

WAYNE COUNTY PLANNING BOARD

MINUTES September 28, 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 7:00 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), Matt Krolak (Palmyra), Bert Peters (Williamson), Ron Thorn (Galen), Bob Hutteman (Arcadia), and Patti Marini (Walworth). There were thirteen (13) members present which meets the minimum attendance for quorum of the Board. No members were absent. There are two 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 seven (7) members of the public in attendance for the following applications: Lynette Hauf of Community Coffee; JJ Cotten of Habitat for Humanity; Kristen Brooks, Eric Thore, and Mike Broschart from Parsons and Avangrid; Kendra and Chris Cagle of Sloop Wedding Barn.

Chairman Milliman welcomed attendees and asked for any administrative updates or communication. Ms. Hall reminded board members about Planning Dept training event coming up on October 6.

MINUTES Chairman Milliman asked if there were any changes or comments to the previous meeting minutes of August 24, 2022. Mr. Hutteman made a motion to accept the minutes from the previous meeting, with a second from Mr. Bartels. Minutes were approved with a unanimous vote.

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 following list of referrals for the record where only these specific actions were recommended for NCI determination:

Project: Town of Huron – Local Law #5 – Moratorium on Issuance of SUPs for Short-Term Residential Rental

Address: 10880 Lummisville Rd

Tax Map Ref. No.: N/A

Type of Action: Amendment to Text

Referral: Town of Walworth – New Life Bible Church Subdivision

Address: 560 Atlantic Ave.

Tax Map Ref. No.: 61115-00-457270

Type of Action: Final Subdivision Plan

Project: Village of Newark - Habitat for Humanity

Address: 135 West Pearl St

Tax Map Ref. No. : 68111-10-286634

Type of Action: Special Permit

Being that Ms. Cottens was in attendance for the Habitat application, she explained that the lot had been donated to Habitat to build a Single Family Residence and BOCES would be contributing to the build. The Special Permit was based on a requirement for a minimum front of lot width of 80-ft where this one is 75-ft. No questions from the board.

A motion was made to recommend that these referral actions would have *no significant inter-municipal or countywide impact (NCI)* and to send these recommendations to the local referring bodies for local action. **Motion** – Mr. Peters, **Second** – Mr. Conklin. Chairman Milliman requested voice vote. **Ayes** – 13, **Opposed** – None, **Abstention** – None. **Motion carried. Action** – Return response letters to the municipalities with recommendations as NCI with staff comments.

Mr. DeRoo introduced the remaining actions for full board review.

Project: Town of Lyons - Community Coffee Special Operating Permit

Address: 3-9 Broad St.

Tax Map Ref. No. : 71111-09-023625

Type of Action(s): Special/Operating Permit and Area Variance

Ms. Hauf from C.A.S.H. / Community Coffee stated that they own the building where the coffee shop will be relocating from Williams St. in Lyons. It is called the Nusbickel buildings and is an historic building so the paint scheme will be under those guidelines. Her application is regarding the lack of onsite parking (min. 2 spots). However, she counted 71 public street parking spots nearby and also stated she presumed that customers would walk-in from the community, like they did when she was on Williams. She is planning to open on November 1. Mr. Guthrie noted that not many buildings in downtown Lyons meet this requirement. Mr. DeRoo stated that it has been recommended to Lyons to update the code on that requirement.

A motion was made to recommend NCI for Area Variance and Approval of Special Operating Permit with comments and to send this to the local referring body for local action. **Motion** – Mr. Guthrie, **Second** – Mr. Conklin. Chairman Milliman asked for voice vote. **Ayes** – 12, **Opposed** – 0, **Abstention** – 1 from Mr. Burns. **Motion carried. Action** – Return referral to the municipality with recommended approval with comments.

Project: Town of Huron – RGE Substation Area Variances

Address: Ridge Rd.

