

WAYNE COUNTY PLANNING BOARD

MINUTES

July 28, 2021

Chairman, Mert Bartels called the July meeting of the Wayne County Planning Board to order at 7:03 p.m. This meeting was held in person at the Wayne County Court House 26 Church Street, Lyons, NY in the upper chambers. Mr. Bartels invited all to stand and recite the Pledge of Allegiance.

Members present were Ron Baker (Sodus), Mert Bartels (Macedon), Kenneth Conklin (Ontario), Steve Guthrie (Rose), Bob Hutteman (Arcadia), Matt Krolak (Palmyra), Bob Milliman (Wolcott), Bert Peters (Williamson), Ron Thorn (Galen), and Jim Wedman (Lyons). Ten attendees represents a quorum of the Board.

Members absent were Robert Burns (Marion), Larry Lockwood (Huron), Larry Ruth (Walworth).

County staff in attendance were Bret DeRoo, Thomas Lyon, and Deb Hall. There were 8 members of the public in attendance.

JUNE 2021 MINUTES Chairman Bartels asked for a motion to approve June 2021 Planning Board minutes.

Motion – Mr. Baker, **Second** – Mr. Hutteman, **Abstention** – none, **Motion Carried**.

Action – Record the minutes as presented.

ZONING AND SUBDIVISION REFERRALS

The following six (6) referrals were reviewed and upon discussion, determined to have *no inter-municipal or countywide impact (NCI)*. Responses to each project are to include the following comments.

Crestuk Subdivision, 7599 Fisher Rd., Town of Ontario

Preliminary & Final Subdivision / Prelim & Final Site Plan, Tax Map Ref. No. 64119-00-042281

Description: Applicant to Subdivide 17 acre lot into 2 parcels for new build on one.

Comments were as follows:

- 1) the proposed lots should be configured with enough area for each lot to contain an existing and/or construct a new wastewater treatment system (or 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,
- 2) the proposed lots should be configured with enough area for each lot to have a driveway that meets AASHTO (American Association of State Highway and Transportation Officials) recommendations for sight distance,
- 3) future plans (if any) for the total acreage should be considered,
- 4) all applicable/necessary easements (“cross-lot” included) should be in place to ensure that the development/subdivision maintains function and compatibility (e.g. access/driveway, parking, stormwater management utility, etc. easements),
- 5) 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,
- 6) 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. and
- 7) the property owner(s) should be aware that portions of the parcel appear to contain (or be near) National wetland area (approximate mapping available online at <https://gisservices.dec.ny.gov/gis/erm/>) and any planning/development should be done in accordance with applicable regulations.

Bradbury Subdivision, 965 Clevenger Rd., Town of Ontario

Use Variance, Tax Map Ref. No. 62117-00-030207

Description: Applicant to Subdivide 18.66 acres in 3 parcels: lot 1 - 38,123 sf; lot 2 - 39,117 sf; lot 3 - 17.128 ac

Comments:

- 1) the proposed lots should be configured with enough area for each lot to contain an existing and/or construct a new wastewater treatment system (or 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,
- 2) the proposed lots should be configured with enough area for each lot to have a driveway that meets AASHTO (American Association of State Highway and Transportation Officials) recommendations for sight distance,
- 3) future plans (if any) for the total acreage should be considered,
- 4) all applicable/necessary easements (“cross-lot” included) should be in place to ensure that the development/subdivision maintains function and compatibility (e.g. access/driveway, parking, stormwater management utility, etc. easements),
- 5) 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 and
- 6) 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. - if applicable.

Faith Wilbert Subdivision, 4867 County Line Rd, Town of Walworth

Final Subdivision / Final Site Plan, Tax Map Ref. Nos. 60115-00-967880

Description: Subdivision from 7 acres to 2 lots; one with 1.3 acre and existing home, one with 5.7 acres and new build home.

Comments:

- 1) the proposed lots should be configured with enough area for each lot to contain an existing and/or construct a new wastewater treatment system (or 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,
- 2) the proposed lots should be configured with enough area for each lot to have a driveway that meets AASHTO (American Association of State Highway and Transportation Officials) recommendations for sight distance,
- 3) future plans (if any) for the total acreage should be considered,
- 4) all applicable/necessary easements (“cross-lot” included) should be in place to ensure that the development/subdivision maintains function and compatibility (e.g. access/driveway, parking, stormwater management utility, etc. easements),
- 5) 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 and
- 6) 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..

