

WAYNE COUNTY PLANNING BOARD

MINUTES

August 25, 2021

Chairman, Mert Bartels called the meeting of the Wayne County Planning Board to order at 7:01p.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), Larry Lockwood (Huron), Steve Guthrie (Rose), Bob Hutteman (Arcadia), Robert Burns (Marion), Matt Krolak (Palmyra), Bob Milliman (Wolcott), Ron Thorn (Galen), and Jim Wedman (Lyons). Nine attendees represents a quorum of the Board.

Members absent were Bert Peters (Williamson), Kenneth Conklin (Ontario), Larry Ruth (Walworth).

County staff in attendance were Bret DeRoo, Thomas Lyon, and Deb Hall. There was one member of the public in attendance.

MINUTES Chairman Bartels asked for a motion to approve July 28, 2021 Planning Board minutes.

Motion – Mr. Hutteman, **Second** – Mr. Krolak, **Abstention** – none, **Ayes** – 9. **Motion Carried.**

Action – Record the minutes as presented.

ZONING AND SUBDIVISION REFERRALS

The following two (2) referrals were reviewed and upon discussion, determined to have *no inter-municipal or countywide impact (NCI)*. Response letters to each project's referring body are to include the following comments.

Blazey Subdivision, 1249 Hammond Rd., Town of Palmyra

Preliminary & Final Subdivision, Tax Map Ref. No. 65111-00-767357

Description: Applicant to Subdivide portion of 82 acre lot adding to smaller lot owned by the same entity, creating one 3 acre lot.

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. - if applicable and
- 7) the property owner(s) should be aware that portions of the parcels 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.

Gulick-Bear Swamp Subdivision, Bear Swamp Rd., Town of Williamson

Preliminary & Final Subdivision, Tax Map Ref. No. 66119-00-448284

Description: Applicant to Subdivide 38.70 acre lot to create new 13.78 acre lot for residential build.

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 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.

After brief review, a motion was made to send these referrals back to their referring entities for local action with a notation of NCI, no countywide impact.

Motion – Mr. Guthrie, **Second** – Mr. Wedman, Chairman Bartels requested voice vote. **Ayes** – 9, **Opposed** – None, **Abstention** – None. **Motion carried**

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

The following project was then reviewed and discussed by the Board.

Clements’ Solar Array, 3645 Lembke Rd., Town of Arcadia

Special Permit, Preliminary & Final Site Plan, Tax Map Ref. No. 69114-00-852463

Description: Private homeowner seeking to install residential ground mounted solar array.

Comments: Mr. DeRoo noted that the owner of the property, Mr. Clements was present to answer any questions. Mr. Wedman asked if the electric lines from the array would require a new overhead line. Mr. Clements stated it would not because there is an existing overhead line now that this would tie in to. Mr. Baker asked if any neighbors had concerns with the project. Mr. DeRoo reported that no public comments had come into the Planning Dept. Mr. Clements also reported that no neighbors had complained about the project. Other comments considered for review were as follows:

- 1) 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 system design/materials, fencing, berms, landscaping, etc.,
- 2) screening (e.g. fence, berm, landscaping, etc.) should be considered to help the proposed development remain compatible with surrounding land uses,
- 3) it should be confirmed that the solar panels will not produce a glare (possibly impacting neighboring property owners, motorists, etc.),
- 4) a photovoltaic system decommissioning plan should be intact,
- 5) all necessary local, federal and state recommendations and approvals/permits/regulations must be followed/obtained (e.g. NYS Uniform Fire Prevention and Building Codes - emergency shut off access, fencing, signage, etc., NYS Department of Environmental Conservation, NYS Department of Agriculture and Markets, NYS Office of Parks, Recreation and Historic Preservation/SHPO, US Army Corps of Engineers, US Fish and Wildlife Service, etc.),
- 6) 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 total acreage should be considered and
- 8) the property owner(s) should be aware that portions of the parcel appear to contain (or be near) National wetland area and NYS Department of Environmental Conservation wetland area (approximate mapping available for both online at <http://www.dec.ny.gov/gis/erm/>) and any planning/development should be done in accordance with applicable regulations,

For additional reference, the following are items that the Board feels could be considered when reviewing PV system applications (Source: NYS Department of State, Division of Local Government Services, “Solar Energy Regulation” presentation):

Compatibility with neighborhood character:

1. Do not negatively impact adjacent uses
2. Visually compatible
 - a. For example, potential impact includes glare or reflection, which might be nuisance to other property owner or impair visibility of motor vehicle drivers
3. Use sensitivity especially in areas containing unique architectural styles or historic structures

Review elements:

- 1) Access to solar energy
- 2) Casting shadows
- 3) Blocking view sheds
- 4) Causing glare
- 5) Rain run-off

Decommissioning provisions:

- Some municipalities address abandonment, decommissioning or “cessation of activity” within their regulations
- For example, “Must ensure site will be restored to useful, nonhazardous condition, including completion time frame for complete removal of collectors, mounts and other associated equipment and facilities”
- Some require decommissioning plans, especially for commercial scale projects

After this discussion, the board heard a motion to **Approve this request with the noted comments.**

Motion – Mr. Guthrie, **Second** – Mr. Wedman. Chairman Bartels requested voice vote. **Ayes** – 8, **Opposed** – 0.

Abstention – 1. **Motion carried.**

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

The next application on the agenda was Withdrawn from formal consideration by the Board because the referral documents submitted to the county were deemed incomplete.

Sodus Marina Storage Building, Route 14 / Sentell St., Village of Sodus Point

Final Site Plan submitted, but missing Area Variance review, Tax Map Ref. No. 71119-17-030027

Description: Applicant seeking to build a new 12,000 sq. ft. boat storage facility on existing footprint, between two existing buildings, now also with reduced setback from required 50 feet to 25 feet.

Comments: Mr. DeRoo noted that the referring municipality had submitted changes late in the day Wednesday, August 25, and therefore considered incomplete because the whole application needed to be advertised in totality, one week prior, before the Board could act on it. Despite the formal withdrawal, the Board was presented with some information regarding the structure so as to collect comments for consideration and report these back to the applicant via the referring entity. Comments and questions included:

1. What is being done for fire protection? Revised site map shows proposed location of a new fire hydrant within close proximity to an existing building. Suggestion was to move the hydrant further away from the cluster of buildings.
2. What is being done for Stormwater Collection/Distribution? With additional roof surface area of new building, adding to cluster of two existing buildings, will there be additional drainage needs and considerations.
3. What is the height of the new building and is it in character with height of existing buildings?
4. What is the distance between buildings and is this enough for fire responders?
5. The county rail/trail property adjacent to the project is still owned by the county with an easement on to this property. Will this change in character or access?

OTHER BUSINESS – Mr. Bartels asked if there was any other business to be brought before the Board.

The next meeting is to be held on the last Wednesday of the following month, September 29th. Hearing no other business, Chairman Bartels asked for motion to adjourn. Motion – Mr. Wedman, Second – Mr. Hutteman. All members were in favor. Meeting adjourned at 7:26 p.m.

Respectfully submitted,



Deborah Hall, Senior Clerk, Planning Dept.