

WAYNE COUNTY PLANNING BOARD

MINUTES - DRAFT

April 27, 2022

A meeting of the Wayne County Planning Board was held in person at 9 Pearl St. 2nd floor Conference Room, Lyons, NY. Chairman Bob Milliman called the meeting to order at 7:01 p.m. and proceeded with a call to join in the Pledge of Allegiance.

Members in attendance were Bob Hutteman (Arcadia), Kenneth Conklin (Ontario), Steve Guthrie (Rose), Matt Krolak (Palmyra), Bob Milliman (Wolcott), Ron Thorn (Galen), Bert Peters (Williamson), Mert Bartels (Macedon), and Larry Lockwood (Huron). There were nine (9) members represented, which meets the minimum attendance for quorum of the Board. Larry Ruth (Walworth) was absent. There are five (5) vacancies on the 15-member board. County staff in attendance were Bret DeRoo, Senior Planner; Thomas Lyon, Planner; and Deb Hall, assistant secretary/clerk to the board. There were no members of the public in attendance.

Chairman Milliman asked for any administrative updates or communication.

MINUTES Chairman Milliman asked if there were any changes or comments to the previous meeting minutes of March 30, 2022. Mr. Hutteman made a motion to accept the minutes from the previous meeting, with a second from Mr. Bartels. The minutes were approved.

ZONING AND SUBDIVISION REFERRALS

Chairman Milliman referred the Board to review the list of referral applications that were determined by the preview committee to have “no significant county-wide or inter-community impact”, also known as NCI. Ms. Hall stated for the record that there were five (5) referrals slated for NCI determination. The five applications were as follows:

Project: Town of Ontario – 1190 Lake Rd

Address: 1190 Lake Rd

Tax Map Ref. No.: 62119-00-333286

Type of Action: Area Variance

Project: Town of Ontario - Bread Box Studio

Address: 1983 Ridge Rd

Tax Map Ref. No.: 63117-14-313466

Type of Action: Special Permit

Project: Town of Ontario – Ginny Molino Subdivision

Address: 6399 Knickerbocker Rd

Tax Map Ref. No.: 63117-00-215824

Type of Action: Preliminary / Final Subdivision

Project: Town of Rose – Merrell Dairy LLC Seasonal Housing Expansion

Address: 4827 Lasher Rd

Tax Map Ref. No. : 75115-00-355678

Type of Action: Area Variance

Project: Town of Rose – Phillips-Luckey Farm

Address: 11692 Buchanan Rd

Tax Map Ref. No. : 75116-00-401502

Type of Action: Area Variance

The Chairman requested comments from the board. Mr. DeRoo mentioned that the two Rose applications caused the staff to look into the State Ag and Markets Law for allowable changes to farming operations occurring in designated agriculture districts. These applications did not conflict with current practices.

A motion was made to recommend that these referrals would have *no inter-municipal or countywide impact (NCI)*, and send back to their referring entities for local action. **Motion** – Mr. Peters, **Second** – Mr. Conklin. Chairman Milliman requested voice vote. **Ayes** – 9, **Opposed** – None, **Abstention** – None. **Motion carried.** **Action** – Return these referrals as NCI with staff comments to the municipalities to be handled as local matters.

The Chairman then asked for the remaining two (2) projects to be presented separately by Mr. DeRoo for full Board review and discussion.

Project: Town of Savannah – Savannah Gardens

Address: 13182 Savannah-Spring Lakes Rd.

Tax Map Ref. No.: 71111-06-302971

Type of Action: Special Permit

Mr. DeRoo explained that this project would take place in an R1 zone, seeking a special permit for seasonal mulch and greenhouse plant sales. The applicant lives on site and has property to the east of this site. Mr. Guthrie asked for clarification that the special permit did not include variances. Mr. DeRoo confirmed there were no other variances requested. Mr. Peters agreed that annual review of the permit was appropriate.

