

WAYNE COUNTY PLANNING BOARD

MINUTES

October 25, 2017

Vice-Chairman, Matt Krolak called the October 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, Dave Broach, Steve Buisch, Ken Burgess, Rob Burns, Joe Catalano, Matt Krolak, Larry Lockwood, Bert Peters, Larry Ruth, Ron Thorn

Staff: Bret DeRoo, Tracy Lambie

SEPTEMBER 2017 MINUTES

Action – Approve

Motion – Mr. Peters

Second – Mr. Ruth

Abstention –

Motion carried

ZONING AND SUBDIVISION REFERRALS

This following 7 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. Baker

Second – Mr. Bartels

Opposed –

Abstention –

Motion carried

Lil Red Caboose, 280 Glasgow St. (AKA 249 Sodus St), V. Clyde

Area Variance, Tax Map Ref. No. 74112-10-439641

Canopy over half of existing deck

Comments:

- 1) the hardship criteria (rules/test) that are required to grant the area variance must be substantiated at the local level,
- 2) the minimum variance necessary should be considered and
- 3) the proposed canopy should not impede available sight distances.

Keller Subdivision and Site Plan, Wayneport Road, T. Macedon

Preliminary/Final Site Plan / Preliminary/Final Subdivision Plan, Tax Map Ref. No. 61110-00-368960

2 lot subdivision, 2 single family homes

Comments:

- 1) the proposed lots should be configured/developed 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/developed 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 Wayne County Highway Department for the proposed driveways,
- 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) 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) 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 (approximate mapping available online at <http://www.dec.ny.gov/gis/erm/>) and any planning/development should be done in accordance with applicable regulations.

Morrison Subdivision, Eddy Road, T. Macedon

Preliminary/Final Site Plan / Preliminary/Final Subdivision Plan, Tax Map Ref. No. 63113-00-417678

1 lot subdivision, single family home

Comments:

- 1) the proposed lots should be configured/developed 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/developed 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 must meet NYS Uniform Fire Prevention and Building Codes, including driveway design that includes provision for emergency service vehicle access (if applicable),
- 4) 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.,
- 5) future plans (if any) for the total acreage should be considered (“flag lot” remains) and
- 6) the applicant(s) should be aware that portions of the parcel appear to be near National as well as NYS Department of Environmental Conservation wetland areas (approximate mapping for both available online at <http://www.dec.ny.gov/gis/erm/>) and any planning/development should be done in accordance with applicable regulations.

Paul and Linda Priggon, 705 Farmington Road, T. Macedon

Area Variance, Tax Map Ref. No. 62110-00-116675

24’x26’ double garage with connection to house

Comments:

- 1) the hardship criteria (rules/test) that are required to grant the area variances must be substantiated at the local level,
- 2) the minimum variances necessary should be considered,
- 3) the proposed addition (mud room/garage) should not impede available driveway sight distances and
- 4) the applicant(s) should be aware that portions of the parcel appear to contain (or be near) National wetland area (approximate mapping available online at <http://www.dec.ny.gov/gis/erm/>) and any planning/development should be done in accordance with applicable regulations.

Zeilenski Subdivision, West Walworth Road, T. Macedon

Preliminary/Final Site Plan / Preliminary/Final Subdivision Plan, Tax Map Ref. No. 61113-00-461248

3 lot subdivision, 3 single family homes

Comments:

- 1) the proposed lots should be configured/developed 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/developed 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 Wayne County Highway Department for the proposed West Walworth Rd. driveway,
- 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) 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) stormwater management and erosion and sediment control measures must meet Phase 2 NYS Department of Environmental Conservation regulations and
- 7) future plans (if any) for the total acreage should be considered.

