

## WAYNE COUNTY PLANNING BOARD

### MINUTES

July 26, 2017

Vice-Chairman, Matt Krolak called the July 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, Ken Burgess, Rob Burns, Joe Catalano, Steve Guthrie, Matt Krolak, Larry Lockwood, Bert Peters, Larry Ruth, Ron Thorn

Staff: Bret DeRoo, Tracy Lambie

### JUNE 2017 MINUTES

**Action** – Approve

**Motion** – Mr. Guthrie

**Second** – Mr. Peters

**Abstention** – Mr. Catalano

**Motion carried**

### ZONING AND SUBDIVISION REFERRALS

#### **VFW, 225 East Union Street, V. Newark**

Area Variance / Use Variance, Tax Map Ref. No. 68111-18-463045

Free standing LED sign. Steve Gajan was available for questions.

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

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

**Motion** – Mr. Peters

**Second** – Mr. Baker

**Opposed** –

**Abstention** –

**Motion carried**

#### **Comments:**

- 1) the hardship criteria (rules/test) that are required to grant the area and use variances must be substantiated at the local level,
- 2) the minimum variances necessary/adequate should be considered,
- 3) the proposed sign should not impede available sight distance,
- 4) the proposed sign should not impact the NYS Department of Transportation Union Street right of way and
- 5) the Village may wish to review applicable regulations to determine if they still meet intended objectives should there be repeated requests for similar variances.

#### **Palmyra Community Library, 336 East Main Street, V. Palmyra**

Special Permit, Tax Map Ref. No. 64111-12-772680, 64111-12-780648

Parking lot of more than 5 vehicles. Patricia Baynes, Jennifer Voss and Carolyn Bradstreet were available for questions.

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

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

**Motion** – Mr. Peters

**Second** – Mr. Burgess  
**Opposed** –  
**Abstention** –  
**Motion carried**

**Comments:**

- 1) 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 site design (proposed parking areas and drive lanes and their proximity to neighboring land uses), property maintenance, fencing, berms, landscaping, etc. and
- 2) future plans (if any) for the total acreage should be considered.

**This following 5 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. Peters

**Second** – Mr. Burgess

**Opposed** –

**Abstention** –

**Motion carried**

**Mark Tompkins, 9017 Old Route 31 West, T. Galen**

Special Permit, Tax Map Ref. No. 72112-00-079183

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Temporary permit to occupy camping trailer.

**Comments:**

- 1) the proposed use/occupation of the camping trailer should be confirmed to be temporary,
- 2) the proposed wastewater treatment and water supply systems must be approved by applicable local and/or NYS departments,
- 3) development must meet local and NYS Uniform Fire Prevention and Building Codes, to the extent they apply to a recreational vehicle and proposed future single family residence,
- 4) the site's driveway should meet AASHTO (American Association of State Highway and Transportation Officials) recommendations for sight distance,
- 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.,
- 6) any additional future plans (if any) for the total acreage should be considered and
- 7) 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 and any planning/development should be done in accordance with applicable regulations.

**Paige Helfer, 8299 Graves Point Road, T. Huron**

Special Permit, Tax Map Ref. No. 75120-17-180179

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Short term residential use.

**Comments:**

- 1) given comments found in the minutes from the July 11, 2017 Huron ZBA meeting, additional rental agreement restrictions or property modifications should be considered to help avoid conflicts with surrounding neighbors (e.g. clearly delineate property boundaries and ensure that renters understand where they are, enforce no trespassing rules, etc.),
- 2) property use/development should proceed 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., particularly given that the parcel is located near Port Bay,

- 3) on-site traffic circulation, parking area(s) and total number of available parking spaces should be determined/delineated,
- 4) emergency service vehicle access should be planned and provided for,
- 5) the rented structure(s) must meet applicable NYS Uniform Fire Prevention and Building Codes given the proposed use,
- 6) the onsite wastewater treatment system must meet applicable local and NYS codes and
- 7) the property owner(s) should be aware that portions of the 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.

**Whitcomb Subdivision, 7279 Fisher Road, T. Ontario**

Preliminary/Final Subdivision Plan, Tax Map Ref. No. 64118-00-100927

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3 lot subdivision

**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) 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),
- 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) future plans (if any) for the total acreage should be considered and
- 6) the property owner/s should be aware that portions of the parcels may contain (or be near) National wetland and any planning/development should be done in accordance with applicable regulations.

**Hemler Recreation Camper, Wolcott Road, T. Rose**

Special Permit, Tax Map Ref. No. 74115-00-578322

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Install travel trailer for camping

**Comments:**

- 1) Town of Rose regulations regarding this type of occupancy application must be met (e.g. the proposed use/occupancy of the travel trailer should be confirmed to be temporary and meet the 60 day, non-consecutive, limit),
- 2) the proposed septic and water supply systems must be approved by applicable local and/or NYS departments,
- 3) the site's driveway should meet AASHTO (American Association of State Highway and Transportation Officials) recommendations for sight distance,
- 4) development must meet local and NYS Uniform Fire Prevention and Building Codes, to the extent they apply to a recreational vehicle and future single family residence,
- 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 future building design/materials, property maintenance, fencing, berms, landscaping, etc. and
- 6) any additional future plans (if any) for the total acreage should be considered.

**Strassburg Subdivision, 127 Route 441 / 2080 Watson Hulbert Road, T. Walworth**

Final Subdivision Plan / Site Plan, Tax Map Ref. No. 60114-00-971290

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2 lot subdivision of parcel located in both Wayne and Monroe Counties

**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 (sight distance appears to have constraints to the north due to topography changes along Watson Hulbert Road),
- 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 “parent parcel” appear to contain (or be near) both National wetland area and NYS Department of Environmental Conservation wetland area as well as FEMA Flood zone 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.

**Martin J. Beckenbach, 3000 Leroy Road, T. Palmyra**

Use Variance, Tax Map Ref. No. 64113-00-498343

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Private grass airstrip

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

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

**Motion** – Mr. Guthrie

**Second** – Mr. Peters

**Opposed** – Mr. Burns

**Abstention** – Mr. Krolak

**Motion carried**

**Comments:**

- 1) the Town may wish to explore the possibility of rezoning the entire tax parcel to the adjacent “Agricultural Residential” district and processing the request for a private grass airstrip as a special use permit (in the AR district) rather than a use variance in the “Rural Residential” district,
- 2) the hardship criteria (rules/test) that are required to grant the use variance must be substantiated at the local level,
- 3) the minimum variances necessary/adequate should be considered,
- 4) the proposal must meet all federal and NYS (e.g. Federal Aviation Administration, NYS Department of Transportation) as well as Town of Palmyra regulations/recommendations (e.g. signage warning of low flying aircraft be placed in appropriate locations on Leroy Road),
- 5) the airstrip proposal should be determined to be compatible with surrounding land uses (power lines and cell tower to the south, other nearby land uses, etc.) when considering items such as the type of aircraft flown and the proposed scope/frequency of airstrip use and
- 6) 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 and any planning/development should be done in accordance with applicable regulations.

For reference, the NYS Department of State has a useful reference document available, “[Zoning Board of Appeals](#)”, on their website.

Details regarding each of the use variance “hardship rules/test” and the requirement that the ZBA must find that each of the elements of the test have been met by the applicant can be found in this document.

**Other Business:**

There being no further business, Mr. Ruth made a motion to adjourn the meeting. Seconded by Mr. Burgess. The meeting was adjourned at 7:14 PM.

Respectfully submitted,  
Tracy Lambie, Secretary