Other comments to consider from staff and preview meeting included the following:

- 1) the board wanted to confirm that the special permits (Conditional Use Permits) are reviewed annually at the local level, to be sure that they meet necessary requirements,
- 2) development should be done in a manner that helps it remain compatible with surrounding land uses (“protection of community character as regards predominant land uses, population density, and the relation between residential and nonresidential areas”),
- 3) screening (e.g. fence, berm, landscaping, etc.) should be used to help the proposed development remain compatible with surrounding land uses (i.e. mitigate aesthetic, noise and dust impacts – use fencing/berms to help reduce noise impacts from use of equipment, pave driveway to reduce dust impacts, etc.),
- 4) the site should be developed/maintained in an aesthetically pleasing manner (i.e. through use of items such as landscaping, screening, property maintenance etc.) as the parcel is located on the highly traveled North Main Street/NYS Rt. 89,
- 5) traffic generating characteristics of the proposal should be considered, including, but not limited to the following: driveway location(s), building areas, display/stockpile areas, parking area, driveway sight distances (i.e. they should meet American Association of State Highway and Transportation Officials - AASHTO recommendations) and on-site traffic circulation. Proposed on-site traffic circulation, building areas, display/stockpile areas and associated parking area should be designed/developed in a manner that will provide safe pedestrian and vehicular interaction between those items as well as access to North Main Street (NYS Rt. 89) and no on-site development should impede available sight distances,
- 6) all applicable NYS Department of Transportation permits/recommendations must be obtained/followed (e.g., a driveway permit should be obtained if necessary, no development should take place in the NYS Department of Transportation right-of-way, there should be no parking on the shoulder of North Main Street/NYS Rt. 89 and there should be no need to back onto NYS Rt. 89, etc.),
- 7) the sketch plan should be updated to further delineate features such as parcel boundaries, existing and proposed structure(s), utility infrastructure details (e.g. wastewater system), parking area(s) and driveway location(s), proposed on-site traffic circulation and

- storage/display areas – some, but not all, of these features were illustrated on the provided plot plan,
- 8) painted striping should be added/used on the site to clearly identify parking areas/stalls and desired traffic flow. All parking should be on-site (i.e. there should be no need to park in the NYS DOT right of way) and fire lanes should remain open,
 - 9) all necessary “cross-lot easements“ should be in place to ensure that applicable existing and potential future development(s) can maintain their function and compatibility (e.g. access/driveway, street, parking, stormwater management, utility, etc. easements) – if applicable,
 - 10) all necessary local, federal and state recommendations and approvals/permits must be followed/obtained (e.g. NYS Department of Health, NYS Uniform Fire Prevention and Building Codes, NYS Department of Environmental Conservation – if applicable),
 - 11) there should be a Reduced Pressure Zone Assembly/RPZ Valve (backflow preventer device) on the water supply line (if applicable),
 - 12) all toxic/hazardous materials that may be associated with any on-site activity should be properly stored, handled and disposed of (if applicable),
 - 13) all requirements should be met (e.g. licensing) that apply to the proposed sale of pesticides and fertilizers – (if applicable),
 - 14) emergency service vehicle access should be provided and local emergency service providers should review plans to ensure that proposed development can be accessed and served (e.g. ambulance, police and fire),
 - 15) security measures should be intact (e.g. the site should be lighted),
 - 16) outside storage should be limited (e.g. items in disrepair should not be permitted to accumulate) and
 - 17) future plans for the total acreage should be considered.

A motion was made to recommend approval of the special permit application with comments and return to the town. **Motion** – Mr. Peters, **Second** – Mr. Conklin, Chairman requested voice vote. **Ayes** – 9, **Opposed** – None, **Abstention** – None. **Motion carried. Action** – Recommend approval with comments.

Project: Town of Savannah – Pleasant Valley

Address: East side of Aikens Rd / North of Cotten Rd.

