

WAYNE COUNTY PLANNING BOARD

MINUTES

July 27, 2016

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

Staff: Bret DeRoo, Tracy Lambie

JUNE 2016 MINUTES

Action – Approve

Motion – Mr. Ruth

Second – Mr. Bartels

Abstention –

Motion carried

ZONING AND SUBDIVISION REFERRALS

Oak Park Marina & Resort, LLC, Catchpole Shores Drive, T. Huron

Special Permit, Tax Map Ref. No. 72117-00-977885

4 seasonal rentals, Mr. Mike Virts presented

Action – Approve with Comments

Motion – Mr. Catalano

Second – Mr. Baker

Opposed –

Abstention – Mr. Lockwood, Mr. Guthrie

Comments:

- 1) development should be done in a manner that helps it remain compatible with surrounding and on-site land uses and is also aesthetically pleasing through use of items such as cottage design/materials, fencing, berms, landscaping, etc., particularly given that the parcel is located near Great Sodus Bay,
- 2) development must meet applicable local and NYS regulations such as NYS Department of Health waste water treatment and water supply regulations and NYS Uniform Fire Prevention and Building Codes,
- 3) future plans (if any) for the total acreage should be considered,
- 4) existing and proposed on-site traffic circulation, building/cottage 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 potential future development (if applicable),
- 5) emergency service vehicle access should be provided for and
- 6) the property owner(s) should be aware that portions of the parcel may contain (or be near) National wetland area, NYSDEC wetland area as well as FEMA flood zone area and any planning/development should be done in accordance with applicable regulations.

396 Route 104, T. Ontario

Preliminary/Final Site Plan, Tax Map Ref. No. 61117-00-319599

3,000 sq. ft. building expansion, Evan Gefell of Costich Engineering presented.

Action – Approve with Comments

Motion – Mr. Guthrie

Second – Mr. Ruth

Opposed –

Abstention –

Motion carried

Comments:

- 1) 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,
- 2) 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,
- 3) outside storage should be limited (e.g. items in disrepair should not be permitted to accumulate),
- 4) 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,
- 5) future plans (if any) for the total acreage should be considered and
- 6) all necessary local, federal and state recommendations and approvals/permits must be followed/obtained (e.g. NYS Uniform Fire Prevention and Building Codes).

Hometowne Energy, 79 Bloom Road, V. Newark

Special Permit / Preliminary/Final Site Plan, Tax Map Ref. No. 68111-16-840355

Construction of two 20,000 gallon diesel Dike Tanks, and repositioning of exiting two 18,000 gallon L.P. (Liquefied Petroleum) gas tanks. Jim Mueller of Elliott Engineering presented. Chriss Andrews of Hometowne Energy was also available to answer questions.

Action – Approve with Comments

Motion – Mr. Ruth

Second – Mr. Bartels

Opposed –

Abstention –

Motion carried

Comments:

- 1) all necessary local, federal and state recommendations and approvals/permits must be followed/obtained regarding the proposed use of the site (e.g. NYS Department of Environmental Conservation Petroleum Bulk Storage regulations and NYS Uniform Fire Prevention and Building Codes),
- 2) screening (e.g. fence, berm, landscaping, etc.) should be used 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),
- 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 property maintenance, fencing, berms, landscaping, etc.,
- 4) outside storage should be limited (e.g. items in disrepair should not be permitted to accumulate),
- 5) emergency service vehicle access should be provided for and
- 6) future plans (if any) for the total acreage should be considered.

Harbec Community Solar, 360 Timothy Lane, T. Ontario

Special Permit / Preliminary/Final Site Plan, Tax Map Ref. No. 61117-00-341669

Ground mount PV array. Matt Vanderbrook of SED presented.

Action – Approve with Comments

Motion – Mr. Guthrie

Second – Mr. Ruth

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. 104,
- 2) it should be confirmed that the solar panels will not produce a glare and potentially impact motorists using NYS Rt. 104,
- 3) future plans (if any) for the total acreage should be considered,
- 4) the property owner(s) should be aware that a portion of the parcel may contain (or be near) National wetland area and any planning/development should be done in accordance with applicable regulations,
- 5) a photovoltaic system decommissioning plan should be intact and
- 6) all necessary local, federal and state recommendations and approvals/permits must be followed/obtained (e.g. NYS Uniform Fire Prevention and Building Codes).

WISP Community Solar Pilot, 317 Route 104, T. Ontario

Special Permit / Preliminary/Final Site Plan, Tax Map Ref. No. 61117-00-232664

Ground mount PV array. Matt Vanderbrook of SED presented.

Action – Approve with Comments

Motion – Mr. Guthrie

Second – Mr. Krolak

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. 104,
- 2) it should be confirmed that the solar panels will not produce a glare and potentially impact motorists using NYS Rt. 104,
- 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).

