

WAYNE COUNTY PLANNING BOARD

MINUTES

August 31, 2016

Chairman, Ken Burgess 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: Ronald Baker, Merton Bartels, Steve Buisch, Ken Burgess, Robert Burns, Joe Catalano, Steve Guthrie, Bob Hutteman, Matt Krolak, Larry Lockwood, Bert Peters, Larry Ruth, Ron Thorn

Staff: Bret DeRoo, Tracy Lambie

JULY 2016 MINUTES

Action – Approve

Motion – Mr. Ruth

Second – Mr. Thorn

Abstention –

Motion carried

ZONING AND SUBDIVISION REFERRALS

The first 4 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. Peters

Opposed –

Abstention –

Motion carried

Naomi Crockford, 7893 Margaretta Road, V. Sodus Point

Final Site Plan, Tax Map Ref. No. 70118-07-713929

12'x26' addition on home to conduct salon business

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 building addition design/materials, property maintenance, fencing, berms, landscaping, etc.,
- 2) the on-site wastewater treatment system must meet NYS Department of Health and/or local regulations,
- 3) the driveway should meet AASHTO (American Association of State Highway and Transportation Officials) recommendations for sight distance,
- 4) proposed development must meet NYS Uniform Fire Prevention and Building Codes and
- 5) future plans (if any) for the total acreage should be considered.

Penny Shockley, Lake Road, V. Sodus Point

Final Subdivision Plan, Tax Map Ref. No. 71119-17-139230

Divide 6.5 acres from total

Comments:

- 1) the proposed parcels should be configured with enough area to contain an existing and/or construct a new wastewater treatment system that will meet NYS Department of Health regulations,
- 2) the proposed lots should be configured with enough area to contain an existing and/or construct a new driveway that will meet AASHTO (American Association of State Highway and Transportation Officials) recommendations for sight distance,
- 3) emergency service vehicle access for both parcels should be planned for,

- 4) future plans (if any) for the total acreage should be considered and
- 5) the property owner(s) should also be aware that portions of the “parent parcel” may contain (or be near) National wetland area and any planning/development should be done in accordance with applicable regulations.

Catalano Site Plan, 2593 Putnam Road, T. Ontario

Preliminary/Final Site Plan, Tax Map Ref. No. 64119-00-130139

Single family home

Comments:

- 1) the proposed development should be configured with enough area to contain an existing and/or construct a new septic system that will 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 helps it remain 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) and
- 5) future plans (if any) for the total acreage should be considered.

Diane Perzza, 14497 W. Bay Road, T. Wolcott

Special Permit, Tax Map Ref. No. 78120-00-365857

Install new single wide mobile home

Comments:

- 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 home design/materials, property maintenance, fencing, berms, landscaping, etc., particularly given the site’s location near Little Sodus Bay,
- 2) the home should be connected to the available sanitary sewer system,
- 3) development must meet NYS Uniform Fire Prevention and Building Codes, including setbacks from property lines and
- 4) the driveway should meet AASHTO (American Association of State Highway and Transportation Officials) recommendations for sight distance.

T. Ontario Community Ridge/PUD was postponed but a concept review was given by Randy Bebout of T.Y. Lin and Steve Fedyk of Fedyk builders. No action was taken at this time.

Burnap Fruit Farms, LLC, 7094 Lake Road, T. Sodus

Special Permit, Tax Map Ref. No. 69118-00-704839

Establish Bed and Breakfast. Kendra Burnap presented.

Action – Approve with Comments

Motion – Mr. Ruth

Second – Mr. Krolak

Opposed –

Abstention – Mr. Baker

Motion carried

Comments:

- 1) proposed business details should be confirmed such as the anticipated number of guests, seasons of operation, etc.,
- 2) a site plan should be provided that illustrates existing and proposed structures (if applicable), driveway and parking areas, etc.,

- 3) 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),
- 4) the driveway(s) should meet AASHTO (American Association of State Highway and Transportation Officials) recommendations for sight distance,
- 5) 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, property maintenance, fencing, berms, landscaping, etc., particularly given that the site is located on the Seaway Trail,
- 6) development must meet applicable local and NYS regulations such as local/NYS Department of Health waste water treatment and water supply regulations and NYS Uniform Fire Prevention and Building Codes,
- 7) emergency service vehicle access should be provided for and
- 8) future plans (if any) for the total acreage should be considered.

