

WAYNE COUNTY PLANNING BOARD
MINUTES
April 25, 2012

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

Present: Steve Buisch, Ken Burgess, Monica Deyo, Steve Guthrie, Dave LeRoy, Larry Ruth, Jim Switzer, Ron Thorn, Roger VanDemortel

Staff: Bret DeRoo, Tracy Lambie

Guests: Gary Smith (Candy Apple), Ora Rothfuss (Candy Apple), Carleen Uimonen (Candy Apple)

Mr. Buisch started the meeting by welcoming new County Planning Board member Kenneth Burgess representing the Town of Wolcott.

MARCH 2012 MINUTES

Action – Approve

Motion – Mr. Switzer

Second – Mr. Ruth

Abstention –

Motion carried

ZONING AND SUBDIVISION REFERRALS

Candy Apple Pre-School, West Shore Boulevard, V. Newark

Preliminary / Final Site Plan, Tax Map Ref. No: 67111-20-871188

Action – Approve with Comments

Motion – Mr. Ruth

Second – Mr. Switzer

Opposed –

Abstention –

Motion carried

Comments:

- 1) the building and site should be developed in an aesthetically pleasing manner (through use of building design/materials, landscaping, screening, etc.),
- 2) there should be adequate space for outdoor activity,
- 3) proposed on-site traffic circulation and parking areas should be compatible with proposed outdoor activity areas and
- 4) stormwater management and erosion and sediment control measures must meet NYS Department of Environmental Conservation Phase II regulations.

Frank Ferri, Route 350, T. Macedon

Preliminary / Final Site Plan, Tax Map Ref. No. 62112-00-776323

Concrete business warehouse

Action – Approve with Comments

Motion – Mr. Guthrie

Second – Mrs. Deyo

Abstention –
Motion carried

Comments:

- 1) a driveway permit should be obtained from the NYS Department of Transportation,
- 2) toxic/hazardous materials should be properly stored, handled and disposed of,
- 3) outside storage (stone, block, equipment, etc.) should be limited and buffered from sight should there be any,
- 4) building design/materials, landscaping, property maintenance and buffering/screening should be used to help the proposal remain compatible with neighboring land uses and aesthetically pleasing from the highly traveled NYS Rt. 350 and
- 5) the proposed septic system must meet NYS Department of Health regulations.

Edith Onusseit, 106 Wilkinson Road, T. Macedon

Area Variance, Tax Map Ref. No. 61110-00-017927

Parking for horse shows

Action – Deny with Comments

Motion – Mr. Ruth

Second – Mr. Guthrie

Opposed –

Abstention –

Motion carried

Comments:

The Board does not necessarily wish to discourage the proposed horse shows, but based on the information provided they had unanswered concerns/questions regarding the following:

- 1) associated traffic impacts. It appears that driveway sight distance to the east is limited. The Board felt this is an important consideration given that several vehicles with trailers are expected at the shows and
- 2) community character/compatibility issues. They felt the proposal has the potential to generate noise and dust at levels that are not compatible with surrounding land uses, particularly if the requested variance is granted.

Zoning Modifications, T. Macedon

Amend Text

Areas zoned ORM – allow campgrounds as special use permits

Action – Approve with Comments

Motion – Mr. Switzer

Second – Mr. Ruth

Abstention –

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” (i.e. consistent with a planning strategy that is a community/public benefit),
- 2) the Town attorney should review and approve the proposed amendments and
- 3) areas zoned as ORM in the entire town should be examined to help ensure that a campground would be compatible with existing ORM land uses.

Phil's Automotive, 1364 Route 104, T. Ontario
Area Variance, Tax Map Ref. No: 62117-11-539652

Freestanding sign

Action – Approve with Comments

Motion – Mr. Ruth

Second – Mr. Guthrie

Abstention –

Motion carried

Comments:

- 1) the sign design/installation should remain consistent with other signs found in similar zones and areas of the town,
- 2) any necessary NYS Department of Transportation reviews/approvals must be obtained,
- 3) the sign should not (negatively) impact sight distances and
- 4) the hardship criteria required to grant the area variance must be substantiated at the local level.

Land Development Regulations and Public Safety Requirements, T. Ontario

Amend Text,

Action – Approve with Comments

Motion – Mr. Switzer

Second – Mr. VanDemortel

Abstention –

Motion carried

Comments:

- 1) the Town attorney should review and approve the modifications,
- 2) Section 154-65, Front Setback Modification, should be reviewed to ensure the proposed planning board “discretionary power” does not encroach on ZBA authority and
- 3) Section 154-70, General Provisions to include electronic submittal, should be modified to include reference to GPS/GIS (Geographic Information System) records.

