

WAYNE COUNTY PLANNING BOARD

MINUTES

May 27, 2015

Vice-Chairman, Ken Burgess called the May 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: Steve Buisch, Ken Burgess, Robert Burns, Steve Guthrie, Matt Krolak, Dave LeRoy, Larry Lockwood, Robert Peters, Larry Ruth, Ron Thorn

Staff: Bret DeRoo, Tracy Lambie

APRIL 2015 MINUTES

Action – Approve

Motion – Robert Burns

Second – Larry Ruth

Abstention –

Motion carried

ZONING AND SUBDIVISION REFERRALS

Walworth Village Apartments, 3655 High Street, T. Walworth

Area Variance / Special Permit / Preliminary/Final Site Plan, Tax Map Ref. No. 63114-15-654378, 63114-15-643351

51 Unit Senior apartment complex, John Shields presented

Action – Approve with comments

Motion – Mr. LeRoy

Second – Mr. Guthrie

Opposed –

Abstention – Mr. Ruth

Motion carried

Comments:

- 1) the hardship criteria that are required to grant the area variance must be substantiated at the local level,
- 2) the buildings/site should be developed in a manner that helps it 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, etc.,
- 3) any/all necessary local, state and federal (e.g. NYS Department of Environmental Conservation-Stormwater Management and Erosion and Sediment Control Plans, NYS Department of Health) approvals/permits/recommendations must be followed/obtained,
- 4) all proposed development must meet NYS Uniform Fire Prevention and Building Codes and
- 5) local emergency service providers (e.g. police, fire and ambulance) should review final plans to ensure that proposed development can be accessed and served.

Keith May, 2450 Maple Avenue, T. Palmyra

Area Variance, Tax Map Ref. No. 64112-00-557875

20'x24' pole barn

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. Ruth
Second – Mr. LeRoy
Opposed –
Abstention – Mr. Krolak
Motion carried

Comments:

- 1) the hardship criteria that are required to grant the area variance must be substantiated at the local level,
- 2) the on-site septic system must meet NYS Department of Health regulations and
- 3) the property owner/s should be aware that portions of the proposed parcel appear to contain (or be near) National wetland area as well as NYSDEC wetland area and any planning/development should be done in accordance with applicable regulations.

Steve Lader RV Park, 6080 East Port Bay Road, V. Wolcott

Special Permit / Preliminary Site Plan, Tax Map Ref. No. 76117-09-069629

RV Park, Brennan Marks of Marks Engineering presented. This was a Conceptual review only. No action to be taken at this time. This will return at a later date.

Action – No Action

Motion –

Second –

Opposed –

Abstention –

Motion carried

Comments:

The following are items the board felt would help them with review of the proposed site plan and special permit applications:

- the local review procedure for site plan and special permit applications should be clarified (e.g. Preliminary and Final Site Plan reviewed together or separately?),
- pertinent sections of local zoning regulations and the zoning district should be clarified (Section 160-9 regarding “R 3,500 High Density Residential District Regulations”, Section 160-14 regarding “Standards for special permits” and Section 160-15 regarding “Site plan approval” apply to this application?). The Board would like to make sure they understand the zoning requirements for the proposed actions such as materials that should be submitted for the type of application (e.g. Section 160-15.B for site plan?), setback dimensions, buffer/green/open space areas, etc.,
- the site plan should include all features that local zoning regulations require, including natural feature areas that appear to be found on the project site including the FEMA flood zone (mapping available online at <https://msc.fema.gov/portal>) and national wetland areas (mapping available online at <http://www.fws.gov/wetlands/Data/Mapper.html>) and any planning/development should be done in accordance with applicable regulations,
- provide the location of stormwater management and erosion and sediment control structures (that meet Phase II NYS Department of Environmental Conservation regulations and take into consideration the total development),
- all tax parcels included in the project, total project acreage and all proposed project phases (including proposed phasing, total number of campsites in each phase, internal roadways, parking areas, amenities for each - public water and sewer and electric, etc.) should be determined and shown on the site plan and
- SEQR should address the “whole action” (e.g. all phases) as intended by the law and to avoid the potential of being considered a “segmented review”. Please refer to this link for more info: <http://www.dec.ny.gov/permits/45577.html>)

For reference, the following are comments that were made by the Wayne County Planning Board regarding a recently reviewed campground referral:

