

Lake District Building Codes – Chapter #44

March 2000, it was discussed by the County Development Director Richard Tindell, County Planner Barb Shilling and consultants that subdivisions and cluster development did not exist in Wyoming County. It was stated that this could enable the county to market as a place for a second home. Lorraine said both ideas would be opposed by the 800 people on the lake since subdivisions etc., would be most attractive in this location and would have an adverse effect on the lake and existing Lakers because of over development. A Cluster development was in the town of Perry's newly proposed master plan. Lorraine informed the town board members that the SLA had opposed their location at the north end of the lake. The town said there was no sewer capability there but they were not removing it from the plan.

It was said at an April 2000 meeting that the County had drafted a land use plan which several steering sessions had been held. Rich Eliazsz attended one on tourism and Lorraine went to a session pertaining to agriculture. Castile (due to low cost of electric) and Silver Lake were targeted for future growth (good place for a second home, state launch to expand). The Town of Perry also updated their land use law which cluster development for the north end of Silver Lake was still in the document. The SLA board passed the motion that would oppose the allowance of cluster development in the Lake District in the town of Perry and requested its removal from the town's revised land use law. The SLA represented over 800 residences and agreed this was deemed in the best interest of Silver Lake and its quality of life and water. Lorraine would bring a copy of the motion to the public hearing that would be held in the Perry Town Hall May 10, 2000.

Rich Eliazsz stated that the subdivision review was important to address issues of parking, lot size, etc. The Planning Board had no current law of buffer zones between restaurants, townhouses, etc. Canandaigua had revised its laws to deal with these issues. The town needed to amend their law. The plans would be on display at the public hearing. The current structure was 5 feet from the neighboring property line, but the owner had signed off on this.

Old Business was discussed at the May 2009 meeting. Rich Eliazsz stated because of the Country Club Townhouse project, he proposed adding a Zoning/Planning Committee and suggested they have a working discussion on townhouses. He also suggested attending the public hearing covering the water, sewer, site plan, and drainage. There were zoning issues in a lake district. Ruth Lavin said that noise issues needed to be included in law. Rich added that buffer zones were also needed between restaurants, multi-family dwellings, etc. Bill Soules moved to establish a Zoning/Planning Committee effective June 13th. All approved the motion, Rich would be the Chairperson and Sally Genco volunteered to be on the committee.

Rich Eliazsz, the Chairman of the Planning & Zoning committee, said there would be 2 subdivision hearings that would include: widening driveways of townhouses and a tabled issue of the subdivision of property that was built on by the owner Ernie Crawford. It was also noted they were renting the new condos that included a golf package. The sale of the golf course was pending. Ruth Lavin noted that people were angry about runoff from the townhouse construction. Bill Soules added that the FX Brown report from 1992 said we needed a law to prevent runoff and it still had not been done. This could have protected us from this issue. Sally Genco asked if it was legal to rent out the townhouses. Rich replied yes. Jim Coles added that the Owner/builder was allowed to rent them until they were sold.

Under new business Larry Bauer noted the sale of the old driving range property. Rich Eliazsz said there was a plan of an 8 lot subdivision with a public road to be constructed on Sherman Road. The issue was brought to the town meeting. It was said that the land was designated Lake District-mixed use. The owner of the property was Mr. Marquart. A concern was that these issues would change the character of the lake. Susan Griffin stated that residents needed to attend the town meetings and voice their concerns.

Rich Eliazsz said he appreciated the committee volunteers and the placement in meetings due to the important issues and time constraints. He had zoning laws for Castile that he gave to the committee which consisted of Jim Coles, Sally Genco, and Julie Ciferni. Ann Heizmann noted that there was a hearing the 2nd Tuesday of July (14th) at 8:00 on the zoning issues of townhouse project. It would include discussions on the height, square footage, and the breakwall for the

project. The meeting was at the zoning Board of Appeals, Town Hall, in Castile. Gabi noted the lack of the members concern for these local issues. Ann said it could be due to Castile residents not being properly notified of issues in Castile. More local papers needed to carry notices.

Rich Eliazs noted that a public hearing on 4 lots that would be subdivided in The Pines was scheduled. It would be divided as follows: 2 for the family, 1 for a family friend, and 1 that would be sold. This was located at the end of Dekonski. Ann noted that no new road would go through between tracts of Waltz and Fairview North; it would remain a private drive.

Ruth Lavin announced the nomination of Sally Genco for Chairperson of Planning/Zoning Committee. The board approved this nomination. Rich Eliazs then gave a report on the July 7th Planning Board meeting. He would be sending a summary of meeting to the Board of Appeals.

It was noted that the Planning Board voted not to change the notification law for variances and special use permits. Gabi commented on the situation between the Townhouse project owner and a neighbor. The neighbor was promised a larger setback: the current setback was 5 feet from the property line, Rich Eliazs stated that 5 feet was the law at that time.

Sally Genco provided reports on the planning/zoning meetings in the packet that was given to the board. It was said that all variances were granted for the townhouse project. Rich had been asked to join this committee as an “advisor only”.

Sally Genco said a report from Judy Baumer on the Perry Town Board meeting was included in the packet. Zoning Officer Lee Frette was developing forms for property code violations to become part of a data-base for tracking progress. He also reported the Perry Planning Board had declined to renew the meteorological tower permit.

Mike Heftka from the county IDA discussed the Crawford Town House project request for tax incentives. If the project qualified as a ‘tourism destination’ it could get the materials for the project without tax. Steve Tarbell said he saw the Country Club was up for sale on the internet. Mike said without the golf course and restaurant, it certainly would not be a tourism destination.

Ruth Lavin noted that the new Country Club Townhouse roof was higher than promised. Jim Coles replied that the roof appeared to be higher but was actually right where it should be. Rich Eliazs would like the committee to button up suggestions to Town Board for the regulations on townhouse & condo construction on the lake. The committee would take a road trip to view other properties in Finger Lakes as well as our Silver Lake townhouse project. The issues of setbacks (i.e. more than 5 feet), square footage, lot size and buffer zones would be reviewed. Rich noted that the Planning Board had been working on updating the regulations on Townhouses & Condominiums. A draft would be sent to Art Buckley, the Town Planning Board and the Town Attorney.

Rich Eliazs updated the board on the Planning Board Condo/Townhouse laws. Rich met with County Planner and the Town Attorney. They discussed the draft of the new law written. New law highlighted things like: it did not allow segmentation of a project; sufficient setbacks; parking issue-overflow; and no more than 6 per unit. Rich also noted that the Lake District was a mixed use area (R1-single family home, R2-Duplex, R3-Townhouse/Condo, etc.) Ruth asked if there was a map of designated locations. Rich responded no, someone could build a restaurant next to your cottage.

Sally Genco sent letters to the Perry & Castile Town and Perry Village Boards and suggested to create one set of Codes for the Lake District. She received a positive response from Perry. They have already forwarded the information to their Planning & Zoning Board. She had not heard back from Dave Swede in Castile. A draft copy of new planning & zoning laws for Castile would be given to the SLA for input. The Planning & Zoning committee would go to Village & Town of Perry with the new law. There would be public hearings and follow-ups on complaints and resolutions.