

WAYNE COUNTY PLANNING BOARD

MINUTES

August 30, 2017

Chairman, Bob Hutteman called the August meeting of the Wayne County Planning Board to order at 7:00 p.m. in the Wayne County Courthouse in Lyons, New York.

Board Present: Ron Baker, Merton Bartels, Dave Broach, Steve Buisch, Ken Burgess, Joe Catalano, Steve Guthrie, Bob Hutteman, Matt Krolak, Larry Lockwood, Bert Peters, Larry Ruth, Ron Thorn

Staff: Bret DeRoo, Tracy Lambie

JULY 2017 MINUTES

Action – Approve

Motion – Mr. Baker

Second – Mr. Bartels

Abstention –

Motion carried

ZONING AND SUBDIVISION REFERRALS

Little Dude Ranch, LLC, Fisher Road, T. Williamson

Special Permit / Site Plan, Tax Map Ref. No. 64117-00-228762, 64117-00-207740

Construct pole barn for commercial pony stable.

Action – Approve with Comments

Motion – Mr. Ruth

Second – Mr. Krolak

Opposed –

Abstention – Mr. Peters

Motion carried

Comments:

- 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 barn design/materials, fencing, berms, landscaping, etc. Placement of barn, manure storage and fenced areas should be done with consideration given to both the applicant's intended use as well as compatibility with surrounding land uses (even though most surrounding land appears to currently be undeveloped),
- 2) horse care guidelines from a source such as the Humane Society of the United States, available online at http://www.humanesociety.org/animals/horses/tips/horse_care_guidelines.html?referrer=https://www.google.com/, should be considered regarding the proposed special permit,
- 3) proposed business details should be confirmed such as the anticipated number of guests, seasons of operation, etc. (if applicable),
- 4) existing and proposed on-site traffic circulation, building area(s), 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 potential future development (if applicable),
- 5) the driveway(s) should meet AASHTO (American Association of State Highway and Transportation Officials) recommendations for sight distance,
- 6) emergency service vehicle access should be provided for (e.g. through driveway design/construction),
- 7) development must meet applicable local and NYS regulations such as NYS Uniform Fire Prevention and Building Codes,

- 8) the applicant(s) should be aware that portions of the parcel appear to contain (or be near) National wetland area (approximate mapping available online at <http://www.dec.ny.gov/gis/erm/>) and any planning/development should be done in accordance with applicable regulations and
- 9) future plans (if any) for the total acreage should be considered.

Vision Resale Center, 1531 Route 104, T. Ontario

Special Permit, Tax Map Ref. No. 62117-11-715705

New/used auto sales/service

Action – Approve with Comments

Motion – Mr. Guthrie

Second – Mr. Ruth

Opposed –

Abstention – Mr. Catalano

Motion carried

Comments:

- 1) driveway sight distances should meet AASHTO (American Association of State Highway and Transportation Officials) recommendations and displayed vehicles should not impede available sight distance,
- 2) on-site traffic circulation should be determined/delineated and safely integrated into the overall site plan, taking into consideration items such as driveway locations, auto display/parking areas, existing building locations, etc.,
- 3) emergency service vehicle access should be provided for,
- 4) 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 is located on the highly traveled NYS Rt. 104 and Ontario Center Road,
- 5) “operational noises” should be mitigated (i.e. noise generated by business activity should not impact other nearby uses),
- 6) outside storage should be limited (e.g. equipment in disrepair should not be permitted to accumulate),
- 7) any /all hazardous/toxic materials must be properly stored, handled and disposed of,
- 8) buildings must meet applicable NYS Uniform Fire Prevention and Building Codes and
- 9) any/all necessary local and state (e.g. NYS Department of Environmental Conservation, NYS Department of Motor Vehicles) approvals/permits/recommendations must be followed/obtained.

William Kilpatrick, Sr., 6360 Dean Parkway, T. Ontario

Preliminary/Final Site Plan, Tax Map Ref. No. 61117-00-230750

Metal 80’x50’ bldg. for industrial storage and office.

Action – Approve with Comments

Motion – Mr. Krolak

Second – Mr. Peters

Opposed –

Abstention –

Motion carried

Comments:

- 1) proposed on-site traffic circulation, building areas and associated parking areas should be designed/developed in a manner that will provide safe interaction between those items as well as access to Dean Parkway,
- 2) 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 is located on Dean Parkway and near the highly traveled NYS Rt. 104 corridor,
- 3) 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),
 - 4) “operational noises” should be mitigated (i.e. noise generated by business activity should not impact other nearby uses),
 - 5) outside storage should be limited (e.g. items in disrepair should not be permitted to accumulate),
 - 6) any toxic/hazardous materials should be properly stored, handled and disposed of,
 - 7) future plans (if any) for the total acreage should be considered and
 - 8) all necessary local, federal and state recommendations and approvals/permits must be followed/obtained (e.g. NYS Department of Environmental Conservation, NYS Uniform Fire Prevention and Building Codes, etc.).

