

**WAYNE COUNTY PLANNING BOARD**  
**MINUTES**  
February 29, 2012

Steve Buisch called the February meeting of the Wayne County Planning Board to order at 7:00 p.m. in the Court House in Lyons, New York.

Present: David Broach, Steve Buisch, Dave LeRoy, Larry Lockwood, Kevin Rooney, Larry Ruth, Jim Switzer, Ron Thorn, Roger VanDemortel, Ken VandeWalle

Staff: Bret DeRoo, Tracy Lambie

Guests: Bob Hutteman (Eastview Dialysis), Albert Drake (Drake Subdiv.), Lee Sinsebox (Cardella)

**JANUARY 2012 MINUTES**

**Action** – Approve

**Motion** – Mr. Switzer

**Second** – Mr. VanDemortel

**Abstention** –

**Motion carried**

**ZONING AND SUBDIVISION REFERRALS**

**Wayne County Dialysis, West Shore Boulevard, V. Newark**

Final Site Plan, Tax Map Ref. No: 67111-20-929175

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7,480 sq. ft. medical building

**Action** – Approve with Comments

**Motion** – Mr. Ruth

**Second** – Mr. VanDemortel

**Opposed** –

**Abstention** –

**Motion carried**

**Comment:**

The building and site should be developed in an aesthetically pleasing manner (through use of building design/materials, landscaping, screening, etc.). Landscaping/buffering plans could be used to help the industrial park remain compatible with surrounding land uses (e.g. residential uses located on Stuart Avenue).

**Randy and Anna Drake, 4053 North Creek Road, T. Palmyra**

Final Subdivision Plan, Tax Map Ref. No. 65112-00-909019, 65112-00-888228

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Subdivision, boundary line adjustment

**Action** – Approve with Comments

**Motion** – Mr. Switzer

**Second** – Mr. Rooney

**Abstention** –

**Motion carried**

**Comments:**

- 1) all 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,
- 2) all proposed lots 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 and
- 3) future plans for the total holdings should be considered.

**Cardella Development, 1775 Ridge, 1818 and 1782 Route 104, T. Ontario**

Area Variance, Tax Map Ref. No. 63117-09-093653, 63117-09-062660, 63117-09-054617

60 unit apartments, used car sales, recreational vehicle dealership

**Action** – Approve with Comments

**Motion** – Mr. Switzer

**Second** – Mr. Ruth

**Opposed** –

**Abstention** –

**Motion carried**

**Comments:**

- 1) The hardship criteria required to grant the front setback variance for Building #900 will need to be substantiated at the local level,
- 2) driveway sight distances should meet A.A.S.H.T.O. recommendations and also be protected from the reduction that could result from use of nearby parking areas,
- 3) there should be a “No Parking Zone” within several feet of both sides of the Ridge Road driveway. Although Ridge Road is a Wayne County Highway, it is understood that the Town has the authority to modify/enforce parking and signage regulations that pertain to the Ridge Road right-of-way.
- 4) a flashing pedestrian crossing sign and painted crosswalks should be considered to help pedestrians safely cross from the development to the Wayne Central School property across the road.

**Paul and Melissa Loren, 4185 White Road, T. Marion**

Preliminary Site Plan, Tax Map Ref. No. 66115-00-980122

Mobil home for storage, office

**Action** – Deny with Comments

**Motion** – Mr. Rooney

**Second** – Mr. Switzer

**Abstention** –

**Motion carried**

**Comments:**

The Board felt that creating office/storage space in a converted mobile home would not be compatible with other land uses found in the Agriculture-Conservation Zone. The Board noted that the hardship criteria required to grant the use variance will need to be substantiated at the local level and also discussed the precedent that approving this referral could potentially set in the Town as well as County.

**Joe Mander, 3728 DeNeering Road, T. Marion**

Preliminary Subdivision Plan, Tax Map Ref. No: 66114-00-646470

2 lots

**Action** – Approve with Comments

**Motion** – Mr. Ruth

**Second** – Mr. VanDemortel

**Abstention –**  
**Motion carried**

**Comments:**

- 1) the proposed lots 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 and
- 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.

**Pulcini’s Farm Market, Route 21 North, T. Palmyra**  
**Special Use Permit, Tax Map Ref. No. 71119-18-392157**

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**Action – Deny with Comments**

**Motion – Mr. Ruth**

**Second – Mr. VanDemortel**

**Abstention –**

**Motion carried**

**Comments:**

The Board was not necessarily opposed to the business, but no site plan information was provided that would help determine the compatibility of the proposed business with surrounding land uses. The Board wanted to ensure that:

- 1) the proposal is compatible with surrounding land uses (landscaping/buffering plans could be used to help the farm market proposal blend with surrounding land uses),
- 2) a NYS Department of Transportation driveway permit is obtained for any new driveway,
- 3) driveway sight distances meet American Association of State Highway and Transportation Officials (AASHTO) recommendations,
- 4) septic meets NYS Department of Health regulations and
- 5) the building and site are developed in an aesthetically pleasing manner (through use of building design/materials, landscaping, screening, etc.) as the parcel is located on the highly traveled NYS Rt. 21.

