

WAYNE COUNTY PLANNING BOARD

MINUTES

June 27, 2018

Chairman, Matt Krolak called the June meeting of the Wayne County Planning Board to order at 7:00 p.m. in the Wayne County Office Building in Lyons, New York.

Board Present: Ron Baker, Mert Bartels, Ken Burgess, Rob Burns, Joe Catalano, Steve Guthrie, Matt Krolak, Larry Lockwood, Bert Peters, Larry Ruth, Ron Thorn, Jim Wedman

Staff: Brian Pincelli, Bret DeRoo, Tracy Lambie

MAY 2018 MINUTES

Action – Approve

Motion – Mr. Ruth

Second – Mr. Bartels

Abstention –

Motion carried

ZONING AND SUBDIVISION REFERRALS

This following 9 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. Peters

Opposed –

Abstention –

Motion carried

St. Paul's Lutheran Church, 48 Caroline Street, V. Clyde

Amend Map, Tax Map Ref. No. 74112-14-364423

Local Historic Designation

Comments:

- 1) the proposed mapping / 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 @ http://www.dos.ny.gov/lg/publications/Zoning_and_the_Comprehensive_Plan.pdf) and
- 2) the Village attorney should review and approve the proposed amendments.

For reference, the following documents may also contain useful information and are available from the NYS Department of State on their website as follows:

1. “**Legal Aspects of Municipal Historic Preservation**” @

https://www.dos.ny.gov/lg/publications/Legal_Aspects_of_the_Municipal_Historic_Preservation.pdf

2. “**Creating the Community You Want: Municipal Options for Land Use Control**” @

https://www.dos.ny.gov/lg/publications/Creating_the_Community_You_Want.pdf

3. “**Questions for the Analysis and Evaluation of Existing Zoning Regulations**” @

https://www.dos.ny.gov/lg/publications/Evaluating_Zoning.pdf

44 Caroline Street, V. Clyde

Amend Map, Tax Map Ref. No. 74112-14-369420

Local Historic Designation

Comments:

- 1) the proposed mapping / 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 @ https://www.dos.ny.gov/lg/publications/Zoning_and_the_Comprehensive_Plan.pdf) and
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3. “**Questions for the Analysis and Evaluation of Existing Zoning Regulations**” @ https://www.dos.ny.gov/lg/publications/Evaluating_Zoning.pdf

Downtown Clyde Historic District, V. Clyde

Amend Map

Multiple properties, Local Historic Designation

Comments:

- 1) the proposed mapping / 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 @ https://www.dos.ny.gov/lg/publications/Zoning_and_the_Comprehensive_Plan.pdf) and
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Berry Global, 200, 112, 150 Main Street, T. Macedon

Area Variance, Tax Map Ref. No. 62111-08-948968, 63111-05-002971, 63111-05-075977

2 additional signs.

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/adequate should be considered,
- 3) the proposed ground sign should not impede available sight distance(s),
- 4) the proposed sign should not impact the NYS Department of Transportation NYS Rt. 31 and/or NYS Rt. 350 right of way and
- 5) the applicant(s) should be aware that portions of the parcels appear to contain (or be near) National wetland area (approximate mapping available online at <http://www.dec.ny.gov/gis/erm/>) as well as FEMA flood zone area (approximate mapping available online at <https://msc.fema.gov/portal>) and any planning/development should be done in accordance with applicable regulations.

David LaMendola, 7690 Chapman Drive, T. Ontario

Preliminary/Final Site Plan, Tax Map Ref. No. 61119-14-370402

Single family home

Comments:

- 1) the proposed sanitary sewer system must meet applicable local and/or New York State (e.g. Department of Health, Uniform Fire Prevention and Building Code) regulations,
- 2) the driveway should meet AASHTO (American Association of State Highway and Transportation Officials) recommendations for sight distance,
- 3) the Chapman Drive right of way should be delineated on the site plan to help clarify who has road construction and maintenance responsibility,
- 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) 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.

Marcellus Site Plan, 2636 Putnam Road, T. Ontario

Preliminary/Final Site Plan, Tax Map Ref. No. 64118-00-115962

Single family home

Comments:

- 1) the proposed sanitary sewer system must meet applicable local and/or New York State (e.g. Department of Health, Uniform Fire Prevention and Building Code) regulations,
- 2) the driveway should meet 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.,
- 4) development must meet NYS Uniform Fire Prevention and Building Codes, including driveway design that includes provision for emergency service vehicle access (if applicable) and
- 5) future plans (if any) for the total acreage should be considered.

Patrick Almy, 1334 & 1344 Route 104, T. Ontario

Use Variance, Tax Map Ref. No 62117-10-492668, 62117-11-516662

Sales, repair and collision repair of automobiles.

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 and

- 3) the applicant(s) should be aware that portions of the parcel appear to contain (or be near) FEMA flood zone area (approximate mapping available online at <https://msc.fema.gov/portal>) and any planning/development should be done in accordance with applicable regulations.

Jim Schneider, 5751 Sodus Shores, T. Sodus

Area Variance, Tax Map Ref. No. 68119-05-015853

6'x8' deck with stairs to lake, in coastal erosion zone

Comments:

The “Standards for variances” must be met by the applicant.

As a note, 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/>) as well as FEMA flood zone area (approximate mapping available online at <https://msc.fema.gov/portal>) and any planning/development should be done in accordance with applicable regulations.

LaVerne Blik, 5159 Steel Point Road, T. Sodus

Preliminary Subdivision Plan, Tax Map Ref. No 67115-00-281403

Subdivide 1.8 acres with house

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) future plans (if any) for the total acreage should be considered,
- 4) development must meet NYS Uniform Fire Prevention and Building Codes, including driveway design that includes provision for emergency service vehicle access (if applicable) and
- 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. (if applicable).