Whispering Winds Campground, 2 Country Club Drive, V. Newark

Final Site Plan, Tax Map Ref. No. 68111-15-620287, 68111-15-531457

Additional 165 campsites and accessory facilities.

Action – Approve with Comments

Motion – Mr. Guthrie

Second – Mr. Baker

Opposed –

Abstention –

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 building and campsite design/maintenance, construction materials, fencing, berms, landscaping, maintaining property line setbacks etc.,
- 2) any/all necessary local, federal and state (e.g. NYS Department of Environmental Conservation - stormwater management and erosion and sediment control plans and open fire regulation and NYS Department of Health) recommendations and approvals/permits must be followed/obtained,
- 3) all proposed development and access (private drives) must meet NYS Uniform Fire Prevention and Building Codes,
- 4) campsite types should be clarified (i.e. number of permanent sites compared to number of seasonal sites),
- 5) local emergency service providers (e.g. police, ambulance and fire) should review plans to ensure that proposed development can be accessed and served,
- 6) on-site traffic circulation and parking provisions (2 spaces /camp site to compensate visitors as well?) and emergency service vehicle access should be defined,
- 7) an alternative (2nd) access should be considered and provided if necessary, specifically for an emergency service need or situation (e.g. crash gate, possibly from O'Brien Road?),
- 8) recommended driving directions should be determined and made to avoid residential areas to the extent practicable,
- 9) future plans (if any) for the total acreage should be considered and
- 10) the property owner(s) should be aware that portions of the two parcels may contain (or be near) FEMA flood zone area as well as National wetland area and any planning/development should be done in accordance with applicable regulations.

Lakeside Leasing Storage and Autos, 7203 Route 14. V. Sodus Point

Preliminary/Final Site Plan (Storage) / Special Permit (Autos), Tax Map Ref. No. 71118-05-014794

2 additional 30'x160' storage units. Sale of autos out of existing climate controlled storage. These 2 referrals were presented together and one motion was made for both. Mr. Tom Podsiadlo presented.

Action – Approve with Comments

Motion – Mr. Guthrie

Second – Mr. Bartels

Opposed –

Abstention – Mr. Baker

Motion carried

Comments:

- 1) on-site buildings and the overall site should be developed in a manner that helps them remain compatible with surrounding land uses (particularly adjacent residential uses) and is also aesthetically pleasing through use of items such as building design/materials, fencing, berms, landscaping, maintenance, etc.. This is of particular importance given the site's location on the NYS Seaway Trail, a "gateway" into the Village. As examples, adjacent residential uses could be buffered from the storage and auto sales operations by using a berm and/or fencing and the storage units and overall site could be aesthetically enhanced along NYS. Rt. 14 by continued and possibly additional use of landscaping features,
- 2) it is understood that outside display/storage will now be limited to only a few autos associated with that business (i.e. no outside storage is now proposed for the storage operation),
- 3) dust control measures should be considered, and implemented if necessary, for the proposed stone/gravel access driveway,
- 4) all proposed development must meet NYS Uniform Fire Prevention and Building Codes,
- 5) any/all necessary local and state (e.g. NYS Department of Environmental Conservation-Phase II Stormwater and Erosion and Sediment Control Regulations) approvals/permits/recommendations must be followed/obtained,
- 6) any/all hazardous/toxic materials that may be associated with the proposed use must be properly stored, handled and disposed of,
- 7) local emergency service providers should review plans to ensure that proposed development can be accessed and served (e.g. police and fire) and
- 8) future plans (if any) for the total acreage should be considered.