**Schmucker Sales, 4606 Route 414, T. Rose**  
**Special Use Permit, Tax Map Ref. No. 74115-00-047584**

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Pre-manufactured shed sales

**Action – Approve with Comments**

**Motion – Mr. Rooney**

**Second – Mr. Ruth**

**Abstention –**

**Motion carried**

**Comments:**

- 1) the proposed use should be implemented in a manner that will remain compatible with surrounding land uses (i.e. landscaping/buffering plans could be used to help the display/sales proposal blend with surrounding residential land uses),
- 2) a work permit should be obtained from the NYS Department of Transportation for any new driveway,
- 3) driveway sight distances should meet American Association of State Highway and Transportation Officials (AASHTO) recommendations,
- 4) display sheds should not impede available sight distances and
- 5) the site should be developed and maintained in an aesthetically pleasing manner through use of landscaping, screening, etc. as the parcel is located on the highly traveled NYS Rt. 414.

**Savannah Zoning, T. Savannah**  
Amend Text / Amend Map,

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**Action** – Approve with Comments

**Motion** – Mr. Switzer

**Second** – Mr. Rooney

**Abstention** – Mr. Broach

**Motion carried**

**Comments:**

- 1) the zoning 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, “Adopting Zoning for the First Time” (available at [http://www.dos.ny.gov/lg/publications/Adopting\\_Zoning\\_for\\_the\\_First\\_Time.pdf](http://www.dos.ny.gov/lg/publications/Adopting_Zoning_for_the_First_Time.pdf)) and
- 2) the Town attorney should review and approve the proposed law.

The Board also recommended that the Town consider the following items:

- **Section 302, B**-Increasing the Zoning Board of Appeals membership from 3 to 5
- Including the Wayne County Planning Board review procedure in appropriate articles/sections (i.e. **Section 309, D** should be clarified). General Municipal Law Section 239-m.3(a) lists the actions that are subject to county planning board referral.
- **Section 605**, Reviewing this section, as it relates to Temporary Political signs, to ensure that it is legal. Additional information can be referenced in the James A. Coon Local Government Technical Series, “Municipal Control of Signs” (available at [http://www.dos.ny.gov/lg/publications/Municipal\\_Control\\_of\\_Signs.pdf](http://www.dos.ny.gov/lg/publications/Municipal_Control_of_Signs.pdf))
- Adding a section regarding “excavation and fill” (e.g. gravel pits)
- Increasing the proposed minimum height of non-commercial WECS (100’ max if on 10 or more acres) to minimize the potential need for variances. The Board has reviewed several non-commercial WECS, countywide, that have ranged in height from 120’ to 160’ above ground level to the tip of blade.
- Including the entire Town in the final **Zoning Map**

**Stone Goose Enterprises, Inc., 7168 Sodus Center Road, T. Sodus**  
Special Use Permit, Tax Map Ref. No. 76118-00-983883

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Transfer of current permit for gravel pit

**Action** – Approve with Comments

**Motion** – Mr. Ruth

**Second** – Mr. Rooney

**Abstention** – Mr. LeRoy

**Motion carried**

**Comments:**

All applicable local, state (NYSDEC Mining Permit) and federal regulations should be met.

**Kincaid Subdivision, 6672 Briscoe Cove Road, T. Sodus**  
Preliminary Subdivision Plan, Tax Map Ref. No. 71118-00-845136

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**Action** – Approve with Comments

**Motion** – Mr. Rooney

**Second** – Mr. Switzer

**Abstention** – Mr. LeRoy

**Motion carried**

**Comments:**

- 1) the proposed lots 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 (bay water quality issue) and
- 2) future plans for the total holdings should be considered.

**The following referrals were reviewed and determined to be of no intermunicipal or countywide impact.**

**Action** – Return these referrals to their respective town/village to be handled as local matters.

**Motion** – Mr. Switzer

**Second** – Mr. Ruth

**Abstention** –

**Motion carried**

**Krohn barn, 10154 Miner Road, T. Rose**

Area Variance, Tax Map Ref. No. 73115-00-521411

Enlarge barn

**Comments:**

- 1) the hardship criteria required to grant the area variance should be substantiated at the local level,
- 2) the applicant should be aware that the property appears to contain, or be near, FEMA flood zone area and applicable regulation/s (if any) should be met and
- 3) an adequate setback area should remain between the proposed barn and property boundaries to allow for construction, maintenance ,etc. of the proposed barn from this parcel.

**NAS Sign Company, 1241 Route 31, T. Macedon**

Area Variance, Tax Map Ref. No. 62111-06-389762

Additional building mounted sign

**Comments:**

- 1) the hardship criteria required to grant the area variances (proposed increase in number and square footage of signs) must be substantiated at the local level and
- 2) the sign/s should be similar in character to others found in the General Commercial zone and surrounding properties.

**Robert Stanton, 2720 NYS Route 350, T. Macedon**

Prelim. / Final Subdivision Plan, Tax Map Ref. No. 63113-00-213171

Subdivide along previous lines

**Comments:**

- 1) the proposed lot 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,
- 2) the proposed lot 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 and
- 3) future plans for the total holdings should be considered.

There being no further business, the meeting was adjourned at 8:30 PM.

Respectfully submitted,  
Tracy Lambie, Secretary