

Town of Seneca  
Planning Board  
February 27, 2023 7:30 PM

Planning Board Members present: Kelley Jensen, John Nicholas, Dave Patrick, Scott Hunt, Tim Marks. Absent: Bob Rhodes Other's present: CEO Hoover, Josh Douglas, Steve Hullings, Larry Townley, Scott Kline, Tim Japp, Molly Cappiello, Karl Davis, Sarah Gilbert, Bill Birkett, Mrs. Birkett George Welz, Marissa Turnbull, Joel Marquart, Daughter

The meeting was called to order at 7:30 pm. Minutes from the January 33, 2023 meeting were approved on motion offered by John Nicholas seconded by Tim Marks and passed.

**Hearing Open -Summary:** Josh Douglas owner, at 4286 State Route 14A, presented his application to the board to operate 3 air B&B cabins behind his existing house. The cabins and pond were constructed in 2022. He is proposing to use 12ft x 32ft one room cabins to rent to adults only. He has proposed a separate bath house containing water closets and sinks with outdoor enclosed showers. Owner purposes that he lives full time in the log cabin in the front of the property. He is considering adding a Gazebo with a hot tub at some time in the future. No other improvements were proposed.

Owner will hand out regulations to all guests and will provide a copy for the Boards for review. Owner will be on site every night and has cell phone availability at all times.

As presented the drive will be gravel with parking spaces at each cabin. Cabins are proposed to have porch lights and minimal lighting along drive to get back to cabins. Submitted site plans shows all dark sky lighting.

Woods has been thinned with the creation of the pond, specifically facing houses to the north.

Owner regulation guide calls for quiet hours along with other regulations. Security cameras are placed throughout the property.

**Public Comments:**

**Larry Townley 4189 State Route 14A:**

Concerned about public/legal notice process for Town. Town current process is legal notice in Finger Lakes Times and courtesy neighbor notifications for properties within approximately 500ft of subject property. Discussion surrounding notifications. CEO Hoover explained it is a Town Board decision on the legal notice process however will be working with Town Clerk to place notice on the Town website and town is looking at property signs to be placed on subject properties under review.

Mr. Townley was curious about owner building three cabins and now wanting to run them as an air B&B and commented that if approved the site should be fenced. He is concerned that the owner will use these cabins as bunk houses for his seasonal help and not actually rent as air B&B. He is concerned about the town rushing into this with no clear cut rules. He has observed multiple issues in the Town of Geneva and Adirondacks with rentals with no rules in place. This site should be subject to annual inspections. He is concerned with the location of the septic relative to the creek and pond. Mr. Townley is also concerned about how this property

would be assessed being a for profit vs individual home. He had questions and concerns about collecting rental taxes and how they are collected. Concerns if this property should be rezoned. If approved there should be clear rules addressing the concerns brought up and specifically that these cabins are not to be used for labor. Mr. Townley is personally against this project.

**Scott Cline 4647 County Road 5:**

Spoke that although the town may not have an actual noise ordinance there are methods for controlling noise. He is also concerned about the noise and the notification process.

**Joel Marquart 1361 State Rte 245:**

He has two young children and is concerned about the privacy. Also concerned about the pond turning stagnant during summer. Applicant is proposing an aerator in pond. He is aware that the current house has been rented as an air B&B and has had no issues with that. He is up early for work and is concerned about noise issues. If approved would like to see a privacy fence between site and him. He is concerned about what quiet hours are and adults drinking.

**George Welz 1343 Rte 245:**

Concerned about the potential of up to 6 vehicles, two per cabin going in and out of the driveway along the back of his property. Concerned about the septic run off. Site plan was on screen and septic was engineered by McCormick Engineering and approximately 250ft from creek. Requirement is 100ft. Consideration should be given to requiring an annual dye test on system. Asked the board if they would be concerned about this in their back yard.

**Bill Birkett 1386 Rte 245**

Concerned that heard owner was going to live in blue house next door and rent log cabin. Asked that condition be placed that he has to live in cabin. Blue house is currently in foreclosure and not owned by applicant.

It was discussed that there will be at least three more meetings on the application this evening and potentially more that public will have opportunity to take part in. CEO Hoover indicated the Town Clerk would place the notices for the meeting on the town website after this week.

**Hearing open – Summary:** Steve Hullings, Owner, presented application to the board regarding a home business with a wedding venue in existing barns on the property. Applicant discussed the buildings that were demolished due to amount of disrepair. Applicant discussed that remaining barns have been receiving new siding and exterior work but no interior improvements have been done until approvals are secured. Applicant, with approval, is hoping to launch venue in mid-late summer, July-September timeframe. All reception music will be kept in barn. Only outdoor music will be low volume introductory wedding ceremony music. Applicant is proposing 70 parking spots on the south side of the barns and 5 handicap near the front entrance. Board asked if there were any plans for screening between parking lot and road. None planned initially. Applicant spoke with Planning board in workshop several months ago before buying property. Not much has changed since original conversation. One drive is proposed on the north side of the lot. Signs and all on line advertising will direct traffic north on Redman Road approximately 1/2mile to Route 14A to avoid as much traffic on Turnbull and Redman Rd as possible. All lighting will be dark sky compliant. Septic for barn was pumped and inspected at time of sale. Board asked about other venues similar in proximity. Seneca on the Ridge on the east side of Seneca Lake was briefly discussed. Applicant had discussion with some of the neighbors trying to understand the concerns. Maximum occupancy is presented as 150, however CEO needs to set limits based on square footage of venue once a floor plan is presented. Applicant also indicated that venue could potentially be used for other events such as birthday parties during slow wedding seasons such as winter.

