

WAYNE COUNTY PLANNING BOARD

MINUTES

December 14, 2016

Chairman, Ken Burgess called the December 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, Rob Burns, Joe Catalano, Steve Guthrie, Bob Hutteman, Matt Krolak, Larry Lockwood, Bert Peters, Ron Thorn

Staff: Bret DeRoo, Tracy Lambie

OCTOBER 2016 MINUTES

Action – Approve

Motion – Mr. Buisch

Second – Mr. Hutteman

Abstention –

Motion carried

ZONING AND SUBDIVISION REFERRALS

The first 3 referrals shown below 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

Carol Magee, 2561-2592 Newark-Marion Road, T. Palmyra

Final Subdivision Plan, Tax Map Ref. No. 66112-00-391915

3 lot subdivision

Comments:

- 1) the proposed subdivision 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 proposed subdivision 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 development (if any) 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) future development (if any) must meet NYS Uniform Fire Prevention and Building Codes, including driveway design that includes provision for emergency service vehicle access (if applicable),
- 5) future plans (if any) for the total acreage should be considered and
- 6) the property owner(s) should also be aware that portions of the “parent parcel” may contain (or be near) National wetland area and NYS DEC wetland area as well as FEMA flood zone area and any planning/development should be done in accordance with applicable regulations.

Brad Christensen, 4378 Route 31, T. Palmyra
Final Subdivision Plan, Tax Map Ref. No. 66111-18-282184
2 lot subdivision

Comments:

- 1) the proposed development should be configured with enough area for each lot to contain an existing and/or construct a new septic system that will meet NYS Department of Health regulations,
- 2) the proposed development 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) a driveway permit must be obtained from the NYS Department of Transportation for the proposed driveway,
- 4) future development (if any) 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 parcels are located on the highly traveled NYS Rt. 31/NYS Canal Corridor,
- 5) future development (if any) must meet NYS Uniform Fire Prevention and Building Codes, including driveway design that includes provision for emergency service vehicle access (if applicable) and
- 6) future plans (if any) for the total acreage should be considered.

David Hollebrandt, 6992/6974 Mud Lane, T. Sodus
Preliminary/Final Subdivision Plan, Tax Map Ref. No. 69118-00-577416, 69118-00-562526
Subdivision

Comments:

- 1) the proposed subdivision should be configured with enough area for each lot to contain an existing and/or construct a new septic system that will meet NYS Department of Health regulations,
- 2) the proposed development 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 development (if any) 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) future development (if any) must meet NYS Uniform Fire Prevention and Building Codes, including driveway design that includes provision for emergency service vehicle access (if applicable),
- 5) future plans (if any) for the total acreage should be considered and
- 6) the property owner(s) should also be aware that portions of the “parent parcel” may contain (or be near) National wetland area and NYS DEC wetland area and any planning/development should be done in accordance with applicable regulations.

Community Solar Farm, 7233 Route 104A, T. Wolcott
Special Permit, Tax Map Ref. No. 78118-00-263761
17 acres of ground solar panels to hook into RGE grid, Anne Waling of Cypress Creek presented.

Action – Approve with comments

Motion – Mr. Guthrie

Second – Mr. Buisch

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 system design/materials, fencing, berms, landscaping, etc., particularly given that the parcel is located on the highly traveled NYS Rt. 104A,
- 2) it should be confirmed that the solar panels will not produce a glare and potentially impact motorists using NYS Rt. 104A,
- 3) future plans (if any) for the total acreage should be considered,
- 4) a photovoltaic system decommissioning plan should be intact and
- 5) all necessary local, federal and state recommendations and approvals/permits must be followed/obtained (e.g. NYS Uniform Fire Prevention and Building Codes, NYSDEC SPDES, USACE, USFWS and NYS SHPO) and
- 6) a NYS Department of Transportation highway work permit will be required for the proposed driveway.

Lamar Outdoor Advertising, 3818 Route 31, T. Palmyra

Area Variance, Tax Map Ref. No. 65111-00-629586

Move existing billboard sign to west side of property, one side static, one side changeable. Bob Nersinger, Jim Newton and Mike Greene were available to present and answer questions.

This referral was reviewed and determined to be of no intermunicipal or countywide impact:

Action – Return this referral to the Town to be handled as a local matter

Motion – Mr. Guthrie

Second – Mr. Catalano

Opposed –

Abstention – Mr. Krolak

Motion carried

Comments:

- 1) the hardship criteria required to grant the variance must be substantiated at the local level,
- 2) the minimum variance necessary should be considered,
- 3) the proposed sign should not impede available sight distance,
- 4) local and NYS Department of Transportation recommendations/regulations should be followed, including setbacks from the NYS Rt. 31 right of way,
- 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 sign design/building materials and maintenance, fencing, berms, landscaping, property maintenance etc., particularly given that the parcel is located on the highly traveled NYS Rt. 31/NYS Canal Corridor and
- 6) the property owner(s) should also be aware that portions of the parcel may contain (or be near) National wetland area and NYS DEC wetland area and any planning/development should be done in accordance with applicable regulations.