Tax Map Ref. No.: 77113-00-579643

Type of Action: Prelim / Final Site Plan

Mr. DeRoo explained that this project is for the site plan of a new building that will be a single story, chapel and event building. It is proposed to be built on property zoned AR and is located in a remote agriculture region of the town. Mr. Hutteman asked if the septic and wells were noted on the site plan. Mr. DeRoo did not see any notation on the plans.

Other comments to consider from staff and preview meeting included the following:

- 1) development should be done in a manner that helps it remain compatible with surrounding land uses (“protection of community character as regards predominant land uses, population density, and the relation between residential and nonresidential areas”),
- 2) screening (e.g. fence, berm, landscaping, etc.) should be used to help the proposed development remain compatible with surrounding land uses (i.e. mitigate aesthetic, noise and dust impacts – use fencing/berms to help reduce noise impacts from use of equipment, pave driveway to reduce dust impacts, etc.),
- 3) the site should be developed/maintained in an aesthetically pleasing manner (i.e. through use of items such as landscaping, screening, property maintenance etc.),
- 4) traffic generating characteristics of the proposal should be considered, including, but not limited to the following: driveway location(s), building areas, display areas, parking areas, driveway sight

distances (i.e. they should meet American Association of State Highway and Transportation Officials - AASHTO recommendations) and on-site traffic circulation. Proposed on-site traffic circulation, building areas, display/storage areas and associated parking areas should be designed/developed in a manner that will provide safe pedestrian and vehicular interaction between those items as well as access to Aikens Road,

- 5) all necessary “cross-lot easements“ should be in place to ensure that applicable existing and potential future development(s) can maintain their function and compatibility (e.g. access/driveway, street, parking, stormwater management, utility, etc. easements) – if applicable,
- 6) all necessary local, federal and state recommendations and approvals/permits must be followed/obtained (e.g. NYS Department of Health, NYS Uniform Fire Prevention and Building Codes, NYS Department of Environmental Conservation – if applicable),
- 7) emergency service vehicle access should be provided and local emergency service providers should review plans to ensure that proposed development can be accessed and served (e.g. ambulance, police and fire),
- 8) security measures should be intact (e.g. the site should be lighted) and
- 9) future plans for the total acreage (if any) should be considered.

A motion was made to recommend that this referral would have *no inter-municipal or countywide impact (NCI)*, and send back to the town for local action. **Motion** – Mr. Peters, **Second** – Mr. Bartels, Chairman requested voice vote. **Ayes** – 9, **Opposed** – None, **Abstention** – 0. **Motion carried. Action** – Return these referrals as NCI with staff comments to the municipalities to be handled as local matters.

OTHER BUSINESS

Mr. Lyon updated the board on a training program that is offered by NYSERDA. Training dates will be June 7th and June 14th at 3 pm and 5:30 pm. Both programs will be presented virtually but in personal attendance will be offered at the 9 Pearl St. Conference Room. Ms. Hall will send notice to members via email.

Ms. Hall updated the board that two new members and a reappointment are being considered by the County board of supervisors and should join the board at next month’s meeting. It was also reported that Craig Swartz is no longer code enforcement for Town of Sodus, nor Tom Alexander for the Town of Willimason. Duane Smeatin moved from Marion to Williamson to fill this role.

Mr. DeRoo updated the board on a review of exceptions that the Planning office is considering. The draft list of exceptions was shared with local code enforcement officers. Mr. Peters commented that the total number of parcels per town can cause a problem when deciding on exceptions. Mr. Lyon commented that a yearend review of referrals helped to guide the decision on which projects could be excepted.

Mr. DeRoo gave a brief overview of the county broadband project.

The next meeting is set to be held on the last Wednesday in the month of May (May 25, 2022). Hearing no other business, Chairman Milliman asked for motion to adjourn. Motion – Mr. Hutteman, Second – Mr. Peters. All members were in favor. Meeting adjourned at 7:32 p.m.

Respectfully submitted,



Deborah Hall, Senior Clerk, Planning Dept.