Larissa Dougherty, 8185 Sentell Street, V. Sodus Point

Special Permit, Tax Map Ref. No. 71119-17-060083

Arts and Crafts store in existing shed.

Action – Approve with Comments

Motion – Mr. Ruth

Second – Mr. Burgess

Opposed –

Abstention – Mr. Baker

Motion carried

Comments:

- 1) regarding traffic generating impacts:
 - driveway sight distance should be confirmed to meet AASHTO (American Association of State Highway and Transportation Officials) recommendations for sight distance,
 - there should be no on-street parking,
 - adequate space should be provided on the parcel so vehicles do not have to back onto Sentell Street,
 - outdoor display of sale items (if applicable) should be limited and maintained in an orderly manner and not interfere with traffic or views and
 - the applicant should use “no on-street parking” signs
- 2) development/property maintenance 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, etc., particularly given that the parcel is located near the highly traveled NYS Rt. 14,
- 3) the business should be conducted at a level that will remain compatible with the adjacent land uses (i.e. minimize outside activity and storage/display as well as traffic impacts),
- 4) if necessary, screening, such as fencing should be used to buffer the operation from surrounding land uses,
- 5) the applicant(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 and the following and
- 6) the Special Use Permit should be reviewed periodically (e.g. annually) to ensure the operation remains in compliance with all applicable conditions and codes/regulations and also compatible with adjacent land uses.

Abundant Solar Project, 644 Route 31, T. Macedon

Special Permit / Final Site Plan, Tax Map Ref. No. 61111-00-605633

2 mw ground mounted solar array on approximately 19 acres

Action – Approve with Comments

Motion – Mr. Guthrie

Second – Mr. Peters

Opposed –

Abstention – Mr. Bartels

Motion carried

Comments:

- 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) it should be confirmed that the solar panels will not produce a glare (possibly impacting neighboring property owners, motorists, etc.),
- 3) a photovoltaic system decommissioning plan should be intact,
- 4) all necessary local, federal and state recommendations and approvals/permits must be followed/obtained (e.g. NYS Uniform Fire Prevention and Building Codes, NYS Department of Environmental Conservation – Phase II stormwater management and erosion and sediment control regulations – if applicable, NYS Office of Parks, Recreation and Historic Preservation/SHPO, US Army Corps of Engineers and US Fish and Wildlife Service),
- 5) the applicant(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 and
- 6) future plans (if any) for the total acreage should be considered.

Community Shared Solar Project, 4794 Route 104, T. Williamson

Special Permit / Site Plan, Tax Map Ref. No. 66117-00-856853

2 mw community shared solar

Action – Approve with Comments

Motion – Mr. Ruth

Second – Mr. Burgess

Opposed –

Abstention – Mr. Peters

Motion carried

Comments:

- 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) it should be confirmed that the solar panels will not produce a glare (possibly impacting neighboring property owners, motorists, etc.),
- 3) a photovoltaic system decommissioning plan should be intact,
- 4) all necessary local, federal and state recommendations and approvals/permits must be followed/obtained (e.g. NYS Uniform Fire Prevention and Building Codes, NYS Department of Environmental Conservation – Phase II stormwater management and erosion and sediment control regulations – if applicable, NYS Office of Parks, Recreation and Historic Preservation/SHPO, US Army Corps of Engineers and US Fish and Wildlife Service) and
- 5) future plans (if any) for the total acreage should be considered.

Michael Harris, 348 & 358 Route 104, T. Ontario

Preliminary/Final Site Plan, Tax Map Ref. No. 61117-10-257598, 61117-10-271597

Use existing building for pet crematorium, Don Lewis of AEY presented.

Action – Approve with Comments

Motion – Mr. Guthrie

Second – Mr. Krolak

Opposed –

Abstention –

Motion carried

Comments:

- 1) the crematory furnace should be confirmed to be smokeless and odorless to help avoid impacts on adjacent properties,
- 2) the operation must conform to all applicable NYS pet crematorium rules and regulations,
- 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 visual and noise impacts between this proposal and adjacent land uses),
- 4) development/property maintenance 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, etc., particularly given that the parcel is located on the highly traveled NYS Rt. 104,
- 5) proposed on-site traffic circulation, building area and associated parking area(s) 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,
- 6) all toxic/hazardous materials that may be associated with any of the on-site businesses (if applicable), should be properly stored, handled and disposed of,
- 7) all necessary local, federal and state recommendations and approvals/permits must be followed/obtained (e.g. NYS Uniform Fire Prevention and Building Codes and NYS Department of Environmental Conservation) and
- 8) future plans (if any) for the total acreage (2 parcels) should be considered.