**Public Comments:**

**Scott Kline 4647 County Road 5:**

Mr. Cline is opposed to proposed use as he does not feel it fits with the area. Concerned with noise, traffic, and alcohol consumption. His grandmother grew up there. He lives approximately 1/2-3/4 mile away straight line and could hear cows mooing when it was an active farm. His son practiced with a band in the rear house and he could hear music at his house. Mr. Cline is concerned with the style of legal notice used by the town and offered to volunteer to place post cards in residents mail for better notification.

**Marissa Turnbull 1410 Turnbull Road:**

Ms. Turnbull outlined several concerns with the proposed application and has experience with managing multiple types of venues. Her concerns are outlined as follows.

- Alcohol regulation – who is responsible for monitoring? (Underage, over consumption, open containers on and off site)

  - Noise regulation – who is responsible for monitoring? (venue promotes heavy outdoor activity)

  - Event days – is the facility open 7 days a week? Wedding only or other events? Expected # of events yearly?

- Will scope of event type affect ordinances/rules?

  - Food safety – who is responsible for monitoring?

  - Lighting requirements, disruptive to Turnbull Rd residents

- How will property be zoned? Commercial? How will it be assessed? Who is monitoring “residential business” status? Will family be living on-site during events?

- Supporting local business - mandating preferred vendors to be from the Town of the Seneca? How is this supporting the local economy? Currently only detracting from land value/neighborhood assessments

  - Waste removal plan?

- Will traffic be monitored? Are roads prepared for an increase in vehicle traffic or will the town need to make adjustments/increase maintenance?

  - Parking lot –What’s the water retention plan? ADA spots not including on current drawing

What are the fire suppression requirements? Town prepared for additional emergency services?

Airbnb rental requirements – how are capacities decided and who is enforcing? What are the current Town of Seneca ordinances? Noise/alcohol rules separate from the venue? Significant scope of work to be performed to generate standard operating procedures for any rental properties.

What is the overall water and sewer plan?

Additional concerns:

Increase in traffic, drunk driving and speeding disrupting active farms and equipment that use Turnbull and Redman to transport farm equipment – very dangerous to those unfamiliar to the area

Close proximity residents needing to invest in additional security, surveillance and privacy measures

With the creation of a pavilion, court yard and deck – most of event's gatherings will be outside/facility encourages the use of the outside space

Even with marketing directing traffic to 14A (an extremely dangerous turn with only a yield sign) apps like google maps and waze direct anyone S, SE, NE down Turnbull Rd

### **Karl Davis 4886 Redman Road:**

Purchased farm on quiet road. Mr. Davis does custom farm work in addition to his own farming and travels Redman and Turnbull Road consistently. Based on experienced in area and on PreEmption Road is concerned with farm equipment being seen as a nuisance to travels for the proposed venue. Concerned that his equipment takes up entire width of Redman Road. Concerned with farming around venue when a wedding is going on. Is he going to be expected to stop work for an outdoor wedding? Concerned with music, noise, lights all night.

### **Sarah Gilbert 4886 Redman Road:**

Very concerned with parking and ensuring it does not spill into road or along side of road. Concerned with people from outside area stopping in road to take pictures of fields and animals. Concerned about intoxicated people leaving the venue and walking to fields and damaging fields/crops. Concerned about applicant comments regarding filling in venue with birthday parties or other events turning it into a 7 day per week venue. Also concerned about farming around venue with a ceremony going on.

It was discussed that Town of Seneca is a right to farm community.

### **Larry Townley 4189 Rte. 14A:**

Concerns about increase in traffic especially with a yield sign on Redman Rd and 14A on the curve. Concerned about presentation of home business but advertising for Hobart and William Smith student rental until venue is opened. Asked some of the board members if they would want this in their back yard. Requests that nothing is approved until everything is known and clear concise regulations/restrictions are placed on this. Concerned with already taxed emergency service being able to respond potentially more often to a venue of this kind. He is concerned with a commercial business in an Ag district. He is still concerned about the noise. Visits with the Turnbull family and noise will be an issue. Mr. Townley is concerned with property values around this venue. He has seen issues with these venues in Geneva and Adirondacks. He does not feel the rest of the town residents should have to pay additional taxes to maintain the road in the event that the additional traffic causes excess wear. With liquor license and if BYOB who will regulate where and how much alcohol is consumed. Concerned about parking lot drinking and overdrinking and then driving.

**Molly Cappiello 1409 Turnbull Rd:**

Echoes many of the concerns presented by Marissa Turnbull. She see no benefit to the town with a venue like this. There are no local Town of Seneca vendors. Fiancee purchased property a decade ago because of the quiet rural nature.

**Follow up:**

Mr. Townley requested that minutes of this meeting and notification of upcoming meetings be placed on the Town website. Also asked that notice be placed that for any letters or incoming communications with comments that notice be placed on the website to forward then to Town Clerk, Haley Eagley and CEO Jerry Hoover

With no other public comments, the board briefly discussed the path forward. They will give consideration to all comments, potentially discuss them in public workshop or at the next regularly scheduled meeting, and ultimately, when ready, forward their recommendations to the ZBA.

With no other business conducted, motion was made by Scott Hunt for adjournment, 2nd by Tim Marks.  
Meeting adjourned at 9:50pm