

WAYNE COUNTY PLANNING BOARD

MINUTES

March 29, 2017

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

Staff: Bret DeRoo

FEBRUARY 2017 MINUTES

Action – Approve

Motion – Mr. Bartels

Second – Mr. Baker

Abstention –

Motion carried

ZONING AND SUBDIVISION REFERRALS

Savannah Elementary School, 13107 & 13110 School Street, T. Savannah

Amend Map, Tax Map Ref. No. 77111-05-208827

Rezone from R1 to PUD for independent senior living

Action – Approve with comments

Motion – Mr. Guthrie

Second – Mr. Peters

Opposed –

Abstention –

Motion carried

Comments:

- 1) the proposed zoning updates 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). According to this document, “The question of whether a rezoning constitutes “spot zoning” should be answered by determining whether the rezoning was done to benefit individual owners rather than pursuant to a comprehensive plan for the general welfare of the community” and
- 2) the Town attorney should review and approve the proposed amendments.

Newark Auto Brokers, 1117 & 1121 East Union Street, 718 Blue Cut Rd, V. Newark

Special Permit, Tax Map Ref. No. 68110-08-845990, 68110-08-861990, 68110-08-826974

Sell used autos using portions of 3 properties

Action – Approve with comments

Motion – Mr. Catalano

Second – Mr. Buisch

Opposed –

Abstention –

Motion carried

Comments:

- 1) on-site traffic circulation, auto display, parking area/s and total number of available parking spaces should be determined/delineated (proposed auto display spaces are shown on the provided plan, but on-site traffic circulation and existing driveway locations do not appear to be specified),
- 2) driveway sight distances should meet AASHTO (American Association of State Highway and Transportation Officials) recommendations and displayed vehicles should not impede available sight distance,
- 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/property maintenance, construction materials, fencing, berms, landscaping, etc., particularly given that the parcel is located on the highly traveled Union Street/NYS Canal Corridor,
- 5) outside storage should be limited (e.g. equipment/items in disrepair should not be permitted to accumulate),
- 6) “operational noises” should be mitigated (i.e. noise generated by business activity should not impact nearby residential uses),
- 7) any /all hazardous/toxic materials must be properly stored, handled and disposed of,
- 8) the building/garage must meet applicable NYS Uniform Fire Prevention and Building Codes given the proposed use and
- 9) all necessary local and state approvals/permits/recommendations must be followed/obtained (e.g. NYS Department of Environmental Conservation and NYS Department of Motor Vehicle - auto repair/service work related, NYS Department of Transportation - driveway related).

The Corner Creek Estates, 1168 Lake Road / N. Slocum, T. Ontario

Preliminary/Final Subdivision Plan, Preliminary/Final Site Plan, Tax Map Ref. No. 62119-00-340199

14 lot subdivision, 12 new single family homes

Action – Approve with comments

Motion – Mr. Ruth

Second – Mr. Peters

Opposed – Mr. Guthrie

Abstention – Mr. Catalano

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 design/materials, property maintenance, fencing, berms, landscaping, etc.,
- 2) the proposed lots/development must meet NYS Department of Health regulations (e.g. wastewater treatment and water supply regulations),
- 3) driveways should meet AASHTO (American Association of State Highway and Transportation Officials) recommendations for sight distance,
- 4) a driveway permit should be obtained from the Wayne County Highway Department (Wayne County Department of Public Works) for the proposed Lake Road driveways,
- 5) a driveway maintenance agreement should be in place for any shared driveways (if applicable),
- 6) development must meet NYS Uniform Fire Prevention and Building Codes, including driveway design that includes provision for emergency service vehicle access (if applicable),
- 7) emergency service vehicle access should be provided for,
- 8) stormwater management and erosion and sediment control plans must meet Phase II NYS Department of Environmental Conservation regulations,
- 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 “parent parcel” may contain (or be near) FEMA flood zone area and any planning/development should be done in accordance with applicable regulations.

Twin Rock Motel & Mini Storage, 1785 Route 104, T. Ontario

Preliminary/Final Site Plan, Special Permit, Tax Map Ref. No. 63117-09-066711

Continue motel use and add 3 mini storage buildings

Action – Approve with comments

Motion – Mr. Guthrie

Second – Mr. Burns

Opposed –

Abstention – Mr. Catalano

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 design/materials, fencing, berms, landscaping, etc., particularly given that the parcel is located on the highly traveled NYS Rt. 104,
- 2) proposed on-site traffic circulation, building areas 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 access to NYS Rt. 104,
- 3) 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 necessary, NYS Department of Transportation – driveway work permit, if necessary, etc.),
- 4) emergency service vehicle access should be provided and local emergency service providers should review plans to ensure that proposed development can be accessed and served (e.g. ambulance, police and fire),
- 5) outside storage should be limited (e.g. items in disrepair should not be permitted to accumulate),
- 6) any/all hazardous/toxic materials that may be associated with the proposed use must be properly stored, handled and disposed of,
- 7) future plans (if any) for the total acreage should be considered and
- 8) the applicant(s) should 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.