2914 Kenyon Rd. Subdivision, Town of Williamson

Preliminary / Final Subdivision, Tax Map Ref. No. 64118-00-477058

Description: Subdivision from 19.3 acres to 2 lots; one with 5 acres and existing home/barn, one with 14.3 acre vacant land.

Comments:

- 1) the proposed lots should be configured with enough area for each lot to contain an existing and/or construct a new wastewater treatment system (or 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,
- 2) the proposed lots should be configured with enough area for each lot to have a driveway that meets AASHTO (American Association of State Highway and Transportation Officials) recommendations for sight distance,
- 3) future plans (if any) for the total acreage should be considered,

- 4) all applicable/necessary easements (“cross-lot” included) should be in place to ensure that the development/subdivision maintains function and compatibility (e.g. access/driveway, parking, stormwater management utility, etc. easements),
- 5) 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,
- 6) 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. - if applicable and
- 7) the property owner(s) should be aware that portions of the parcel appear to contain (or be near) National wetland area as well as NYS Department of Environmental Conservation wetland area (approximate mapping available for both online at <https://gisservices.dec.ny.gov/gis/erm/>) and any planning/development should be done in accordance with applicable regulations.

Gumina Cottage, 7902 N. Maple Rd., Town of Wolcott

Special Permit, Tax Map Ref. No. 75119-11-562686

Description: Owner to demolish existing cottage and build a new, larger one.

Comments:

- 1) the proposed development should be designed/implemented in a manner so that it will not interfere with adjacent property owner(s) views of Port Bay to the extent possible,
- 2) the proposed wastewater treatment system must meet applicable local and/or New York State (e.g. Department of Health, Uniform Fire Prevention and Building Code) codes/regulations,
- 3) proposed development must meet NYS Uniform Fire Prevention and Building Codes,
- 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 design/materials, fencing, berms, landscaping etc., and
- 5) the property owner(s) should be aware that portions of the parcel may contain (or be near) National wetland area (approximate mapping available online at <http://www.dec.ny.gov/gis/erm/>) and 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.

Lucianovic Subdivision, 4555 N. Creek Rd., Town of Palmyra

Preliminary / Final Subdivision, Tax Map Ref. No. 66112-00-510676

Description: Subdivision from 41.3 acres to 2 lots; one 23.5 acre to be sold to neighbor, one remaining with owner.

Comments:

- 1) the proposed lots should be configured with enough area for each lot to contain an existing and/or construct a new wastewater treatment system (or 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,
- 2) the proposed lots should be configured with enough area for each lot to have a driveway that meets AASHTO (American Association of State Highway and Transportation Officials) recommendations for sight distance,
- 3) future plans (if any) for the total acreage should be considered,
- 4) all applicable/necessary easements (“cross-lot” included) should be in place to ensure that the development/subdivision maintains function and compatibility (e.g. access/driveway, parking, stormwater management utility, etc. easements),
- 5) 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,
- 6) 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. - if applicable and
- 7) the property owner(s) should be aware that portions of the parcel appear to contain (or be near) National wetland area (approximate mapping available online at <https://gisservices.dec.ny.gov/gis/erm/>) and any planning/development should be done in accordance with applicable regulations.

After brief review, the Board recommended these referrals be returned to their towns for local action with a notation of NCI, no countywide impact.

Motion – Mr. Guthrie, **Second** – Mr. Peters, Chairman Bartels requested roll call vote. **Ayes** – 10, **Opposed** – None, **Abstention** – None. **Motion carried**

Action – Return these referrals with comments to the municipalities to be handled as local matters.

The following six (6) projects were each reviewed and discussed by the Board separately.

Parker's Grille, 206 S. Main St., Village of Newark

Area Variance / Use Variance, Tax Map Ref. No. 68111-18-355007

Description: Addition of two (2) 2-bedroom, second floor apts above restaurant / bar

Comments: Mr. DeRoo noted that this referral was considered for NCI during preview meeting but was open to the board for discussion. A representative of the project was in attendance. The board clarified the variance was for apartments that are smaller than code requirement. Other comments included:

- 1) the hardship criteria (rules/tests) that are required to grant the area and use variances must be substantiated at the local level,
- 2) the minimum variances necessary/adequate should be considered,
- 3) use of the property should proceed in a manner that helps it remain compatible with surrounding land uses and is also aesthetically pleasing through use of items such as building and property maintenance etc.,
- 4) all necessary local, federal and state recommendations and approvals/permits must be followed/obtained (e.g. NYS Uniform Fire Prevention and Building Codes),
- 5) parking should be available that meets Village Code requirements for the proposed conversion to a 2nd story residential use (apartment),
- 6) emergency service vehicle access should be provided for and local emergency service providers should review plans to ensure that proposed development can be accessed and served (e.g. ambulance, police and fire),
- 7) future plans (if any) for the property should be considered and
- 8) the Village may wish to review applicable plans/studies and regulations to determine if they still meet intended objectives should there be repeated requests for similar variances.

