

WAYNE COUNTY PLANNING BOARD

MINUTES July 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 7:04 p.m. and proceeded with a call to join in the Pledge of Allegiance.

Members in attendance were Steve Guthrie (Rose), Bob Milliman (Wolcott), Kenneth Conklin (Ontario), Mert Bartels (Macedon), Larry Lockwood (Huron), Rob Burns (Lyons), Dennis Grabb (Sodus), Chad Mendenhall (Butler) and Patti Marini (Walworth). There were nine (9) members present which meets the minimum attendance for quorum of the Board. Matt Krolak (Palmyra), Bert Peters (Williamson), Ron Thorn (Galen) and Bob Hutteman (Arcadia) were absent. There are two vacancies on the 15-member board. County staff in attendance were Bret DeRoo, Senior Planner; Thomas Lyon, Planner; Brian Pincelli, Director, and Deb Hall, assistant secretary/clerk to the board. There were 12 members of the public in attendance: Lee Dame, Bernadette Durman and Larry Heininger, PE from Marques & Assoc. PC for the Tamarack application; Kevin Leddy and Gus Wilson for 1615 Macedon Pkwy (Caliber Collision) application; Allie Keenan, Jim Barbato and Linc Swedrock, PE from BME for Macedon Marina application; Andy Burns and Alex Benoit for Royal Car Wash application; and Matt Fisher and Ben Miller for Empire Shed application.

Chairman Milliman welcomed attendees and asked for any administrative updates or communication. Ms. Hall reported no new correspondence for the board.

MINUTES Chairman Milliman asked if there were any changes or comments to the previous meeting minutes of June 29, 2022. Mr. Guthrie made a motion to accept the minutes from the previous meeting, with a second from Mr. Bartels. Minutes were approved.

ZONING AND SUBDIVISION REFERRALS

Chairman Milliman called for the Board to begin review of the list of referral applications. Ms. Hall read the meeting guidelines, reminding the public that the Board will review applications and make recommendations back to the local referring board. Mr. Milliman asked for a list of the applications that were determined by the preview committee to have “no significant county-wide or inter-community impact”, also known as NCI. Ms. Hall read the list of applications for the record whereas eight (8) review requests were recommended for NCI determination as follows:

Project: Town of Macedon – Royal Car Wash Area Variances (2)

Address: 1585 Macedon Parkway
Tax Map Ref. No.: 6111-00-072772
Type of Action: Area Variances

Project: Town of Macedon – Macedon Marina Area Variances (4)

Address: 1125 Marina Parkway
Tax Map Ref. No.: 61112-00-267143
Type of Action: Area Variances

Project: Town of Ontario – Empire Shed Special Permit

Address: 1473 Route 104 & 1475 Route 104
Tax Map Ref. No.: 62117-11-663704 & 62117-11-674704
Type of Action: Special Permit

Project: Town of Ontario – Lakeshore Bottle & Can Redemption

Address: 2007 (1999) Route 104
Tax Map Ref. No.: 63117-10-344693
Type of Action: Special Permit

Project: Town of Ontario – Ontario County Country Club Amended Site Plan

Address: 2101 Country Club Lane
Tax Map Ref. No.: 63117-00-474186
Type of Action: Amended Site Plan

Project: Town of Ontario – 7744 Tamarack Lane Site Plan

Address: 7744 Tamarack Lane
Tax Map Ref. No.: 63119-14-354495
Type of Action: Final Site Plan

Project: Town of Walworth – Cypressi Subdivision

Address: 4322 Ontario Center Rd
Tax Map Ref. No.: 63115-00-208192
Type of Action: Final Subdivision

Project: Town of Walworth – Carey Lake Subdivision

Address: 959 Walworth-Penfield Rd
Tax Map Ref. No.: 62114-00-033615
Type of Action: Final Subdivision

Being that representatives from Empire Shed and Tamarack Lane were present at the meeting, these applications were reviewed by the board. First presentation was Mr. Heininger for Tamarack Lane site plan.