Community Ridge PUD, 2101 Brown Square/2112 Community Lane/2137 & 2207 Ridge Rd, T. Ontario

Concept Review of Rezoning, Tax Map Ref. No. 63117-00-459569, 63117-10-459598, 63117-00-519502, 63117-00-586483

Concept Review for comments only. No action to be taken. Randy Bebout of T.Y. Lin presented.

No Action

Comments:

- 1) the proposed rezoning should be undertaken “in accord with a well-considered plan” or “in accordance with a comprehensive plan”, as referenced in the James A. Coon Local Government Technical Series, “Zoning and the Comprehensive Plan” (available online @ http://www.dos.ny.gov/lg/publications/Zoning_and_the_Comprehensive_Plan.pdf) and also meet the

- criteria that are required by the Town of Ontario to rezone the proposed area to a Planned Unit Development (PUD),
- 2) the Town should consider how the total proposed development will impact community/public facilities and services (e.g. highway/road, school, water, sewer, stormwater management, public safety/emergency services, etc.),
 - 3) local emergency service providers should review plans to ensure that proposed development can be accessed and served (e.g. police and fire),
 - 4) an access should be considered between the proposed development and Brown Square Apartments/Ontario Townhouses,
 - 5) pedestrian and vehicular links should be considered/made to help provide convenient/safe access between the proposed development, downtown Ontario and the Tops Plaza (walkable community concept),
 - 6) development should be done in a manner that helps it 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, etc.,
 - 7) the project Traffic Study should be sent to the NYS Department of Transportation for their review,
 - 8) both proposed driveways should meet AASHTO (American Association of State Highway and Transportation Officials) recommendations for sight distance,
 - 9) a driveway permit should be obtained from the Wayne County Highway Department (Department of Public Works), for the proposed Ridge Road access,
 - 10) any/all necessary local, federal and state (e.g. NYS Department of Environmental Conservation-Phase II Stormwater and Erosion and Sediment Control Regulations, NYS Department of Health - wastewater treatment and water supply, NYS Uniform Fire Prevention and Building Codes, etc), recommendations and approvals/permits must be followed/obtained,
 - 11) any/all hazardous/toxic materials that may be associated with the proposed mini-storage use must be properly stored, handled and disposed of,
 - 12) the property owner(s) should also be aware that portions of the parcel may contain (or be near) National wetland area and any planning/development should be done in accordance with applicable regulations and
 - 13) future plans (if there are any) for the total acreage should be considered.

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

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

16'x36' 2 story addition and 20'x28' unattached garage

Action – Disapprove with comments

Motion – Mr. Guthrie

Second – Mr. Burns

Opposed –

Abstention – Mr. Burgess

Motion carried

Comments:

The Board does not necessarily wish to discourage development, but felt the application should have additional information to:

- 1) help them consider the items that they are charged to review by General Municipal Law, Section 239-1.2 (enclosed) and
- 2) meet the requirements that are listed in the “Town of Wolcott Land Use Code - Adopted July 18, 2000”, Section 402, Special Permits, such as the following items:
 - a. All property lines and dimensions.
 - b. All existing or proposed structures.
 - c. All existing roads, easements, or proposed driveways.
 - d. All existing or proposed wells and sanitary facilities.

- e. All bodies of water, streams, or wetlands.

The Board felt that having the required information is particularly important, given the proposed 2-story addition and new garage, proximity of the property to surrounding structures, Blind Sodus Bay, road right-of-way and FEMA flood zone.

For reference, the following are comments that the Board has made in past (similar) reviews:

- 1) the proposed structure should be sited so that it will not interfere with adjacent property owner/s views of the bay,
- 2) the septic system must meet NYS Department of Health regulations (i.e. the proposed addition should not be within required septic system setbacks and also meet the treatment requirements for amount of bedrooms proposed, the system should be pumped and dye tested, etc.),
- 3) the proposed structure must meet NYS Uniform Fire Prevention and Building Codes, including setbacks from property lines,
- 4) the property owner(s) should also be aware that portions of the “parent parcel” may contain (or be near) National wetland area as well as FEMA flood zone area and any planning/development should be done in accordance with applicable regulations

Other Business:

Election of 2017 officers:

The following slate of Officers was presented:

Chairman – Bob Hutteman

Vice-Chair – Matt Krolak

Secretary – Rob Burns

Motion made by Mr. Guthrie that the nominations be closed and that the administrative secretary cast one ballot for each nomination. Seconded by Mr. Peters. Motion Carried.

The Board was informed of a Broadband study with survey that the County is conducting.

The Board was given binders with information on cell/wind towers and was informed of the possibility of some future training.

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

Respectfully submitted,
Tracy Lambie, Secretary