After this discussion, the board heard a motion to approve this request as NCI.

Motion – Mr. Guthrie, **Second** – Mr. Peters. Chairman Bartels requested roll call vote. **Ayes** – 10, **Opposed** – 0. **Abstention** – None. **Motion carried**

Action – Return this referral with comments to the municipalities to be handled as local matters..

Wild Water Fly Fishing, 6298 Dean Parkway, Town of Ontario

Preliminary / Final Site Plan, Tax Map Ref. No. 61117-00-197676

Description: Develop a Warehouse and distribution center

Comments: Mr. DeRoo noted that the major concern before the board with any project on Dean Parkway or that vicinity is the added traffic to an already busy intersection with State Route 104. He noted that the Town is conducting a traffic study for this intersection where multiple industries use it for ingress/egress. The board asked the project representative to clarify the project. Representative Eric Dodds said the business is entirely online and the facility will not be used for retail, only for 5 staff and deliveries. Additional comments from the preview board include:

- 1) proposed development should be done in a manner that helps it remain compatible with surrounding land uses and is also aesthetically pleasing through use of items such as building design/materials, fencing, berms, landscaping, property maintenance, etc., particularly given that the parcel has access to Timothy Lane and is near the highly traveled NYS Rt. 104 corridor,
- 2) screening (e.g. fence, berm, landscaping, etc.) should be considered/used to help the proposed development remain compatible with surrounding land uses (i.e. mitigate visual and noise impacts between this proposal and adjacent land uses - if applicable),
- 3) 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, building area,

- associated parking area(s) and development plans should be designed/developed in a manner that will provide safe pedestrian and vehicular interaction between those items as well as access to Dean Parkway,
- 4) emergency service vehicle access should be planned and provided for, including driveway design that meets NYS Uniform Fire Prevention and Building Codes (if applicable), and local emergency service providers should review plans to ensure that proposed development can be accessed and served (e.g. ambulance, fire, and law enforcement),
 - 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, parking, stormwater management, utility, etc. easements),
 - 6) “operational noises” should be mitigated (i.e. noise generated by business activity should not impact other nearby uses - if applicable),
 - 7) outside storage should be limited (e.g. items in disrepair should not be permitted to accumulate),
 - 8) any toxic/hazardous materials should be properly stored, handled and disposed of,
 - 9) development, including water and wastewater treatment/sanitary service, must meet all local, federal and NYS codes/regulations (Department of Environmental Conservation - Phase II Stormwater Management and Erosion and Sediment Control regulations and other applicable regulations, Department of Health, Uniform Fire Prevention and Building Codes, etc.),
 - 10) future plans (if any) for the total acreage should be considered and
 - 11) proposed development should take applicable “well-considered” and/or master planning efforts/recommendations into account (e.g. “Commerce Center Master Plan”).

After this discussion, the board heard a motion to approve the referral with comments.
Motion – Mr. Peters, **Second** – Mr. Hutteman. Chairman Bartels requested roll call vote. **Ayes** – 10, **Opposed** – none. **Abstention** – none. **Motion carried**
Action – Approve the referral with comments and send back to town for final action.

4403 Lake Rd., Town of Williamson

Area Variance, Tax Map Ref. No. 66119-00-330591

Description: Removal / replacement of garage closer to road with 1-ft side setback

Comments: Mr. DeRoo showed the board photos and site plan designs describing the location of the existing garage and the existing 3.9 ft setback. Applicant Ms. Lyon addressed the board with explanation of the project. Mr. Peters stated the board’s general consideration for property lines in all referrals. Final suggestion from the board was to modify the design and application so that the new structure is set back no less than the current existing distance from the property line. Additional comments include:

- 1) the hardship criteria (rules/test) that are required to grant the area variance must be substantiated at the local level,
- 2) the minimum variance necessary/adequate should be considered,
- 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) screening (e.g. fence, berm, landscaping, etc.) should be considered to help the proposed development remain compatible with surrounding land uses,
- 5) the proposed development must meet applicable local, federal and New York State (e.g. Department of Health, Uniform Fire Prevention and Building Codes) codes/regulations and
- 6) the Town may wish to review applicable regulations to determine if they still meet intended objectives should there be repeated requests for similar variances.