Kathleen Kummerow, Lot 2, 279 Whitney Road, T. Ontario
Preliminary/Final Site Plan, Tax Map Ref. No. 61116-00-171838

Single family home

Comments:

- 1) the proposed septic system must meet NYS Department of Health regulations,
- 2) the proposed driveway should have sight distances available that meet AASHTO (American Association of State Highway and Transportation Officials) recommendations,
- 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) future plans (if any) for the total acreage should be considered and
- 6) the applicant(s) should be aware that portions of the parcel appear to contain (or be near) National wetland area (approximate mapping available online at <http://www.dec.ny.gov/gis/erm/>) and any planning/development should be done in accordance with applicable regulations.

SunCommon, 505 Ontario Drive, T. Ontario
Special Permit, Tax Map Ref. No. 61119-10-458531

Expansion of roof mount solar system

Comments:

The development must meet NYS Uniform Fire Prevention and Building Codes (e.g. ensure that the roof can compensate the additional weight load).

Wilbert's U-Pull It, 4936 Route 104, T. Williamson
Amended Site Plan, Tax Map Ref. No. 66117-08-994855

Expand existing space for retail sales. Mr. Bob Wilbert and Mr. Eric Wilbert presented.

Action – Approve with Comments

Motion – Mr. Ruth

Second – Mr. Burns

Opposed –

Abstention – Mr. Peters

Motion carried

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 building design/materials, fencing, berms, landscaping, property maintenance, etc., particularly given that the parcel is located on the highly traveled NYS Rt. 104 corridor,
- 2) screening/buffering (e.g. fence, berm, landscaping, etc.) should continue to be used to help the proposed development remain compatible with surrounding land uses (i.e. mitigate visual and noise impacts between this proposal and adjacent land uses - consider use of higher berms/fencing between the business and adjacent residential land uses, as an example and if necessary),
- 3) “operational noises” should be mitigated (i.e. noise generated by business activity should not impact other nearby uses),
- 4) outside storage should be limited to fenced and/or building areas and therefore not visible from surrounding roadways,
- 5) proposed on-site traffic circulation, building areas and associated parking/storage areas should be designed/developed and maintained in a manner that will provide safe interaction between those items as well as access to NYS Rt. 104 (e.g. driveway sight distances should always meet American Association of State Highway and Transportation Officials - AASHTO recommendations),
- 6) dust generated from use of driveway/access roads should be mitigated if necessary,
- 7) emergency service vehicle access should be provided for,
- 8) hours of operations should be understood,
- 9) any toxic/hazardous materials should be properly stored, handled and disposed of,
- 10) future plans (if any) for the total acreage should be considered and
- 11) all necessary local, federal and state recommendations and approvals/permits must be followed/obtained (e.g. NYS Department of Environmental Conservation – Phase II stormwater management and erosion and sediment control regulations and Multi Sector General Permit, NYS Uniform Fire Prevention and Building Codes, General Municipal Law Section 136. Regulation of Automobile junk yards, NYS Office of Parks, Recreation and Historic Preservation/SHPO recommendations).

Lukas Knowlden, 789 Lake Road, T. Ontario

Area Variance, Tax Map Ref. No. 61119-00-819336

30’x52’ pole barn closer to road than house. Mr. Lukas Knowlden presented.

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. Peters

Second – Mr. Lockwood

Opposed – Mr. Ruth

Abstention – Mr. Catalano

Motion carried

Comments:

- 1) the hardship criteria (rules/test) that are required to grant the area variance must be substantiated at the local level,
- 2) the minimum variance necessary should be considered,
- 3) the proposed addition (pole barn) should not impede available driveway sight distances,
- 4) the proposed addition (pole barn) should not impact the Lake Road right of way,
- 5) the applicant(s) should be aware that portions of the parcel may be near, or contain FEMA flood zone area (mapping available online at <https://msc.fema.gov/portal>) and any planning/development should be done in accordance with applicable regulations and
- 6) the Town may wish to examine zoning regulations to determine if they still meet intended objectives should there be repeated requests for similar variances.