Project: Town of Ontario – 7744 Tamarack Lane Site Plan

Address: 7744 Tamarack Lane
Tax Map Ref. No.: 63119-14-354495
Type of Action: Final Site Plan

Mr. Heininger stated that his clients had changed the site plan for a single family home on the lot, by altering the path of the driveway 2-ft to the north in order to move further away from the transformer and sewer manhole/cleanout. This also allowed the clients to retain a pine tree. Mr. Heininger also reported that the site was 88-ft from the ‘bluffs’ which is more than the 60-ft requirement. Mr. Guthrie asked about the neighboring property that appeared to be landlocked. It was clarified that the parcel was owned by another adjacent landowner and they did not object to the property development. The following staff comments were included in the board’s review:

- 1) development, including water and wastewater treatment/sanitary service, and driveway design that includes provision for emergency service vehicle access (if applicable) must meet all local, federal and NYS codes/regulations (e.g. Department of Health, Uniform Fire Prevention and Building Codes, Department of Environmental Conservation - Phase II Stormwater Management and Erosion and Sediment Control regulations - if applicable, etc.),
- 2) the driveway should meet AASHTO (American Association of State Highway and Transportation Officials) recommendations for sight distance,
- 3) development should be done in a manner that keeps it compatible with surrounding land uses and is also aesthetically pleasing through use of items such as building design/materials, property maintenance, fencing, berms, landscaping, etc.,
- 4) all applicable/necessary easements (“cross-lot” included) should be in place to ensure that the development maintains function and compatibility with surrounding land uses (e.g. access/driveway, parking, stormwater management, utility, etc. easements),
- 5) future plans (if any) for the total acreage should be considered and
- 6) the property owner(s) should be aware that portions of the parcel appear to contain (or be near) National wetland areas (approximate mapping available online at <https://gisservices.dec.ny.gov/gis/erm/>) as well as FEMA flood zone area (approximate mapping available online at <https://msc.fema.gov/portal>) and any planning/development should be done in accordance with applicable regulations.

A motion was made to recommend that this referral would have *no significant inter-municipal or countywide impact (NCI)* and to send back this recommendation to the local referring body for local action. **Motion** – Mr. Guthrie,

Second – Mr. Conklin. Chairman Milliman requested voice vote. **Ayes** – 9, **Opposed** – None, **Abstention** – None.
Motion carried. Action – Return referral to the municipality with recommendation as NCI with staff comments.

The next presenter was Matt Fisher from Empire Shed.

Project: Town of Ontario – Empire Shed Special Permit

Address: 1473 Route 104 & 1475 Route 104

Tax Map Ref. No.: 62117-11-663704 & 62117-11-674704

Type of Action: Special Permit

Mr. Fisher explained that the shed sales operation would take place on two parcels of land along Route 104 both leased from the owner. He explained there would be room for 30-60 sheds on premises at any one time. Mr. Conklin asked about the railroad easement on the north side of the property. Mr. Fisher was confident that they were far from the line. Mr. DeRoo stated there would be no development in the easement area. Mr. Guthrie clarified that the driveway was existing not new. Mr. Fisher confirmed. The following staff comments were included in the board's review:

- 1) traffic generating characteristics of the proposal should be considered, including, but not limited to the following: driveway location, shed display area(s), parking area(s), 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, driveway location, shed display area, 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 NYS Rt. 104 and no on-site development should impede available driveway sight distances,
- 2) all applicable/necessary easements ("cross-lot" included) should be in place to ensure that the proposed development maintains function and compatibility (e.g. access/driveway, parking, stormwater management, utility, etc. easements), particularly when considering that proposed development spans 2 parcels and the driveway appears to provide access to several parcels,
- 3) development should not impact right of way areas areas such as the RG&E and /or NYS Rt. 104 ROW,
- 4) development should be done in a manner that keeps it compatible with surrounding land uses and is also aesthetically pleasing through use of items such as building and property maintenance, screening (e.g. fencing and berms), landscaping, etc., particularly given that the parcel is located on the highly traveled NYS Route 104,
- 5) screening (e.g. fence, berm, landscaping, etc.) should be used to help the proposed development remain compatible with surrounding land uses (i.e. mitigate potential visual and dust/driveway impacts between this proposal and adjacent uses - if applicable),
- 6) outside storage should be limited, particularly items in poor repair (if ever applicable),
- 7) future plans (if any) for the total acreage should be considered and
- 8) all necessary local, federal and state recommendations/regulations and approvals/permits must be obtained/complied with (e.g. NYS Uniform Fire Prevention and Building Codes and local codes regarding required setback distances).