After this discussion, the board heard a motion to approve the referral with modifications.
Motion – Mr. Guthrie, **Second** – Mr. Conklin. Chairman Bartels requested roll call vote. **Ayes** – 8, **Opposed** – 1. **Abstention** – 1. **Motion carried**
Action – Approve the referral with modifications and send back to town for final action.

Ontario Pub, 1944 State Route 104, Town of Ontario

Special Permit & Preliminary / Final Site Plan, Tax Map Ref. No. 63117-10-256660

Description: Develop small 1180 sf restaurant in existing building

Comments: Mr. Guthrie was immediately concerned with the traffic flow into/out of the parking area that fronts Rt 104 where no barriers exist to direct traffic flow. Applicant in attendance, Mr. Russo, stated that signage would be erected to maintain orderly traffic flow. Mr. Guthrie asked the capacity of the building. Applicant stated 50 persons. Mr. Peters and Mr. Conklin were also concerned with the safety of traffic pulling into and out of the facility, near a

busy intersection. They suggested separating the entrance and exit lanes, although snow plowing would be difficult with additional barriers. Applicant said a fence was erected to separate the existing auto garage from the container recycling business that also share the driveway/building. Mr. Peters asked about the smell from the container recycling center affecting the proposed restaurant. Mr. Russo explained the use of sealed concrete and odor control material for tables. Other preview comments included:

- 1) any/all applicable NYS Department of Transportation approvals/recommendations must be obtained/followed (e.g. no development should take place in the highway/road right-of-way, there should be no need for parking on the shoulder of NYS Rt. 104, highway design/maintenance provisions should be met, etc.),
- 2) 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, stormwater management area 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 NYS Rt. 104 and no on-site development should impede available sight distances,
- 3) planned traffic patterns should be defined with visual markers such as in/out signs - if applicable,
- 4) development/maintenance 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 building/property maintenance, fencing, berms, landscaping, etc., particularly given that the parcel is located on the highly traveled NYS Rt. 104 and also near existing residential and commercial uses,
- 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 visual and noise impacts between this proposal and adjacent residential uses – this comment relates to “protection of community character as regards predominant land uses, population density, and the relation between residential and nonresidential areas”),
- 6) 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),
- 7) snow maintenance/removal plans should be considered,
- 8) future plans (if any) for the total acreage should be considered and
- 9) all necessary local, federal and state recommendations/regulations and approvals/permits must be followed/obtained (e.g. NYS Department of Health – water and sanitary sewer, NYS Uniform Fire Prevention and Building Codes, NYS Department of Health, etc.).

After this discussion, the board heard a motion to approve the referral with comments.

Motion – Mr. Hutteman, **Second** – Mr. Conklin. Chairman Bartels requested roll call vote. **Ayes** – 6, **Opposed** – 4. **Abstention** – 0. **Motion DID NOT carry.**

Action – No approval from the board, and the referral is sent back to town for final action.

283 David Parkway, Town of Ontario

Preliminary / Final Site Plan, Tax Map Ref. No. 61117-00-194910

Description: Construction of 40x60 bldg. for office and storage of construction equipment

Comments: Mr. DeRoo noted again the increase traffic use of Dean Parkway to access this facility. Applicant in attendance, Mr. Wojciechowski, explained that the building would only be storage for construction equipment and that no customers or employees would be reporting to the facility on a daily basis. Other preview comments include:

- 1) proposed development should be done in a manner that helps it remain compatible with surrounding land uses and is also aesthetically pleasing through use of items such as building design/materials, fencing, berms, landscaping, property maintenance, etc., particularly given that the parcel has access to Timothy Lane and is near the highly traveled NYS Rt. 104 corridor,
- 2) screening (e.g. fence, berm, landscaping, etc.) should be considered/used to help the proposed development remain compatible with surrounding land uses (i.e. mitigate visual and noise impacts between this proposal and adjacent land uses - if applicable),
- 3) 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, building area, associated parking area(s) and development plans should be designed/developed in a manner that will provide safe pedestrian and vehicular interaction between those items as well as access to Dean Parkway,

