

TOWN OF SENECA
SPECIAL MEETING MINUTES
May 7th, 2024

The Special Meeting of the Seneca Town Board, County of Ontario, State of New York was held at 3675 Flint Road, Stanley, NY 14561 on the 7TH day of May 2024 at 7:00 pm.

PRESENT	
Drew Wickham	Town Supervisor
Jason Mosher	Councilman
Howard Keeney	Councilman
Jim Malyj	Councilman
Jesse Orbaker	Councilman
Haley Eagley	Board Clerk
Jerry Hoover	Code Enforcement Officer
Roslyn Grammar	Chairperson- Comprehensive Plan Committee
Jim Lawson	Highway Superintendent

Supervisor Wickham called this special meeting to order at 7:00 pm and led the Pledge of Allegiance. Roll Call was executed, and all were introduced to the new faces in the crowd.

APPROVAL OF AGENDA

Supervisor Wickham looked for a motion to approve the agenda for tonight’s meeting. The approval was motioned by Councilman Mosher and seconded by Councilman Orbaker. Motion carried. Supervisor Wickham added an item after the presentations for Resolution #48-24- Authorization to Increase a Budgeted Item. Councilman Keeney made a motion to accept the amended agenda and that was seconded by Councilman Orbaker.

Supervisor Wickham opened by explaining that this is one of (probably) several meetings that we are going to have to discuss the things going on with our Comprehensive Plan and some of our zoning matters that have been coming to light in the last several years. Supervisor Wickham explained that we try to review our Comprehensive Plan about every 10 years. The last review was done in 2013. The idea of a Comprehensive Plan is to set the direction of the Town and address future growth and development. If there are recommended changes to be made within the Town based on what the Comprehensive Plan Committee reviews, then we go and try to work those changes through. Supervisor Wickham announced that there would be no votes on the Comprehensive Plan or Short Term Rental Regulations tonight; however, they will vote on the add-in resolution.

PRESENTATIONS

COMPREHENSIVE PLAN: Supervisor Wickham gave the floor to Roslyn Grammar, our chairperson for the Comprehensive Plan Committee. Miss Grammar gave an overview of the things that they reviewed and the amendments that they are recommending. She explained that the changes they proposed to represent the future are what they (The Comprehensive Plan Committee) all agreed would be the best way forward for the town’s Comprehensive Plan.

- The committee was adamant about continuing their commitment to our rural and agricultural community and value. They left this rule unchanged to maintain this value, only adding action language regarding retention and expansion of agricultural support businesses.
- Community Character: based on the conversations they held, the Comprehensive Plan Committee believes that the Planning Board has sufficient tools available to protect areas of rural and hamlet character; especially on the 5 & 20 corridor.
- Economic Development: the committee retained the overall economic development goal in transitioning away from an economy based on landfill operations, plus added education action to make sure that Town Residents have accurate information regarding the likely future of the Town Tax and Town and County Fiscal and Land Use preparations. This also includes verbiage about the long

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term use of landfill property (should landfill operations cease). They added action for continuation of host-community benefits for as long as the landfill site has potential to negatively impact town residents, businesses, and property values. The committee was adamant that the Town needed to prepare and educate about whatever outcome happens with the landfill so that nobody is blindsided.

- They updated the resource list for protecting farmland and farm viability.
 - o Resources related to liability, sustainability, and resiliency.
- The committee recommended a zoning amendment to define Special Event Venue and to add Special Event Venue to the Special Use Permit list for the AG- Agricultural District and to the “permitted with site plan review” use list in the C1- Mixed Use District and the C2- Community Commercial District.

Supervisor Wickham asked if there were any questions from the board regarding this presentation. None of the board members wished to add anything at this time. Supervisor Wickham turned over to the crowd and asked if they wanted to add anything. Casey Kunes, who serves on the Comprehensive Plan Committee, wished to add that the people on our Planning Board are very important. They’re doing a great job and are setting some great examples. He also added that we are fortunate to have our Code Enforcement Officer and that he is the correct guy for the job; joking that we are lucky to have him for another 30 years. Supervisor Wickham echoed what Mr. Kunes said and that we have great people sitting on our boards and committees.

Another Committee Member, Ben Wickham, added that he felt they had a really nice, diverse cross-section of the town on the committee, and they did not take it lightly. He explained that there was a lot of good-spirited discussion. Everyone spoke and all opinions were shared and heard. He said that the process was a lot of fun and very productive, adding that the Comprehensive Plan from 10 years ago is still pretty darn close and that they went through it with a fine-tooth comb; suggesting things that they thought would help the town moving forward.

Supervisor Wickham added that Linda Phillips from Ontario County Planning Department is who lead the discussion on this. She enjoyed the time that she spent here with our group. She said aside from the little disagreements that were there, our committee thought things through and came up with what they felt was the right plan moving forward. Supervisor Wickham appreciates all of the time and effort put into the plan by that committee.