- 1) the property owner/s should be aware that portions of the two parcels may contain (or be near) FEMA flood zone area (mapping available online at <https://msc.fema.gov/portal>) as well as National wetland area (mapping available online at <http://www.fws.gov/wetlands/Data/Mapper.html>) and any planning/development should be done in accordance with applicable regulations,
- 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, maintaining property line setbacks etc.,
- 3) all proposed development and access (private drives) must meet NYS Uniform Fire Prevention and Building Codes,
- 4) local emergency service providers (e.g. police, ambulance and fire) should review plans to ensure that proposed development can be accessed and served,
- 5) an alternative (2nd) access should be considered and provided if necessary, specifically for an emergency service need or situation,
- 6) any/all necessary local and state (e.g. NYS Department of Environmental Conservation - stormwater management and erosion and sediment control plans and open fire regulation and **NYS Department of Health**) approvals/permits/recommendations must be obtained/followed,
- 7) recommended driving directions should be determined and made to avoid residential areas to the extent practicable,
- 8) on-site traffic circulation and parking provisions (2 spaces /camp site to compensate visitors as well?) and emergency service vehicle access should be defined,
- 9) campsite types should be clarified (i.e. number of permanent sites compared to number of seasonal sites?) and
- 10) future plans (if any) for the total acreage should be considered.

Biscayne Auto Sales, 1130 Route 104, T. Ontario

Preliminary/Final Site Plan, Tax Map Ref. No. 62117-00-242651

Sale of new and used motor vehicles.

Action – Approve with comments

Motion – Mr. Guthrie

Second – Mr. Krolak

Opposed –

Abstention –

Motion carried

Comments:

- 1) on-site traffic circulation, auto display and parking area/s should be determined/delineated,
- 2) driveway sight distances should meet AASHTO (American Association of State Highway and Transportation Officials) recommendations,
- 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 design/materials, fencing, berms, landscaping, etc., particularly given that the parcel is located on the highly traveled NYS Rt. 104,
- 5) “operational noises” should be mitigated (i.e. noise generated by business activity should not impact nearby residential uses),
- 6) outside storage should be limited (e.g. equipment in disrepair should not be permitted to accumulate),
- 7) any /all hazardous/toxic materials must be properly stored, handled and disposed of,
- 8) the building must meet applicable NYS Uniform Fire Prevention and Building Codes,
- 9) any/all necessary local and state (e.g. NYS Department of Environmental Conservation) approvals/permits/recommendations must be followed/obtained and

10) the property owner/s should be aware that portions of the parcel may contain (or be near) FEMA flood zone area and any planning/development should be done in accordance with applicable regulations.

Michael Braun, 6123 Ridge Road, T. Sodus

Special Permit, Tax Map Ref. No. 68117-00-495901, 68117-00-493925

To keep farm animals

Action – Disapprove with comments

Motion – Mr. Buisch

Second – Mr. Ruth

Opposed –

Abstention – Mr. LeRoy

Motion carried

Comments:

The Board recommended disapproval of the special permit application based on there being a lack of information. For example, no information was provided specifically indicating what types of farm animals will be kept and no sketch was included to show where the animals would be housed or pastured. The applicant did not attend the meeting and the board was therefore unable to have a dialogue that would help determine if this proposal could be compatible with surrounding land uses.

Troy Dobbertin, 3809 Stalker Road, T. Walworth

Home Occupation, Tax Map Ref. No. 61114-09-187567

Landscaping and snow plowing business

Action – Disapprove with comments

Motion – Mr. Krolak

Second – Mr. Burns

Opposed –

Abstention – Mr. Ruth

Motion carried

Comments:

The Board recommended disapproval of the “Home Occupation, Major-Category B” application based on there being a lack of information. The Board was unable to accurately assess the scope of the business (e.g. quantity/type of equipment stored outdoors, on-site processing taking place?, maintenance done on-site, any employees?) given the sketch plan that was provided with the permit application. The applicant did not attend the meeting and the board was therefore unable to have a dialogue that would help them consider the “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”.

The following 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. Ruth

Second – Mr. Thorn

Opposed –

Abstention –

Motion carried

Donald Dwello, 5808 Route 14, T. Sodus

Special Permit, Tax Map Ref. No. 71117-18-403069

Keep 15 chickens

Comments:

- 1) the property owner/s should be aware that portions of the proposed parcel appear to contain (or be near) FEMA flood zone area and any planning/development should be done in accordance with applicable regulations.

Daniel & Michelina Minguela, 2835 Route 350, T. Macedon

Area Variance, Tax Map Ref. No. 63113-00-045350

Pole barn larger than residence

Comments:

- 1) the hardship criteria that are required to grant the area variance must be substantiated at the local level,
- 2) the on-site septic system must meet NYS Department of Health regulations and
- 3) the Town may wish to review applicable regulations to determine if they still meet intended objectives should there be repeated requests for similar variances.

Other Business:

Mr. LeRoy was thanked for his time on the board as he has announced his resignation. He introduced Mr. Ron Baker who is a potential new rep for the Town of Sodus.

Mr. Peters was welcomed as the new rep for the Town of Williamson.

A motion was made by Mr. Ruth to adjourn the meeting. Seconded by Mr. Burgess

There being no further business, the meeting was adjourned at 8:00 PM.

Respectfully submitted,
Tracy Lambie, Secretary