- 4) emergency service vehicle access should be planned and provided for, including driveway design that meets NYS Uniform Fire Prevention and Building Codes (if applicable), and local emergency service providers should review plans to ensure that proposed development can be accessed and served (e.g. ambulance, fire, and law enforcement),
- 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, parking, stormwater management, utility, etc. easements),
- 6) “operational noises” should be mitigated (i.e. noise generated by business activity should not impact other nearby uses - if applicable),
- 7) outside storage should be limited (e.g. items in disrepair should not be permitted to accumulate),
- 8) any toxic/hazardous materials should be properly stored, handled and disposed of,
- 9) development, including water and wastewater treatment/sanitary service, must meet all local, federal and NYS codes/regulations (Department of Environmental Conservation - Phase II Stormwater Management and Erosion and Sediment Control regulations and other applicable regulations, Department of Health, Uniform Fire Prevention and Building Codes, etc.),
- 10) future plans (if any) for the total acreage should be considered and
- 11) proposed development should take applicable “well-considered” and/or master planning efforts/recommendations into account (e.g. “Commerce Center Master Plan”).

After this discussion, the board heard a motion to approve the referral with comments.

Motion – Mr. Guthrie, **Second** – Mr. Hutteman. Chairman Bartels requested roll call vote. **Ayes** – 10, **Opposed** – 0. **Abstention** – 0. **Motion carried.**

Action – Approve the referral with comments and send back to town for final action.

Olshevske/Marshall Exterior, Legendary Way, Village of Newark

Preliminary / Final Site Plan, Tax Map Ref. No. 67111-16-888270

Description: New development of production facility with 4 buildings

Comments: Mr. DeRoo showed the board the building designs and reviewed site location in the Newark industrial area off West Shore Blvd. The back of the project land is adjacent to Stuart Ave which is the boundary between town and village. Additional comments include:

- 1) proposed 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 building design/materials, fencing, berms, landscaping, property maintenance, etc., particularly given that the parcel is located near the Erie Canalway National Heritage Corridor (<https://eriecanalway.org/>),
- 2) screening (e.g. fence, berm, landscaping, etc.) should be considered/used to help the proposed development remain compatible with surrounding land uses (i.e. mitigate visual and noise impacts between this proposal and adjacent land uses - if applicable),
- 3) 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, building area, associated parking area(s) and development plans should be designed/developed in a manner that will provide safe pedestrian and vehicular interaction between those items as well as access to Legendary Drive and no on-site development should impede available sight distances,
- 4) emergency service vehicle access should be planned and provided for, including driveway design that meets NYS Uniform Fire Prevention and Building Codes (if applicable), and local emergency service providers should review plans to ensure that proposed development can be accessed and served (e.g. ambulance, fire, and law enforcement),
- 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, parking, stormwater management, utility, etc. easements),
- 6) “operational noises” should be mitigated (i.e. noise generated by business activity should not impact other nearby uses - if applicable),
- 7) outside storage should be limited (e.g. items in disrepair should not be permitted to accumulate),
- 8) any toxic/hazardous materials should be properly stored, handled and disposed of,
- 9) development, including water and wastewater treatment/sanitary service, must meet all local, federal and NYS codes/regulations (Department of Environmental Conservation - Phase II Stormwater Management

and Erosion and Sediment Control regulations and other applicable regulations, Department of Health, Uniform Fire Prevention and Building Codes, Historic Preservation Office - SHPO, etc.),
10) Future plans (if any) for the total industrial park acreage should be considered to help determine how all existing and proposed uses will remain compatible.

After this discussion, the board heard a motion to approve the referral with comments.

Motion – Mr. Baker, **Second** – Mr. Peters. Chairman Bartels requested roll call vote. **Ayes** – 10, **Opposed** – 0.

Abstention – 0. **Motion carried.**

Action – Approve the referral with comments and send back to town for final action.

Having completed discussion of the referrals, Chairman Bartels then asked Mr. DeRoo for updates on training opportunities for board members. Mr. DeRoo stated that in cooperation with Seneca County, a 4-hr training session was being planned for October 7, in Seneca County from 5pm – 9pm. Topics to discuss include short term rentals and solar projects. The board consensus was that these were timely topics as towns and communities need guidance.

In other business, the Wayne Economic Development Corp was asking members of the board to be aware of the Kick Start program for new businesses.

The next meeting is to be held on August 25. Hearing no other business, Chairman Bartels asked for motion to adjourn. Motion – Mr. Milliman, Second – Mr. Thorn. All members were in favor. Meeting adjourned at 8:15 p.m.

Respectfully submitted,



Deb Hall, Senior Clerk