Dollar General, 2080 Walworth-Penfield Road, T. Walworth
Special Permit / Final Site Plan, Tax Map Ref. No. 63114-00-430418
9,100 sq. ft. retail store

Action – Approve with Comments

Motion – Mr. Catalano

Second – Mr. Baker

Opposed –

Abstention – Mr. Ruth

Motion carried

Comments:

- 1) the proposed driveway should have sight distances available that meet AASHTO (American Association of State Highway and Transportation Officials) recommendations (the board wanted to stress the importance of this item),
- 2) a driveway permit must be obtained from the Wayne County Highway Department for the proposed driveway,
- 3) proposed on-site traffic circulation, building area and associated parking area should be designed/developed in a manner that will provide safe interaction between those items as well as access to Walworth - Penfield Rd.,
- 4) emergency service vehicle access should be provided for,
- 5) 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 building design/materials, fencing, berms, landscaping, property maintenance, etc., particularly given that the site is visible from the highly traveled Walworth - Penfield Road (Dollar General may have additional building/site design options available that meet the character the town desires),
- 6) all necessary local, federal and state recommendations and approvals/permits must be followed/obtained (e.g. NYS Department of Environmental Conservation – Phase II stormwater management and erosion and sediment control regulations, NYS Uniform Fire Prevention and Building Codes, etc.) and
- 7) the property owner(s) should be aware that portions of the parcel may contain (or be near) National and NYS Department of Environmental Conservation wetland area (approximate mapping for both available online at <http://www.dec.ny.gov/gis/erm/>) as well as FEMA flood zone area (mapping available online at <https://msc.fema.gov/portal>) and any planning/development should be done in accordance with applicable regulations.

B-B Party Facility, 13615 Mixer Road, T. Wolcott
Use Variance, Tax Map Ref. No. 77120-00-821275

Convert barn into party facility

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. Burns

Second – Mr. Bartels

Opposed – Mr. Baker

Abstention – Mr. Burgess

Motion carried

Comments:

- 1) the hardship criteria (rules/test) that are required to grant the use variance must be substantiated at the local level and
- 2) the minimum variance necessary should be considered.

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

Additional comments were made by the Board in relation to a potential (future) site plan should the use variance application be approved by the town and development proceed. Many of the comments below relate to items that the board is charged to review by General Municipal Law, Section 239-1.2. The Board would ultimately like to ensure that the proposed development is compatible with surrounding A-zoned land uses. The comments related to a potential site plan (if applicable) follow:

- 1) 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 Health, etc.). The Board felt that following NYS Department of Health regulations regarding items such as wastewater treatment, potable water supply and possible food preparation could be particularly important, depending on the overall scope of the proposed business,
- 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, property maintenance etc.,
- 3) screening (e.g. fence, berm, landscaping, etc.) should be used to help the proposed commercial development remain compatible with surrounding land uses (e.g. mitigate visual and noise impacts, particularly as they relate to adjacent residential uses),
- 4) traffic generating characteristics of the proposal should be considered, including, but not limited to the following: driveway location(s), building area(s), parking area(s), driveway sight distances (i.e. they should meet American Association of State Highway and Transportation Officials - AASHTO recommendations) and on-site traffic circulation,
- 5) 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),
- 6) future plans (if any) for the total acreage should be considered and
- 7) the property owner(s) should be aware that portions of the parcel may contain (or be near) National and NYS Department of Environmental Conservation wetland area (approximate mapping for both available online at <http://www.dec.ny.gov/gis/erm/>) as well as FEMA flood zone area (mapping available online at <https://msc.fema.gov/portal>) and any planning/development should be done in accordance with applicable regulations.

Other Business:

Nominating Committee: Election of 2018 Officers will take place at the December meeting. The Nominating Committee consists of Mr. Guthrie, Mr. Lockwood and Mr. Thorn.

There being no further business, the meeting was adjourned at 7:47 PM.

Respectfully submitted,
Tracy Lambie, Secretary