Mr. Guthrie arrived 7:09 PM.

Mobil Service Station/Taco Bell, 337, 347 Route 31, Wayneport Road, T. Macedon

Preliminary/Final Site Plan / Special Permit, Tax Map Ref. No 61111-00-260760, 61111-00-247760, 61111-00-251775

New 4,600 sq. ft. building w/convenience store/Taco Bell with drive thru, 5 gas island, 2 diesel and kerosene. Eric Schaaf of Marathon Engineering presented.

Action – Approve with Comments

Motion – Mr. R. Burns

Second – Mr. Burgess

Opposed –

Abstention – Mr. Bartels, Mr. Guthrie

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 near the highly traveled NYS Rt. 31/ Erie Canalway National Heritage Corridor and Wayneport Road,

- 2) 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),
- 3) 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. Proposed on-site traffic circulation, building areas, gas canopy 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 Route 31 and Wayneport Road,
- 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) 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 and Petroleum Bulk Storage regulations, Wayne County Highway Department/ NYS Department of Transportation driveway permit(s) – if applicable etc.),
- 6) outside storage should be limited (e.g. items in disrepair should not be permitted to accumulate),
- 7) any toxic/hazardous materials must be properly stored, used and disposed of, and
- 8) future plans (if any) for the total acreage should be considered.

Van Bortel Corvette, 1338 Route 31, 1 Main Street, T. Macedon

Preliminary/Final Site Plan, Tax Map Ref. No 62111-07-561756, 62111-11-561729, 62111-11-526735

Raze existing bldg, construct new 34,000 sq. ft. car dealership. Evan Gefell of Costich Engineering presented.

Action – Approve with Comments

Motion – Mr. Guthrie

Second – Mr. Peters

Opposed –

Abstention – Mr. Bartels

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 near the highly traveled NYS Rt. 31/Main Street / Erie Canalway National Heritage Corridor,
- 2) 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),
- 3) 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. Proposed on-site traffic circulation, building areas and associated parking /display 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 Route 31,
- 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) 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, NYS Department of Transportation driveway permit(s) – if applicable etc.),
- 6) outside storage should be limited (e.g. items in disrepair should not be permitted to accumulate),

- 7) any toxic/hazardous materials must be properly stored, used and disposed of,
- 8) the applicant(s) should be aware that portions of the parcels appear to contain (or be near) National wetland area (approximate mapping available online at <http://www.dec.ny.gov/gis/erm/>) as well as FEMA flood zone area (approximate mapping available online at <https://msc.fema.gov/portal>) and any planning/development should be done in accordance with applicable regulations and
- 9) future plans (if any) for the total acreage should be considered.

Fingerlakes Community Health (LaBella), 6341 Ridge Road, T. Sodus

Final Site Plan, Tax Map Ref. No 68118-00-736015

Build +/- 9,780 sq. ft. health care facility and primary care clinic. Jonathan Spurr of LaBella presented.

Action – Approve with comments

Motion – Mr. Guthrie

Second – Mr. Ruth

Opposed –

Abstention – Mr. Baker, Mr. Peters

Motion carried

Comments:

- 1) development should be done in a manner that helps it remain compatible with existing on-site (e.g. 1 - SFR, 2 - pole barns and 1 - former sales office) and 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) 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),
- 3) 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. 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 Ridge Road,
- 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) a driveway permit should be obtained from the Wayne County Public Works Department/Highway Department,
- 6) 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, NYS Department of Health, etc.) and
- 7) future plans (if any) for the total acreage and existing on-site buildings should be considered/confirmed.

Local Law No. 1 of 2018, T. Marion

Amend Text

Update zoning law to include solar systems.

Action – Approve with Comments

Motion – Mr. Catalano

Second – Mr. Bartels

Opposed –

Abstention – Mr. R. Burns

Motion carried

Comments:

- 1) the proposed zoning update 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
- 2) the Town attorney should review and approve the proposed amendments.

For reference, 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

For reference, the following documents may also contain useful information and are available from the NYS Department of State on their website as follows:

1. “Creating the Community You Want: Municipal Options for Land Use Control” @
https://www.dos.ny.gov/lg/publications/Creating_the_Community_You_Want.pdf

2. “Questions for the Analysis and Evaluation of Existing Zoning Regulations” @
https://www.dos.ny.gov/lg/publications/Evaluating_Zoning.pdf

Centennial Village, Section 18, 6187 Holly Creek Drive, T. Ontario

Preliminary/Final Subdivision Plan / Preliminary/Final Site Plan, Tax Map Ref. No 62117-00-626492
19 lot subdivision and single family home site plans.

Action – Approve with Comments

Motion – Mr. Ruth

Second – Mr. R. Burns

Opposed –

Abstention – Mr. Catalano

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 building design/materials, property maintenance, fencing, berms, landscaping, etc.,
- 2) emergency service vehicle access should be planned/provided for that meets the needs of the existing, as well as proposed subdivision,
- 3) the proposed sanitary sewer systems must meet applicable local and/or New York State (e.g. Department of Health, Uniform Fire Prevention and Building Code) regulations,
- 4) 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,
- 5) stormwater management and erosion and sediment control plans must meet Phase II NYS Department of Environmental Conservation regulations,
- 6) development must meet applicable local, federal and NYS codes such as NYS Uniform Fire Prevention and Building Codes and
- 7) future plans (if any) regarding the overall Centennial Village Subdivision should be considered.

Other Business:

There being no further business, Mr. Bartels made a motion to adjourn, seconded by Mr. Ruth. The meeting was adjourned at 7:35 PM.

Respectfully submitted,
Tracy Lambie, Secretary