Virginia Boas Subdivision, 1772 Route 441, T. Walworth

Preliminary/Final Subdivision Plan, Tax Map Ref. No. 63114-00-015301

2 lot subdivision

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. Catalano

Second – Mr. Burgess

Opposed –

Abstention –

Motion carried

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) future plans (if any) for the total acreage should be considered and
- 5) the applicant(s) should be aware that portions of the “parent parcel” appear to contain (or be near) National wetland area and NYS Department of Environmental Conservation wetland area as well as FEMA flood zone area and any planning/development should be done in accordance with applicable regulations.

Parkison Waste Disposal & Hauling, 1619 & 1629 Route 88 North, T. Arcadia

Special Permit, Tax Map Ref. No. 68111-00-408850, 68111-00-432848

Operate waste disposal business

Action – Approve with comments

Motion – Mr. Guthrie

Second – Mr. Ruth

Opposed –

Abstention – Mr. Hutteman

Motion carried

Comments:

- 1) all applicable local, NYS and federal permits/regulations must be obtained/met (e.g. NYS Department of Environmental Conservation, NYS Department of Health-wastewater treatment and sanitary water supply, NYS Uniform Fire Prevention and Building Codes, etc.),
- 2) the buildings/site should be developed/maintained in an aesthetically pleasing manner, particularly given that the site is visible from the highly traveled NYS Rt. 88 and Hydesville Road,
- 3) screening (fence, landscaping, berm, etc.) should be considered/used to help the proposed commercial use remain compatible with surrounding land uses,
- 4) outside storage of “salvage materials” should be limited,
- 5) hazardous/toxic materials must be properly handled, stored and disposed of,
- 6) traffic generating characteristics of the proposal should be considered, including, but not limited to the following: driveway location(s), parking area(s), driveway sight distances (should meet AASHTO recommendations) and on-site traffic circulation. The information could be useful for emergency service providers to review and know also,
- 7) it is beneficial to know that a resident engineer from the NYS Department of Transportation has completed a site visit and determined they have no issues with this location (per 01/19/17 letter from Jeffrey Jones, Assistant NYS DOT Resident Engineer) and
- 8) the property owner(s) should also be aware that portions of the parcels may contain (or be near) National wetland area and any planning/development should be done in accordance with applicable regulations.

Commercial Solar Array Regulations, T. Macedon

Amend Text

Add regulations to code

Action – Approve with comments

Motion – Mr. Guthrie

Second – Mr. Burgess

Opposed –

Abstention – Mr. Bartels

Motion carried

Comments:

- 1) The Town attorney should review and approve the proposed amendment.

The following 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. Burns

Opposed –

Abstention –

Motion carried

Tom Wahl's, 585 West Union Street, V. Newark

Area Variance, Tax Map Ref. No. 67111-20-941075

12'x12'x8' bldg. addition

Comments:

- 1) the hardship criteria that are required to grant the area variance must be substantiated at the local level and
- 2) the proposed addition should not impact the NYS Department of Transportation Union Street right of way.

Ames Site Plan, 7078 Furnace Road, T. Ontario

Preliminary/Final Site Plan, Tax Map Ref. No. 63118-00-628652

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 (or connection to municipal sewer) that will meet local/NYS Department of Health regulations,
- 2) the driveway should meet AASHTO (American Association of State Highway and Transportation Officials) recommendations for sight distance,
- 3) a driveway permit should be obtained from the Wayne County Highway Department (Wayne County Department of Public Works) for the proposed driveway,
- 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, property maintenance, fencing, berms, landscaping, etc.,
- 5) development 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.

St. Patrick's Church Subdivision, 50-52 Main Street, T. Macedon

Preliminary/Final Subdivision Plan Tax Map Ref. No. 62111-08-795878

2 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) and
- 4) future plans (if any) for the total acreage should be considered.

Other Business:

There being no further business, Mr. Guthrie made a motion to adjourn the meeting. Seconded by Mr. Bartels. The meeting was adjourned at 8:17 PM.

Respectfully submitted,
Tracy Lambie, Secretary