This following 11 referrals were reviewed and determined to be of no intermunicipal or countywide impact:

Action – Return these referrals to the Towns/Villages to be handled as local matters

Motion – Mr. Guthrie

Second – Mr. Bartels

Opposed –

Abstention –

Motion carried

Paul Vinnik, County Line Road, T. Macedon

Preliminary/Final Site Plan, Tax Map Ref. No. 60113-00-997527

Single family home.

Comments:

- 1) the proposed septic system must meet NYS Department of Health regulations,
- 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) development must meet NYS Uniform Fire Prevention and Building Codes, including driveway design that includes provision for emergency service vehicle access (if applicable),

- 5) the applicant(s) should be aware that portions of the parcel appear to contain (or be near) National wetland area (approximate mapping available online at <http://www.dec.ny.gov/gis/erm/>) and any planning/development should be done in accordance with applicable regulations and
- 6) future plans (if any) for the total acreage should be considered.

John and Jeannine Moose, County Line Road, T. Macedon

Preliminary/Final Site Plan, Tax Map Ref. No. 60113-00-966508

Single family home

Comments:

- 1) the proposed septic system must meet NYS Department of Health regulations,
- 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) development must meet NYS Uniform Fire Prevention and Building Codes, including driveway design that includes provision for emergency service vehicle access (if applicable),
- 5) the applicant(s) should be aware that portions of the parcel appear to contain (or be near) National wetland area (approximate mapping available online at <http://www.dec.ny.gov/gis/erm/>) and any planning/development should be done in accordance with applicable regulations and
- 6) future plans (if any) for the total acreage should be considered.

Airy Irrevocable Trust, 2616 Wiedrick Road, T. Macedon

Preliminary/Final Site Plan / Final Subdivision Plan, Tax Map Ref. No. 62113-00-859068

Subdivide 1.3 acres for single family home

Comments:

- 1) the proposed septic system must meet NYS Department of Health regulations,
- 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) development must meet NYS Uniform Fire Prevention and Building Codes, including driveway design that includes provision for emergency service vehicle access (if applicable),
- 5) the applicant(s) should be aware that portions of the parcel appear to contain (or be near) National wetland area (approximate mapping available online at <http://www.dec.ny.gov/gis/erm/>) and any planning/development should be done in accordance with applicable regulations and
- 6) future plans (if any) for the total acreage should be considered.

Joanne Reeners, 1272/1284 Wayneport Road, T. Macedon

Final Subdivision Plan, Tax Map Ref. No. 61111-00-313422

Subdivide 0.6 acres to sell to neighbor

Comments:

- 1) the proposed lots should be configured with enough area for each lot to contain an existing and/or construct a new septic system (or connection to municipal sewer) that will meet local and/or NYS Department of Health regulations,
- 2) the applicant(s) should be aware that portions of the parcel appear to contain (or be near) National wetland area (approximate mapping available online at <http://www.dec.ny.gov/gis/erm/>) and any planning/development should be done in accordance with applicable regulations and
- 3) future plans (if any) for the total acreage should be considered.

AJ Caschetta, 157 Elm Drive, T. Ontario
Area Variance, Tax Map Ref. No. 61119-00-023473
8'-12' fence

Comments:

- 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) the Town may wish to review applicable regulations to determine if they still meet intended objectives should there be repeated requests for similar variances and
- 4) the applicant(s) should be aware that portions of the parcel appear to contain (or be near) National wetland area (approximate mapping available online at <http://www.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.

Peter Lana, 147 Elm Drive, T. Ontario
Area Variance, Tax Map Ref. No. 61119-00-011470
8' privacy fence

Comments:

- 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) the Town may wish to review applicable regulations to determine if they still meet intended objectives should there be repeated requests for similar variances and
- 4) the applicant(s) should be aware that portions of the parcel appear to contain (or be near) National wetland area (approximate mapping available online at <http://www.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.

Don Lessord, 6341 Ridge Road, T. Sodus
Preliminary Subdivision Plan, Tax Map Ref. No. 68118-00-704010
Subdivide 5 acres to sell

Comments:

- 1) the proposed lots should be configured with enough area for each lot to contain an existing and/or construct a new septic system (or connection to municipal sewer) that will meet local and/or NYS Department of Health 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) the proposed lots should meet zoning regulations for lot size, building setbacks etc.,
- 4) future plans (if any) for the total acreage should be considered and
- 5) 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).

