

WAYNE COUNTY PLANNING BOARD

MINUTES

July 31, 2019

Chairman, Rob Burns called the July 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, Ken Burgess, Rob Burns, Joe Catalano, Steve Guthrie, Bob Hutteman, Matt Krolak, Larry Lockwood, Bert Peters, Larry Ruth, Jim Wedman

Staff: Bret DeRoo, Tracy Lambie, Brian Pincelli

JUNE 2019 MINUTES

Action – Approve

Motion – Mr. Burgess

Second – Mr. Ruth

Abstention –

Motion carried

ZONING AND SUBDIVISION REFERRALS

The following 2 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. Hutteman

Opposed –

Abstention –

Motion carried

Lakeside Estates, Lot 7, 6879 Lakeside Road, T. Ontario

Preliminary/Final Site Plan, Tax Map Ref. No. 61118-00-830414

Single family home on 5.586 acres.

Comments:

- 1) the proposed sanitary sewer system must meet applicable local and/or New York State regulations (e.g. Department of Health, Uniform Fire Prevention and Building Codes),
- 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),
- 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.

Randall Peck Subdivision, 4149 Ridge Road, T. Williamson

Final Site Plan / Final Subdivision Plan, Tax Map Ref. No. 66117-00-013601

Separate multi-use bldg from vacant land, site plan for new created multi-use bldg parcel.

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 regulations/codes (e.g. Department of Health, Uniform Fire Prevention and Building Codes),
- 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) the proposed lots should meet zoning regulations for lot size, potential building setbacks etc.,
- 4) all necessary “cross-lot easements“ should be in place to ensure that existing and potential future developments can maintain their function and compatibility (e.g. access/driveway, parking, utility, etc.).
- 5) future plans (if any) for the total acreage should be considered,
- 6) development must meet NYS Uniform Fire Prevention and Building Codes, including driveway design that includes provision for emergency service vehicle access (if applicable) and
- 7) 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).

Martin Marine Storage Building, 7254 Route 14, V. Sodus Point

Final Site Plan, Tax Map Ref. No. 71118-05-082850

15,000 sq. ft. marine storage/repair/showroom. Brandon Martin presented.

Action – Approve with comments

Motion – Mr. Peters

Second – Mr. Lockwood

Opposed –

Abstention – Mr. Baker

Motion carried

Comments:

- 1) on-site buildings and the overall site should be developed in a manner that helps them remain compatible with surrounding land uses, particularly adjacent residential uses, and is also aesthetically pleasing through use of items such as building design/materials, fencing, berms, landscaping, maintenance, etc.. This is of particular importance given the site’s location on the NYS Seaway Trail, a “gateway” into the Village. As examples, adjacent residential uses could be buffered from the business operations by using a berm and/or fencing and the overall site could be aesthetically enhanced along NYS. Rt. 14 by continued and possibly additional use of landscaping features,
- 2) 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 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. 14,
- 3) details regarding proposed outside display/storage should be verified,
- 4) dust control measures should be considered, and implemented if necessary, for onsite stone/gravel areas,
- 5) all proposed development must meet NYS Uniform Fire Prevention and Building Codes,
- 6) any/all necessary local, federal and state (e.g. FEMA flood zone, NYS Department of Environmental Conservation-Phase II Stormwater Management and Erosion and Sediment Control Regulations) approvals/permits/recommendations must be followed/obtained,
- 7) any/all hazardous/toxic materials that may be associated with the proposed use must be properly stored, handled and disposed of,
- 8) local emergency service providers should review plans to ensure that proposed development can be accessed and served (e.g. ambulance, police and fire),
- 9) future plans (if any) for the total acreage should be considered and

- 10) the property owner(s) should be aware that portions of the parcel may contain (or be near) National wetland area (approximate mapping available online at <http://www.dec.ny.gov/gis/erm/>) and 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.

Frey Road Solar Farm, Frey Road, T. Macedon

Final Subdivision Plan, Tax Map Ref. No. 61113-00-635068

3 lot subdivision - NYSEG requires solar project to be 2 individual parcels. Dan Compitello of Delaware River Solar 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. Catalano

Second – Mr. Hutteman

Opposed –

Abstention – Mr. Baker

Motion carried

Comments:

- 1) 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,
- 2) all necessary “cross-lot easements“ should be in place to ensure that existing and potential future developments can maintain their function and compatibility (e.g. access/driveway, parking, utility, etc.) and
- 3) the applicant(s) should be aware that portions of the parcel may 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.

Kirsten Smith, 211 Lake Road, T. Ontario

Use Variance, Tax Map Ref. No. 61119-00-092379

Single family residence into small event center for hosting events. Kirsten and Drew Smith 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. Guthrie

Second – Mr. Peters

Opposed –

Abstention – Mr. Catalano

Motion carried

Comments:

- 1) the hardship criteria (rules/tests) that are required to grant the use variance must be substantiated at the local level,
- 2) the minimum variance necessary should be considered and
- 3) the property owner(s) should be aware that portions of the parcel may contain (or be near) National wetland area (approximate mapping available online at <http://www.dec.ny.gov/gis/erm/>) and 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.

For reference, the NYS Department of State has a useful reference document available, “**Zoning Board of Appeals**”, on their website @ https://www.dos.ny.gov/lg/publications/Zoning_Board_of_Appeals.pdf.

Details regarding each of the use variance “hardship rules/tests” can be found in this document.

The Board did want to inform the town that they discussed at length the potential impact(s) the proposed business would have on the “essential character of the neighborhood.” Ultimately, the Board felt the most informed decision regarding potentially granting the variance and assessing items such as those related, but not necessarily limited, to “compatibility of various land uses with one another” and “protection of community character as regards predominant land uses, population density, and the relation between residential and nonresidential areas” (as found in General Municipal Law, Section 239-1.2) would be made at the municipal level. They also felt the following additional comments should be considered should the variance be approved at the local level:

- 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, given 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. 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 Lake Rd.,
- 5) there should be an adequate number of dedicated parking spaces available for the intended use and all parking should be on-site (i.e. there should be no “on-road” parking),
- 6) 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). The Board felt that it would be important for a “fire lane” to always be kept clear/open and
- 7) future plans (if any) for the total acreage should be considered, but the Board was under the impression that no additional development is proposed for the parcel.

Other Business:

The board was reminded of an upcoming training opportunity. More information to be sent at a later date.

There being no further business, Mr. Burgess made a motion to adjourn, seconded by Mr. Ruth. The meeting was adjourned at 8:20 PM.

Respectfully submitted,
Tracy Lambie, Secretary