A motion was made to recommend that this referral would have *no significant inter-municipal or countywide impact (NCI)* and to send back this recommendation to the local referring body for local action. **Motion** – Mr. Guthrie, **Second** – Mr. Conklin. Chairman Milliman requested voice vote. **Ayes** – 9, **Opposed** – None, **Abstention** – None.
Motion carried. Action – Return referral to the municipality with recommendation as NCI with staff comments.

Chairman Milliman asked if there was any other discussion on the previously mentioned list of referrals being recommended as NCIs. Hearing none, he asked for a motion on recommendations for the remaining six (6) referrals.

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

The Chairman then asked for the remaining three (3) projects to be presented by Mr. DeRoo and the representatives present for full Board review and discussion.

Project: Town of Macedon – Royal Car Wash Special Permit

Address: 1585 Macedon Parkway

Tax Map Ref. No.: 61111-00-072772

Type of Action: Special Permit

Mr. DeRoo introduced the project as an application for a special use permit to construct and operate an automatic car wash adjacent to the Lowe’s store on Macedon Parkway and Route 31. The site is located on an out-parcel of the Lowe’s development and is currently vacant, zoned general commercial. Town requires special use of all car washes. The driveway into the facility would be along Macedon Parkway not Route 31. Mr. Burns stated the parking three parking cues would hold 80 cars on site and explained that the stormwater management would tie into existing drainage. Mr. Guthrie asked about increased traffic onto Route 31 at this now busy intersection. Mr. Benoit stated that the owner of the new residential project across the street from Lowe’s is working with them on traffic issues but stated that new residential development would trigger a traffic light, not their operation. Mr. Pincelli reminded the board that this is a special permit request focusing on conformity to other neighboring land uses. Mr. DeRoo stated there were a few easements on the property and Mr. Burns clarified that they would not be intervening on those easements.

The following staff comments were included in the board’s review:

For reference, the board has previously discussed traffic generating characteristics that development in this area will have on the Macedon Parkway/NYS Rt. 31 intersection. It is understood that the NYS Department of Transportation will make the final determination regarding the implementation of a signal at the intersection of Macedon Parkway and NYS Rt. 31.

In previous reviews of nearby development (e.g. Quicklee’s Convenience, Indus Hospitality Group Hotel and Restaurant site plan), the Board indicated that attention should be given to items that are being proposed to help development be compatible with surrounding land uses and also protect community character as regards predominant land uses, population density, and the relation between residential and nonresidential areas (comments #3 and #4 found below relate to these items). This seems of particular importance given the blend of existing and proposed land uses that are, or will be, nearby (e.g. residential, commercial etc.). They also continue to consider the potential this proposal could have on how other future development would look in similar General Commercial zones/area within the town. The applicant may have several building/site design and development options available, ultimately with ones that meet the character the town desires.

- 1) traffic generating characteristics of the proposal should be considered, including, but not limited to the following: driveway location(s), building area(s), parking area(s), 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, driveway location(s), building area 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 Macedon Parkway and the internal roadway, and no on-site development should impede available sight distances,
- 2) development should be done in a manner that helps it remain compatible with surrounding land uses and is also aesthetically pleasing (from all applicable directions) through use of items such as property maintenance and building design/materials, fencing, berms, landscaping, etc., particularly given that the parcel is located on the highly traveled NYS Rt. 31 / Erie Canalway National Heritage Corridor) and near existing/proposed residential uses,
- 3) screening (e.g. fence, berm, landscaping, etc.) should be used to help the proposed commercial development remain compatible with surrounding land uses (i.e. mitigate visual and noise impacts between this proposal and adjacent residential uses),
- 4) 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, law enforcement and fire),
- 5) snow maintenance/removal plans should be considered,

- 6) outside storage should be limited and screened (e.g. items in disrepair should not be permitted to accumulate and refuse should be kept from excessive odor),
- 7) any/all toxic/hazardous materials should be properly stored, handled and disposed of,
- 8) security measures should be intact (e.g. the site should be lighted),
- 9) development must meet all local, federal and state (e.g. NYS Department of Health – water and sanitary sewer, NYS Department of Environmental Conservation-Phase II Stormwater Management and Erosion and Sediment Control Plans and Petroleum Bulk Storage Regulations as well as NYS Uniform Fire Prevention and Building Codes) codes/regulations,
- 10) all necessary easements (“cross-lot” included) should be in place to ensure that the development maintains function and compatibility (e.g. access/driveway, parking, stormwater management, water, sewer – Wayne County Water & Sewer Authority, etc. easements) and
- 11) future plans (if any) for the total acreage should be considered.

