requesting two variances for set-backs of the 2,300 ft² building because the set-backs are not 30 feet, as required by the zoning code. O'Neil is asking for a variance for the front set-back that is 25.9 ft. He is also asking for a variance for the set-back in the back of the building towards the railroad tracks which is 24.2 ft. from the center line. They are also requesting a sign variance.

Dave requests to see the letter that O'Neil received from Finger Lakes Railroad regarding their feelings about the construction. Barry produces the letter and Dave confirms to the board that the Railroad company does not have a problem with the construction but they strongly encourage a fence be built in between the railroad and the property, a suggestion strongly urged to O'Neil by the Planning Board for safety purposes. O'Neil states that a fence will be built to comply with this request.

Dave also confirms that this need for variances could not be improved by buying additional land on either side of the building footprint because the lot is not deep enough. Dave asks if O'Neil had a discussion with the D.O.T. O'Neil states that the D.O.T approved the driveway but has not awarded him a permit yet. O'Neil states they have a drainage study in with the MRB Group and has been working with Engineer Shaun Logue on behalf of the Planning Board.

Bob Steiner questions that this lot is different than the one O'Neil previously brought before the board. O'Neil confirms this is true. He asks how O'Neil came about the size of the detention pond. O'Neil says that he had the drainage study and he also went to the Army Core of Engineers and they stated a permit was not needed.

The board asked if Harold Gilfus from Code Enforcement has looked at this. O'Neil said yes, Harold requested a fire lane be put in, which they did.

Jeff asks O'Neil if any of this building will take place near the above-ground fuel tanks that are nearby. O'Neil states that the tanks are on the opposite side of the old gas station and will not affect this property.

On December 19, the County reviewed this for 239, as referred by the Planning Board. Dennis asks Barry and O'Neil if they will be ready for a public hearing by the next ZBA meeting on January 23, 2025. O'Neil says he will be ready; they are in contract to deliver the building for Pizza Hut by the end of June.

Dennis asks for a motion to set the public hearing for January 23rd. Steiner makes the motion, Marian seconds.

Rich advises that the board refer this to Cayuga County for 239 and the ZBA name themselves as Lead Agency for the SEQR. Dave makes a motion to refer this for a 239 review, Steiner seconds, all ayes. Dave makes a motion to name this as an unlisted action for the SEQR and declares the Town of Sennet Zoning Board of Appeals as the Lead Agency. Marian seconds, all ayes. The board will review the sign variance for the welcome sign at the next meeting.

Next, Dylan Dunham and his father, David Dunham, are present to discuss a variance for the property located at 3787 Taylor Road. David's parents owned the land and had their house on it for over 50 years. The house has since been torn down, but his son, Dylan, would like to build a house on the property. The old footprint of the house was 33X60, the new house would be 32X56, making it a smaller impact than before. The septic will be replaced and they will drill a new well. The lot behind this property is part of David's property, which David states Dylan will inherit in the future anyway. The variance is needed because it is only surveyed as 1 acre of land, not the 2 acres that is required. Steiner asked if the neighbors have any concerns. David states the neighbors have no concerns and agree that this will improve the look of the area. Dave asks if this must go to the County. Rich states that it does not because it is not on a County Road. It is a Type 2 action so there is no SEQR review. Dave asks the applicant if he farms any of the land. David Dunham states that Peter's Farm works the land. He also asks if there is already a driveway present. There is a driveway from the previous house.

Dennis asks for a motion to schedule a public hearing. Bob Steiner makes that motion. Dave seconds, all ayes. Jeff makes a motion to close the meeting to the public, Marian seconds. No new business. Dave makes a motion to adjourn, Bob seconds, all ayes. Meeting adjourned.

Respectfully submitted,

Heather Edmunds