Genesee Land Trust – Cornwall Preserve, 4013 Lake Road, T. Williamson
Area Variance, Tax Map Ref. No. 65119-00-787673
Up to 7' sign

Comments:

- 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) the town may wish to review applicable regulations to determine if they still meet intended objectives should there be repeated requests for similar variances,
- 4) the proposed sign should not impede available driveway sight distances,
- 5) the proposed sign should not impact the Lake Road right of way and
- 6) the applicant(s) should be aware that portions of the parcel appear to contain (or be near) National wetland area (approximate mapping available online at <http://www.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.

Lake Wind Florist & Gift Shop, 4090 Pearsall Street, T. Williamson

Area Variance, Tax Map Ref. No. 65117-00-974825

Install 2nd 3'x12' sign face

Comments:

- 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) the Town may wish to review applicable regulations to determine if they still meet intended objectives should there be repeated requests for similar variances and
- 4) the applicant(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.

Peter VanderBrooke, 8477 East Port Bay Road, T. Wolcott

Special Permit, Tax Map Ref. No. 75120-14-375402

Demolish cottage, build new 52'x20' home

Comments:

- 1) the proposed home should be sited so that it will not interfere with adjacent property owner(s) views of Port Bay,
- 2) the septic system must meet NYS Department of Health regulations,
- 3) the proposed structure must meet NYS Uniform Fire Prevention and Building Codes, including setbacks from property lines,
- 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, property maintenance, fencing, berms, landscaping, etc. and
- 5) the property owner(s) should be aware that portions of the parcel may be near, or contain, both National wetland area (mapping available online at <http://www.dec.ny.gov/gis/erm/>) and FEMA flood zone area (mapping available online at <https://msc.fema.gov/portal>) and any planning/development should be done in accordance with applicable regulations.

Raymond Hauss, 9470 Blind Sodus Bay Road, T. Wolcott

Special Permit, Tax Map Ref. No. 78121-09-004646

Demolish cottage, build new 52'x41' home

Comments:

- 1) the proposed home should be sited so that it will not interfere with adjacent property owner(s) views of Blind Sodus Bay,
- 2) the septic system must meet NYS Department of Health regulations,
- 3) the proposed structure must meet NYS Uniform Fire Prevention and Building Codes, including setbacks from property lines,

- 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, property maintenance, fencing, berms, landscaping, etc. and
- 5) the property owner(s) should be aware that portions of the parcel may be near, or contain, both National wetland area (mapping available online at <http://www.dec.ny.gov/gis/erm/>) and FEMA flood zone area (mapping available online at <https://msc.fema.gov/portal>) and any planning/development should be done in accordance with applicable regulations.

YSG Community Solar Project, North Wilson Road, T. Macedon

Special Permit / Final Site Plan / Final Subdivision Plan, Tax Map Ref. No. 61111-00-435966

2 mw ground mounted solar array on approximately 10 acres

Action – Approve with Comments

Motion – Mr. Guthrie

Second – Mr. Ruth

Opposed –

Abstention – Mr. Bartels

Motion carried

Comments:

- 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) it should be confirmed that the solar panels will not produce a glare (possibly impacting neighboring property owners, motorists, etc.),
- 3) a photovoltaic system decommissioning plan should be intact,
- 4) all necessary local, federal and state recommendations and approvals/permits must be followed/obtained (e.g. NYS Uniform Fire Prevention and Building Codes, NYS Department of Environmental Conservation – Phase II stormwater management and erosion and sediment control regulations – if applicable, NYS Office of Parks, Recreation and Historic Preservation/SHPO, US Army Corps of Engineers and US Fish and Wildlife Service),
- 5) the applicant(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/>) 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 and
- 6) future plans (if any) for the total acreage should be considered.

Johnson Potato Farm, 5919 Austin Road, T. Arcadia

Special Permit, Tax Map Ref. No. 68115-00-390104

Migrant housing for up to 16 employees

Action – Approve with Comments

Motion – Mr. Catalano

Second – Mr. Ruth

Opposed –

Abstention – Mr. Hutteman

Motion carried

Comments:

- 1) all necessary local and NYS permits/regulations must be obtained/followed (e.g. NYS Department of Agriculture and Markets, NYS Department of Health, NYS Department of Labor and NYS Uniform Fire Prevention and Building Codes),

- 2) development should be done in a manner that helps it remain compatible with on-site and surrounding land uses and is also aesthetically pleasing through use of items such as system design/materials, fencing, berms, landscaping, etc.,
- 3) emergency service vehicle access should be provided for and
- 4) future plans for the property (if any) should be considered.

As a note, the NYS Department of Agriculture and Markets has a reference document available via the following link: <https://www.agriculture.ny.gov/AP/agservices/guidancedocuments/305-aFarmHousing.pdf>

Other Business:

There being no further business, the meeting was adjourned at 8:15 PM.

Respectfully submitted,
Tracy Lambie, Secretary