A motion was made to recommend Approval of the Special Use with comments and return to the town. **Motion** – Mr. Burns, **Second** – Mr. Conklin, Chairman requested roll call vote. **Ayes** – 8, **Opposed** – None, **Abstention** – 1 (Mr. Bartels). **Motion carried. Action** – Recommend Approval with comments.

Project: Town of Macedon – Caliber Collision Special Use and Site Plan

Address: 1615 Macedon Parkway

Tax Map Ref. No.: 61111-00-074820

Type of Action: Special Use and Site Plan

Mr. DeRoo described the next project as a new build on another vacant lot east of the Lowe’s store and just north of the proposed car wash previously discussed. Mr. Leddy further described the project on Lot #2 as conforming to the Lowe’s Master Site Plan with storm water treatment off site. Mr. Wilson, a representative for the developer, stated there are 1300 of these stores in 27 states. The operation is not a junk yard for car parts, nor a tire shop or oil change shop. It is a high quality auto body and repair shop for insurance claim accidents. The corporation undergoes a third-party review for EPA standards. They do not hold cars for more than 10 days and are only open Monday through Friday, 8:30 a.m. to 5:30 p.m. Mr. Leddy further described the build out to contain private fencing and no variance requests. Mr. Wilson said the store would employ 5 to 15 workers with 15-30 cars in traffic flow daily. He stated that the absence of a traffic light would not impede their development. Mr. DeRoo stated that the Town is continuing to work with D.O.T. on the justified need and installation of a traffic light at the intersection with Rt. 31. Mr. Lyon recommended including all special and extraordinary concerns regarding traffic safety and further recommendations to the Town in the response letters for these projects.

The following staff comments were included in the board’s review:

- 1) traffic generating characteristics of the proposal should be considered, including, but not limited to the following: driveway location(s), building area(s), parking area(s), 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, driveway location(s), building area 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 Macedon Parkway and the internal roadway, and no on-site development should impede available sight distances,
- 2) development should be done in a manner that helps it remain compatible with surrounding land uses and is also aesthetically pleasing (from all applicable directions) through use of items such as property maintenance and building design/materials, fencing, berms, landscaping, etc., particularly given that the parcel is located near the highly traveled NYS Rt. 31 / Erie Canalway National Heritage Corridor) and in the vicinity of existing/proposed residential uses (Oakridge Glen),
- 3) screening (e.g. fence, berm, landscaping, etc.) should be used to help the proposed commercial development remain compatible with surrounding land uses (i.e. mitigate visual and noise impacts between this proposal and adjacent residential uses),
- 4) 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, law enforcement and fire),
- 5) snow maintenance/removal plans should be considered,

- 6) outside storage should be limited and screened (e.g. items in disrepair should not be permitted to accumulate and refuse should be kept from excessive odor),
- 7) any/all toxic/hazardous materials should be properly stored, handled and disposed of,
- 8) security measures should be intact (e.g. the site should be lighted),
- 9) development must meet all local, federal and state (e.g. NYS Department of Health – water and sanitary sewer, NYS Department of Environmental Conservation-Phase II Stormwater Management and Erosion and Sediment Control Plans and Petroleum Bulk Storage Regulations as well as NYS Uniform Fire Prevention and Building Codes) codes/regulations,
- 10) all necessary easements (“cross-lot” included) should be in place to ensure that the development maintains function and compatibility (e.g. access/driveway, parking, stormwater management, water, sewer, etc. easements) and
- 11) future plans (if any) for the total acreage should be considered.

A motion was made to recommend Approval of the Special Use and Site Plan with additional comments and return to the town. **Motion** – Mr. Guthrie, **Second** – Mr. Burns, Chairman requested roll call vote. **Ayes** – 8, **Opposed** – None, **Abstention** – 1 (Mr. Bartels). **Motion carried. Action** – Recommend Approval with comments.

