

WAYNE COUNTY PLANNING BOARD

MINUTES

September 25, 2013

Vice-Chairman, Dave LeRoy called the September meeting of the Wayne County Planning Board to order at 7:00 p.m. in the Court House in Lyons, New York.

Present: Dave Broach, Steve Buisch, Ken Burgess, Monica Deyo, Steve Guthrie, Matt Krolak, Dave LeRoy, Larry Lockwood, Mike Melino, Mike Schuth, Ken VandeWalle

Staff: Bret DeRoo, Tracy Lambie

Guests: Bob Cantwell (BME Assoc. Four Points Land Dev), Andrew Iwasykiw (Four Points Land Dev), Mike Novik (Katlynn), Carol & Patrick Crane (Katlynn), Maxine Appleby (Katlynn), Michael Shults (Katlynn), Larry Laforce (Katlynn), Daniel J. Elliott (National Oil Recycling)

AUGUST 2013 MINUTES

Action – Approve

Motion – Mr. Ruth

Second – Mr. Burgess

Abstention –

Motion carried

ZONING AND SUBDIVISION REFERRALS

Four Points Land Development, LLC, Wayneport & Carlson Lane, T. Macedon

Amend Map, Tax Map Ref. No. 61111-00-157591, 61111-00-186684

Rezone 2 parcels from RR22 and GC to Totally Planned Development. Bob Cantwell of BME Associates presented.

Action – Approve with Comments

Motion – Mr. Guthrie

Second – Mr. Ruth

Opposed –

Abstention – Mr. Lockwood

Motion carried

Comments:

- 1) the proposed rezoning should be undertaken “in accord with a well considered plan” or “in accordance with a comprehensive plan”, as referenced in the James A. Coon Local Government Technical Series, “Adopting Zoning for the First Time” (i.e. consistent with a planning strategy that is a community/public benefit: **not** “spot zoning”) and
- 2) the Town attorney should review and approve the proposed amendments.

Katlynn Marine, 7482 South Ontario St, V. Sodus Point

Use Variance, Tax Map Ref. No. 71119-18-315146

90' x 190' boat storage building on vacant LCR zoned lot. Several Sodus Point residents spoke.

Action – Disapprove

Motion – Mr. Ruth

Second – Mrs. Deyo

Opposed –
Abstention –
Motion carried

Comments:

- 1) the hardship criteria that are required to grant a use variance must be substantiated at the local level.

National Oil Recycling, 10336 Railroad Avenue, T. Rose

Special Permit, Tax Map. Ref. No. 73116-19-708067

Enlargement of business. Dan Elliott from Elliott Engineering spoke.

Action – Approve with Comments

Motion – Mr. Ruth

Second – Mr. Melino

Opposed –

Abstention – Mr. Guthrie

Motion carried

Comments:

- 1) development must meet NYS Uniform Fire Prevention and Building Codes,
- 2) any/all necessary NYS Department of Environmental Conservation regulations must be met and
- 3) any applicable NYS Department of Health regulations must be met.

Country Variety Store, 10006 Rindfleisch Road, T. Galen

Special Permit, Tax Map Ref. No. 73110-00-367844

24'x40' Amish country store with 4'x10' porch

Action – Approval with comments

Motion – Mrs. Deyo

Second – Mr. Schuth

Opposed –

Abstention –

Motion carried

Comments:

- 1) sight distances that are available at the intersection of Rindfleisch Road and Clyde-Marengo Road should be confirmed to meet AASHTO (American Association of State Highway and Transportation Officials) recommendations, particularly given the possibility of slower moving traffic (e.g. horse and buggy) and the speed limit of Clyde-Marengo Road,
- 2) plans should ultimately be provided that meet Town of Galen Code requirements for the proposed use/building (if applicable),
- 3) the proposed structure must meet NYS Uniform Fire Prevention and Building Codes, including setbacks from property lines,
- 4) any/all necessary NYS Department of Health and/or NYS Department of Agriculture and Markets regulations must be met (regarding water/ wastewater systems, food products proposed for sale, etc.),
- 5) any/all hazardous/toxic materials must be properly stored, used and disposed (small appliance repair proposed) and
- 6) the property owner/s should be aware that portions of the parcel may contain both National wetland (mapping available online at <http://www.fws.gov/wetlands/Wetlands-Mapper.html>) and NYS Department of Environmental Conservation designated wetland areas (mapping available online at <http://www.orthos.dhSES.ny.gov/>) and any planning/development should be done in accordance with applicable regulations.