Re: Harbec and WISP

The Board does not have an established set of comments/recommendations yet regarding photovoltaic systems, but they have begun working on some and would like to have them available for consideration in the near future. In the meantime, the Board has referenced a presentation that was used by land use training specialists from the NYS Department of State for a training they offered locally in September 2015. The following are items that the Board feels could be considered when reviewing photovoltaic system applications in the future (Source: NYS Department of State, Division of Local Government Services, “Solar Energy Regulation“ presentation).

Compatibility with neighborhood character:

1. Do not negatively impact adjacent uses
2. Visually compatible
 - a. For example, potential impact includes glare or reflection, which might be nuisance to other property owner or impair visibility of motor vehicle drivers
3. Use sensitivity especially in areas containing unique architectural styles or historic structures

Review elements:

- 1) Access to solar energy
- 2) Casting shadows
- 3) Blocking view sheds

- 4) Causing glare
- 5) Rain run-off

Decommissioning provisions:

- Some municipalities address abandonment, decommissioning or “cessation of activity” within their regulations
- For example, “Must ensure site will be restored to useful, nonhazardous condition, including completion time frame for complete removal of collectors, mounts and other associated equipment and facilities”
- Some require decommissioning plans, especially for commercial scale projects

Scott Weeks, 6363 County Line Road, T. Wolcott

Special Permit, Tax Map Ref. No. 78117-00-565833

Move 1987 mobile home from 6391 County Line to 6363 County Line Road.

Action – Approve with Comments

Motion – Mr. Guthrie

Second – Mr. Ruth

Opposed –

Abstention – Mr. Burgess

Motion carried

Comments:

- 1) the 1987 manufactured home should be confirmed to be a replacement for the manufactured home currently located on this parcel and not in addition to it (i.e. only one home should be sited on the parcel),
- 2) the proposed mobile home and site should be developed in an aesthetically pleasing manner (i.e. through use of landscaping, screening, etc.),
- 3) the septic system must meet NYS Department of Health regulations (i.e. the proposed mobile home should not be within required septic system setbacks, the system should be pumped and dye tested, etc.) and
- 4) the proposed structure must meet NYS Uniform Fire Prevention and Building Codes, including setbacks from property lines.

The Board did feel that it would be helpful, if the applicant pursues development of this parcel, for them to provide information that meets 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 following referrals were reviewed and determined to be of no intermunicipal or countywide impact:

Action – Return these referrals to the towns to be handled as local matters

Motion – Mr. Thorn

Second – Mr. Burns

Opposed –

Abstention –

Motion carried

Danny DeSantis, 3981 Buffalo Road, T. Arcadia

Special Permit, Tax Map Ref. No. 68114-00-393783

Use old mobile home as agricultural building to prepare chickens and storage.

Comments:

- 1) the manufactured home should not be used for residential purposes/use, as confirmed by the July 5, 2016 letter from Danny DeSantis to the Town of Arcadia-Building & Zoning Department and
- 2) NYS Department of Agriculture and Markets guidelines/recommendations (if applicable) should be followed regarding the proposed use of the manufactured home. Information regarding Avian Influenza is available on the NYS Department of Agriculture and Markets website @ <http://www.agriculture.ny.gov/AI/AvianFlu.html>. Additional information regarding "Backyard Poultry" can be found on the Cornell University website @ <http://smallfarms.cornell.edu/2012/06/27/backyard-poultry-101/>.

Lakeside Estates, 6855 & 6879 Lakeside Road, T. Ontario

Preliminary/Final Site Plan / Preliminary/Final Subdivision Plan, Tax Map Ref. No. 61118-00-890374, 61118-00-828387

6 lot subdivision for 5 single family new builds

Comments:

- 1) the proposed lots/development must meet NYS Department of Health regulations (e.g. wastewater treatment and water supply 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) driveway permits should be obtained from the Wayne County Highway Department (Wayne County Department of Public Works),
- 4) emergency service vehicle access should be provided for,
- 5) stormwater management and erosion and sediment control plans must meet Phase II NYS Department of Environmental Conservation regulations,
- 6) development must meet NYS Uniform Fire Prevention and Building Codes and
- 7) future plans (if any) for the total acreage should be considered.

Capo Subdivision, 2446 Ridge Road, T. Ontario

Preliminary/Final Subdivision Plan / Area Variance, Tax Map Ref. No. 63117-00-871370

Subdivide residential from commercial property

Comments:

- 1) the hardship criteria that are required to grant the area variances must be substantiated at the local level,
- 2) the proposed parcels 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,
- 3) the proposed development 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 and
- 4) future plans (if any) for the total acreage should be considered.

Other Business:

A reminder was given about upcoming training opportunities.

There being no further business, Mr. Ruth made a motion to adjourn, seconded by Mr. Catalano. The meeting was adjourned at 7:55 PM.

Respectfully submitted,
Tracy Lambie, Secretary