Project: Town of Macedon – Macedon Marina Special Use

Address: 1125 Marina Parkway

Tax Map Ref. No.: 61112-00-267143

Type of Action: Special Use

Mr. DeRoo described the project as residential multi-family development of 122 units in an R-22 zone located near the public community park, Bullis Park. Mr. Swedrock stated the units would be contained in seven 10-unit buildings and two 26-unit buildings, all two story townhomes on 16 acres. The lots would be subdivide from the Marina property which was previously approved. The development access drives would be off of Marina Parkway, which is a dedicated town road, not the adjacent Canandaigua Rd. Mr. Swedrock further explained there were 92 parking spots with refuse and service areas and utilities available to the site. Mr. Guthrie asked traffic to the neighboring RV park and Marina. Ms. Keenan stated that she has 15 employees plus a few boaters at the Marina and once the RV’s are in the park, they stay all season. Mr. Barbato explained that he has other developments like this on Rt. 31 at Creek Stone and Rt. 250 in Fairport. The primary demographic seems to be empty nesters and retirees. Mr. Guthrie stated his concern for emergency service responders. Mr. Linc stated that they had a meeting with the town to coordinate with fire/EMT. The fire marshal gave input on driveways and access to buildings. Mr. Burns asked about noise from the RV campgrounds and Ms. Keenan stated there was quite a distance between the sites and never any issues. The town owns property adjacent to the site with plans for further park development along the canal. The following staff comments were included in the board’s review:

- 1) the Town should continue to consider how the total proposed development will impact community/public facilities and services (e.g. highway/road, school, water, sewer, storm water management, public safety/emergency services, etc.),
- 2) local emergency service providers should review plans to ensure that proposed development can be accessed and served (e.g. ambulance, fire, and law enforcement). The Board understands that development will need to meet applicable local and NYS Uniform Fire Prevention and Building Codes.
- 3) any/all applicable Town of Macedon Highway Department approvals/recommendations must be obtained/followed (e.g. no development should take place in the highway right-of-way, there should be no need for parking on the shoulder of Marina Parkway, highway design/maintenance provisions should be met, etc.),
- 4) all access drives should meet AASHTO (American Association of State Highway and Transportation Officials) recommendations for sight distance,
- 5) proposed development should be done in a manner that keeps it compatible with surrounding land uses and is also aesthetically pleasing through use of items such as building design/materials, property maintenance, fencing, berms, landscaping, etc.,
- 6) screening (e.g. fence, berm, landscaping, etc.) should be used to help the proposed development remain compatible with surrounding land uses (e.g. i.e. mitigate visual and noise impacts between this proposal and adjacent land uses),

- 7) the proposed lots should be configured with enough area for each lot to connection to municipal sewer that will meet local and/or New York State (e.g. Department of Health, Uniform Fire Prevention and Building Code) codes/regulations,
- 8) development must meet local, federal and state (e.g. NYS Department of Environmental Conservation-Phase II Stormwater and Erosion and Sediment Control Regulations, NYS Department of Health - wastewater treatment and water supply, DOT, Uniform Fire Prevention and Building Codes, etc.) codes/regulations,
- 9) all necessary easements (“cross-lot easements” included) should be in place to ensure that applicable existing and potential future developments / businesses can maintain their function and compatibility (e.g. access/driveway, water, sewer, stormwater management, parking, utility, etc. easements),
- 10) future plans (if any) for the total acreage should be considered and
- 11) the property owner(s) should also be aware that portions of the parcel may contain (or be near) both National wetland area (mapping available online at <https://gisservices.dec.ny.gov/gis/erm/>) as well as FEMA flood zone area (approximate mapping available online at <https://msc.fema.gov/portal>) and any planning/development should be done in accordance with applicable regulations.

A motion was made to recommend Approval of the Special Use with additional comments and return to the town. **Motion** – Mr. Lockwood, **Second** – Mr. Conklin, Chairman requested roll call vote. **Ayes** – 8, **Opposed** – None, **Abstention** – 1 (Mr. Bartels). **Motion carried. Action** – Recommend Approval with comments.

OTHER BUSINESS

Mr. Pincelli stated that there could likely be more development pressure along major corridors, east of Monroe County. Mr. Guthrie said Macedon seems to have a full docket of projects and wondered about the pressure on emergency services and medical response, especially based on the county wide coordination of efficiencies in this matter. Mr. Pincelli stated that the Planning Dept is putting in grant request for creating a Smart Growth Plan to address these issues. The next meeting is set to be held on the last Wednesday in the month of August (August 31, 2022).

Hearing no other business, Chairman Milliman asked for a motion to adjourn. Motion – Mr. Grabb, Second – Ms. Marini. All members were in favor. Meeting adjourned at 8:14 p.m.

Respectfully submitted,



Deborah Hall, Senior Clerk, Planning Dept.