Huron Local Law No. 3 of 2013, T. Huron

Amend Text

Amend text re: camping

Action – Approval with comments

Motion – Mrs. Deyo

Second – Mr. Ruth

Opposed –

Abstention – Mr. Lockwood

Motion carried

Comments:

- 1) the Town attorney should review and approve the proposed amendment and
- 2) the meaning/intent of Subdivision 45.20(c), (3) - Camping Permits - should be clarified. The Board questioned if the town proposes to limit Camping Permits to campers or travel trailers registered with the New York State Department of Motor Vehicles.

As a note, the Board supports the Town of Huron’s effort to enhance public health, safety and water quality through means such as this that help ensure proper disposal of wastewater.

Gary DeLue, 3739 S. Main Street, T. Marion

Special Permit, Tax Map Ref. No. 65114-12-804539

Seasonal concessions trailer

Action – Approval with comments

Motion – Mr. Buisch

Second – Mr. Lockwood

Opposed –

Abstention –

Motion carried

Comments:

- 1) any/all applicable NYS Department of Health regulations must be met,
- 2) the site should be developed and maintained in an aesthetically pleasing manner (i.e. meet the character of community that the town desires) through use of items such as trailer maintenance/design/materials, fencing, landscaping etc., particularly given that the site is visible from Main Street and
- 3) the property owner/s should be aware that portions of the parcel may contain FEMA flood zone area (mapping available online at <https://msc.fema.gov/webapp/wcs/stores/servlet/FemaWelcomeView?storeId=10001&catalogId=10001&langId=-1>) and any planning/development should be done in accordance with applicable regulations.

Kathy Lessord, 4864 Arcadia Zurich Norris Road, T. Sodus

Special Permit, Tax Map Ref. No. 69115-00-657644

Commercial retail store from home selling Alpaca products

Action – Approval with comments

Motion – Mr. Guthrie

Second – Mr. Schuth

Opposed –

Abstention – Mr. LeRoy

Motion carried

Comments:

- 1) a plan should ultimately be provided that meets Town of Sodus Code requirements and NYS Uniform Fire Prevention and Building Codes for the proposed development/use (i.e. "in-home" retail store),
- 2) driveway sight distances should meet AASHTO (American Association of State Highway and Transportation Officials) recommendations,
- 3) the proposed sign should not interfere with available driveway sight distances (the provided sketch indicates sign will be 25 feet from road centerline),
- 4) the proposed sign must meet Sodus regulations and
- 5) the property owner/s should be aware that portions of the parcel may contain National wetland area (mapping available online at (<http://www.fws.gov/wetlands/Wetlands-Mapper.html>)) and any planning/development should be done in accordance with applicable regulations.

Terry Wolfe, 8453 Sill Road, V. Sodus Point

Special Permit, Tax Map. Ref. No. 71118-10-427514

5'x100' dock with 5'x25' "L" shaped end

The following referral was reviewed and determined to be of no intermunicipal or countywide impact:

Action – Return to Village to be handled as a local matter

Motion – Mr. Buisch

Second – Mr. Ruth

Opposed –

Abstention –

Motion carried

Comments:

- 1) all necessary NYS Department of Environmental Conservation and US Army Corps of Engineers approvals/permits must be obtained.

The Board noted that it does not wish to establish a precedent for excessive development within public waters and recommends that construction be limited to the minimum needed.

Other Business:

The Board was given training reminders.

There being no further business, the meeting was adjourned at 8:30 PM.

Respectfully submitted,
Tracy Lambie, Secretary