Home Plate Hots and Juliebug Boutique, 11319 Lyman Road, T. Rose

Use Variance, Tax Map Ref. No. 74115-00-901738

Motion to Deny was made by Mr. Switzer and seconded by Mr. Ruth. After further discussion the motion and second were withdrawn and a new motion was made.

Action – Approve with Comments

Motion – Mr. Ruth

Second – Mr. LeRoy

Abstention – Mr. Guthrie

Motion carried

Comments:

- 1) proposed driveway sight distances should meet AASHTO (American Association of State Highway and Transportation Officials) recommendations,
- 2) all applicable NYS Department of Health and NYS Uniform Fire Prevention and Building Codes/regulations must be met and
- 3) the hardship criteria required to grant the use variance must be substantiated at the local level.

John Breen wind turbine, 12631 Cemetery Road, T. Wolcott

Use Variance, Tax Map Ref. No. 76119-00-612736

Action – Approve with Comments

Motion – Mr. Ruth

Second – Mr. Guthrie

Abstention –

Motion carried

Comments:

- 1) turbine noise level data should be provided and the levels should not create a public nuisance,
- 2) the turbine should be installed by a certified installer,
- 3) if mounted to an existing structure, a licensed engineer should verify that there is (structural) capacity to meet the load requirements of the WECS,
- 4) an interconnection agreement (which includes technical, contractual, rate and metering issues) should be in place with the applicable utility company should the WECS be connected to the electric utility system or grid,
- 5) if applicable, the proposal must be in compliance with FAA regulations,
- 6) anti-climb shields should be intact,
- 7) the fall zone should be completely contained on the applicant's property and
- 8) there should be no structures within the fall zone.

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

Infinite Audio, 1116 Route 31, T. Macedon

Area Variance, Tax Map Ref. No. 62111-00-219720

4 sign requested

Comment:

- 1) the hardship criteria required to grant the area variance are substantiated at the local level.

Ann Fladd, 1649 Paddy Lane, V. Macedon

Prelim. / Final Subdivision Plan, Tax Map Ref. No. 62111-12-885606

Realty Subdivision

Comment:

- 1) future plans for the total holdings should be considered.

Gary and Sandra Alborn, 1720 Ridge Road, T. Ontario

Area Variance, Tax Map Ref. No. 62117-12-977575

Accessory structure

Comments:

- 1) the proposed accessory structure should have no impact on the Town's sanitary sewer and/or drainage easements that are located on the parcel and
- 2) the hardship criteria required to grant the area variance must be substantiated at the local level.

Charles Paparone, 880 Lake Road, T. Ontario
Area Variance, Tax Map Ref. No. 61119-00-915246
Accessory structure

Comments:

- 1) the proposed accessory structure should not impact either the Lakeside Road or Lake Road right of way and
- 2) the hardship criteria required to grant the area variance must be substantiated at the local level.

Sign and Lighting Services, LLC, 530 Route 104, T. Ontario
Area Variance, Tax Map Ref. No. 61117-00-478597
Addition to existing building

Comment:

- 1) the hardship criteria required to grant the area variance are substantiated at the local level.

Bedell Garage, 5104 Lasher Road, T. Rose
Area Variance, Tax Map Ref. No. 74116-00-920187
Garage

Comments:

- 1) the proposed garage should meet NYS Department of Health separation distance requirements from the existing septic system,
- 2) an adequate setback area should remain between the proposed garage and property boundaries to allow for construction, maintenance, etc. of the proposed structure from this parcel and
- 3) the hardship criteria required to grant the area variance must be substantiated at the local level.

Bob Mills 7061 Bay View Drive, V. Sodus Point
Preliminary Subdivision Plan, Tax Map Ref. No. 71118-09-214621

Waldron Subdivision, 5380 Lincoln Road, T. Walworth
Area Variance, Tax Map Ref. No. 61116-00-787556

Comments:

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

Bedrock (Pontarella) 5151 Lincoln Road, T. Walworth
Preliminary / Final Subdivision Plan, Tax Map Ref. No. 61116-00-631237

Comments:

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

William Dougherty, 4173 Lake Road, T. Williamson

Area Variance, Tax Map Ref. No. 66119-09-046644

Extend garage

Comments:

- 1) the Wayne County Highway Department should review the proposed plan to be sure that the planned garage addition does not impact the Lake Road right of way. The Board was concerned with the potential traffic-related impacts that could be associated with constructing a garage close to the road, while also near a sharp curve and
- 2) the hardship criteria required to grant the area variance must be substantiated at the local level.

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

Respectfully submitted,
Tracy Lambie, Secretary