Jesse Beh/Alysha Hyman, 5553 South Centenary Road, T. Sodus

Special Permit, Tax Map Ref. No. 68116-00-149752

2 horses on less than 4 acres. Mr. Robert Hyman presented.

Mr. Guthrie made a motion to disapprove, seconded by Mr. Catalano. A vote was taken, Mr. Guthrie and Mr. Catalano were the only votes in favor of the disapproval. 10 Nay votes. 1 abstention. Motion defeated.

Mr. Ruth made a motion to determine the referral to be of no intermunicipal or countywide impact. Seconded by Mr. Peters. The motion passed with Mr. Guthrie and Mr. Catalano being the only nay votes.

Mr. Baker abstained on both votes.

Action – return this referral to the town to be handled as a local matter

Motion – Mr. Ruth

Second – Mr. Peters

Opposed –

Abstention – Mr. Baker

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 shelter design/materials, fencing, berms, landscaping, etc.. The Board felt that the placement of barn(s), manure storage and fenced areas should be done with consideration given to both the applicants' intended use as well as compatibility with surrounding land uses (even though most surrounding land appears to currently be undeveloped) and

- 2) horse care guidelines from a source such as the Humane Society of the United States, available online, should be considered regarding the proposed special permit.

The Board recommended this referral be returned to the Town to be handled as a local matter. However, they did discuss a few additional items during the meeting, including those found below:

- 1) The Board questioned if repeated requests for similar exceptions to zoning code requirements (i.e. keeping farm animals on less than 4 acres) may signal the need to review existing zoning regulations to determine if they still meet intended objectives.
- 2) The Board also questioned if a “precedent” would begin to be established locally if similar applications are repeatedly approved (i.e. can “everyone” keep a horse on property with less than the required acreage?).
- 3) The Board considered “compatibility issues” that could result with neighboring land owners when horses are kept on very minimal acreage (i.e. is there enough room to dispose of manure properly and therefore avoid odor issues, is there enough acreage - per horse - to fence in for pasture area etc., is there adequate space between proposed pasture areas and neighboring land uses?).

Timberline Hardwood Floors, LLC, 609 East Maple Avenue, V. Newark
Use Variance, Tax Map Ref. No. 68110-11-611657

Light indoor manufacturing of hardwood flooring. Mr. Tom Vavra presented.

Action – Approve with Comments

Motion – Mr. Burns

Second – Mr. Guthrie

Opposed –

Abstention –

Motion carried

Comments:

- 1) the hardship criteria that are required to grant the use variance must be substantiated at the local level,
- 2) the minimum use variance necessary should be considered,
- 3) screening (e.g. fence, berm, landscaping, etc.) should be considered 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 if necessary),
- 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 property maintenance, fencing, berms, landscaping, etc.,
- 5) outside storage should be limited (e.g. items in disrepair should not be permitted to accumulate),
- 6) trucking routes associated with the proposed use should be determined and made to avoid residential areas to the extent practicable,
- 7) emergency service vehicle access should be provided for,
- 8) all necessary local, federal and state recommendations/regulations and approvals/permits must be followed/obtained (e.g. NYS Uniform Fire Prevention and Building Codes),
- 9) future plans (if any) for the total acreage should be considered and
- 10) the property owner(s) should also be aware that portions of the parcel may contain (or be near) National wetland area as well as NYSDEC wetland area and any planning/development should be done in accordance with applicable regulations.

Walworth Local Law #4 of 2016, T. Walworth

Amend Text

Amend Town code adding provisions relating to reimbursement of Consultants and Professional fees.

Action – Approve with Comments

Motion – Mr. Guthrie

Second – Mr. Burgess

Opposed –
Abstention – Mr. Ruth
Motion carried

Comments:

- 1) the Town attorney should review and approve the proposed Local Law and
- 2) consideration should be given to how the proposed section regarding “Suspension of Review” would potentially be applied to a subdivision review.

Other Business:

There being no further business, Mr. Ruth made a motion to adjourn, seconded by Mr. Hutteman. The meeting was adjourned at 8:20 PM.

Respectfully submitted,
Tracy Lambie, Secretary