SHORT-TERM RENTALS: CEO Hoover explained that information was taken from surrounding towns who had written regulations regarding short-term rentals. CEO Hoover said he met with a couple of constituents in the town, primarily Larry Townley, who brought a lot of great input to the table. CEO Hoover explained that he would have these on the website for anyone to review. Supervisor Wickham stated that the Board could have time to look through the documents that were provided tonight, or they could move forward in the near future; but was looking to see if anyone had questions about the documents at this time. Supervisor Wickham pointed out the three major items that were up for discussion:

1. Whether or not the owner of the property must be a New York State resident or family-owned or resided on the property prior to the date of the adoption of this regulation.
 - a. Simply put: do we want the opportunity for out of area investors to purchase properties solely for the use of short term rentals in an already exhausted housing market.
 - b. Or do we want individuals that own these short term rentals to maintain their residency in New York or live out of state and inherit a family home; or can they live in Florida and buy a place in the Town of Seneca and operate it as a Short Term Rental (having no history within the Town)?
 - c. CEO Hoover gave an example: for the elderly folks that retire and may move to Florida, the opportunity to keep the family homestead and rent it out is why the plan refers to being a “New York state resident or you or your family had to have owned that property prior to this regulation passing”.

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2. Whether or not we impose a registration fee on the Air Bnb's in the Town. We currently do not have an application fee or annual renewal fee. This would help the Town keep track of what and where the Air Bnb's are.
3. The last being whether or not we impose quiet hours. Should we have conditions on it?

CEO Hoover added that the NYS Residency portion of this is being acknowledged by multiple municipalities throughout the state and the country. Specifically, around the Finger Lakes area, there are a lot of firms buying up properties with the sole function of renting them out as Short Term Rentals. This is having a negative effect on the housing market. That is the driving factor in the residency portion. It's not to put undue onus on families trying to rent their properties out, it's an attempt to get out-of-state investment companies to stay out of here. Supervisor Wickham thanked CEO Hoover for the clarification.

Supervisor Wickham explained that he and the board would be taking some time to understand both of these documents better.

NEW BUSINESS

RES. NUMBER	TITLE	AYE	NAY	ABSENT	MOTION	SECOND
#48-24	Authorization to Increase a Budgeted Item	5	0	0	Councilman Mosher	Councilman Malyj

PRIVILEGE OF THE FLOOR

Supervisor Wickham offered privilege of the floor this evening and then acknowledged a document that was given to the board by the Silos of Seneca. He thanked them and explained that he would look this over and be in touch about this.

Resident Larry Lahr was curious if he could have a copy of the proposed Short Term Rental Regulations as he owns an Air Bnb and he would like to be able to comment on it. He also asked if we're just going after the Bnb's or if we're also going for regular rentals as well. Supervisor Wickham and Councilman Mosher explained that this isn't specific to Bnb's, but all short-term rentals. Mr. Lahr asked why all rentals wouldn't be impacted in some way and why just Air Bnb's. Supervisor Wickham stated that he would get a copy of this document to Mr. Lahr, and he would be happy to discuss it with him once he has reviewed. Councilman Mosher added that we're looking to really have something formal in place instead of having nothing. Mr. Lahr explained that with the dump closing and the taxes most likely going up and the water charges going up- he is concerned. Supervisor Wickham stated that he would like to chat once Mr. Lahr reviewed the document.

Another resident, Molly Cappiello, asked if she could get clarification on the special use permits and where they would be allowed. Roslyn Grammar added that there would be a whole page in this in the packet that was provided. Clerk Eagley said that she could get the packet to Miss Cappiello so that she could review.

Steve Hullings, Sr. spoke as an investor himself and added that there is some case law about what is considered discrimination between a resident and non-resident. He said he would be happy to send some information to the board if they would like to see what he was talking about.

Supervisor Wickham looked for other comments and Steve Hullings, Jr. wished to speak. He said that with regards to event spaces, they're assuming that there are going to be some things proposed. He went on to explain that the letter they handed the board had the idea that there would be some things proposed regarding event centers. He said that they are thankful for the help from the Town and the Boards who have allowed them to get things started. They're excited about a long term partnership with the Town.

Councilman Mosher encouraged Steve Hullings, Jr. to attend the Board Meetings to keep up with what is happening regarding the Comprehensive Plan.

Supervisor Wickham looked for more comments on anything else tonight. Town Resident, Karl Davis, asked when Supervisor Wickham thought we might have money in the budget to put water line down Redman Road

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before the Landfill closes. Supervisor Wickham said he would like to chat with Mr. Davis about this topic. Mr. Davis stated that he's been trying to talk about this for two years. Supervisor Wickham said he would be happy to catch up with Mr. Davis either after the meeting or he'd be happy to meet with him later this week.

Mr. Lahr asked if anyone knew how many Air Bnb's were in the Town. CEO Hoover explained that there may be a dozen of them.

ADJOURNMENT

With nothing else to be said, at 7:33 pm, a motion was made by Councilman Malyj to adjourn the Special meeting of the Town Board and the motion was seconded by Councilman Keeney.

Respectfully,

Haley Eagley
Town Clerk