Tax Map Ref. No.: 75117-00-536482

Type of Action: Area Variances

Mr. Broschart from Parsons engineering explained the new substation project as necessary to meet expected capacity, and also that the updates and upgrade would improve network communications. The project site is owned by Avangrid and is zoned Ag-5A. There are multiple area variances requested for the project including front, side and rear setbacks for building and fence plus minimum lot size and minimum lot coverage. Mr. Guthrie asked why more of the farm land to the rear was not purchased. Mr. Thorn stated he was not sure why but that a small creek was located to the south/rear and they do not want to get any closer to that than they are now. Mr. Peters asked if the upgrade was similar to the one in Williamson. Mr. Thorn stated is was similar but that the old station here would stay online until the new station was complete. The main objective of the project is to meet future needs and increase capacity. Mr. Milliman asked about the width of the road changing the setback. Mr. Thorn said they had coordinated the project with County Highway.

Mr. Guthrie made a motion to recommend that these actions would have *no significant inter-municipal or countywide impact (NCI)* and to send this recommendation to the local referring body for local action. Chairman requested voice vote. **Ayes** – 12, **Opposed** – 0, **Abstention** – 1 (Mr. Lockwood). **Motion carried. Action** – return the referral to town with recommendation and comments.

Project: Town of Huron – Sloop Wedding Barn

Address: 6984 Sloop Landing Rd

Tax Map Ref. No.: 72118-00-801537

Type of Action: Special Permit

Ms. Cagle described the project whereby she and her husband would fix up an old barn on their property and rent it as a wedding or event venue. She has a business plan but wanted to make sure she was allowed to operate the business before moving forward. Barn needs siding but the structure is sound. She has estimated 100 parking spots in the lawn but does not anticipate needing that much. She has discussed floor plans and electric hook up with local code enforcement. The access to the venue would be off of Sloop Landing Rd. Water is available from the town lines but they are looking into black water holding tanks for sewer. Mr. Hutteman suggested a call to NYS Health Dept on the holding tanks. Mr. Hutteman also asked about any noise or nuisance issues, to which Ms. Cagle stated that the neighbor has been informed and was not concerned. She also stated that there would be no kitchen on site, all catered meals would be served. Mr. Conklin asked what the capacity could be and whether a fire alarm system would be necessary. Ms. Cagle has not gotten that far with the project.

A motion was made to recommend Approval of the Special Permit with comments and return to the town. **Motion** – Mr. Thorn, **Second** – Mr. Bartels, Chairman requested voice vote. **Ayes** – 12, **Opposed** – None, **Abstention** – 1, Mr. Lockwood. **Motion carried. Action** – Return to town with Recommended Approval and comments.

Referral: Town of Walworth – K2 Brewery Zoning

Address: 4320 Canandaigua Rd

Tax Map Ref. No.: 62115-00-376223

Type of Action: Amendment to Map

Mr. DeRoo described the project as a rezone of property from RR1 to Business District. If approved, the applicant would come back to town for special use and site plan. Project developer hopes to operate a brewery from this location. Mr. Peters asked if there are any other properties like this in Walworth. He also pointed out that this rezoning does not appear to relate back to the comprehensive plan goals and objectives. Nearby properties are one resident, town highway and water towers, walking trails, Dolomite quarry and Greystone golf course. Mr. Burns noted that Greystone is required to stop operations at 10 pm under a special permit. Board looked at a current map of the town zoning. Mr. Hutteman and Mr. Peters suggested a blending of existing business to this parcel to justify zoning change. Mr. Burns also stated that the county impact could be setting precedent for other developers. Mr. Peters felt the town lacked a long term focus and that any rezone should be more closely tied to the comp plan. Ms. Marini stated that the town is preparing to update their comp plan. While board member generally liked the idea of the proposed use, some were concerned that the town was not properly prepared.

A motion was made to recommend Disapproval of the Amendment to the Map with comments and return to the town. **Motion** – Mr. Burns, **Second** – Mr. Peters, Chairman requested roll call vote. **Ayes** – 8, **Opposed** – 4, **Abstention** – 1 (Ms. Marini). **Motion carried. Action** – Recommend Approval with comments.

OTHER BUSINESS

In response to a request from board members in previous months, Mr. DeRoo provided a handout of the most recent EMS countywide project proposal report. The next meeting is set to be held on the last Wednesday in the month of October (October 26, 2022).

Hearing no other business, Chairman Milliman asked for a motion to adjourn. Motion – Mr. Hutteman, Second – Mr. Bartels. All members were in favor. Meeting adjourned at 8:02 p.m.

Respectfully submitted,



Deborah Hall, Senior Clerk, Planning Dept.