

## WAYNE COUNTY PLANNING BOARD

### MINUTES

May 30, 2012

Steve Buisch called the May 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 Lockwood, Larry Ruth, Jim Switzer, Ron Thorn, Roger VanDemortel, Ken VandeWalle

Staff: Bret DeRoo, Tracy Lambie

Guests: no guests

### APRIL 2012 MINUTES

**Action** – Approve

**Motion** – Mr. Switzer

**Second** – Mr. Ruth

**Abstention** –

**Motion carried**

### ZONING AND SUBDIVISION REFERRALS

**Lopez Tackle Box restaurant, 9648 Ridge Road, T. Huron**

Special Permit, Tax Map Ref. No: 72117-16-891467

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Take out restaurant

**Action** – Approve with Comments

**Motion** – Mr. Switzer

**Second** – Mrs. Deyo

**Opposed** –

**Abstention** – Mr. Lockwood

**Motion carried**

### **Comments:**

- 1) all applicable NYS Department of Environmental Conservation, NYS Department of Health and NYS Uniform Fire Prevention and Building Codes/regulations must be met,
- 2) the on-site septic system should not be impacted by the proposed development or traffic/parking areas,
- 3) traffic impacts should be clarified/determined; driveway ingress/egress, on-site traffic circulation and the parking area should be clearly defined in an effort to implement on-site safety (e.g. buffer/separate seating from traffic areas) as well as efficient traffic flow along Ridge Road (e.g. do not create the need to back vehicles onto Ridge Road),
- 4) the property should be developed in an aesthetically pleasing manner (i.e. through use of items such as landscaping and screening),
- 5) the site/building should be well-maintained (i.e. the site should be free of garbage/debris and refuse containers should be animal-proof) based on the proximity to Great Sodus Bay and location on the Seaway Trail and
- 6) the Special Use Permit should be reviewed periodically (e.g. annually) to ensure the operation remains in compliance with all applicable conditions and codes/regulations. The Board understood that this special use permit request was for a seasonal, not year-round, operation.

**Salvatore's Pizzeria, 6200 County Line Road, T. Ontario**  
Area Variance / Special Permit, Tax Map Ref. No. 60117-12-931548  
Building sign and pizzeria

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**Action** – Approve with Comments

**Motion** – Mr. Guthrie

**Second** – Mr. Ruth

**Abstention** –

**Motion carried**

**Comments:**

- 1) all applicable NYS Department of Health and NYS Uniform Fire Prevention and Building Codes/regulations must be met,
- 2) building location, parking area, rights-of-way, setbacks, traffic patterns, (outdoor seating area/s?), etc. should be illustrated on a scaled site plan to help further assess items such as on-site traffic circulation and overall traffic impacts,
- 3) planned traffic patterns should be further defined with visual markers such as in/out signs,
- 4) all development must remain clear of the NYS Rt. 104 and County Line Rd. rights-of-way and
- 5) the special use permit should be reviewed periodically (e.g. annually) to ensure the operation remains in compliance with all applicable conditions and codes/regulations.

**Gina Specksgoor, 7997 Munson Road, T. Sodus**  
Special Permit, Tax Map Ref. No. 68119-00-219379  
Animal shelter

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**Action** – Deny with Comments

**Motion** – Mr. Ruth

**Second** – Mr. Switzer

**Opposed** – Mr. Guthrie

**Abstention** – Mr. LeRoy

**Motion carried**

**Comments:**

The Board was not necessarily opposed to the development concept, but felt they needed additional information to help consider the proposal's compatibility with adjacent land uses and community character as well as other items such as associated drainage and traffic impacts. They had hoped that someone would attend the meeting to discuss/represent the referral, but no one was present.

**Local Law No. 1 of 2012, T. Sodus**  
Amend Text

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**Action** – Approve with Comments

**Motion** – Mr. Switzer

**Second** – Mr. Ruth

**Abstention** – Mr. LeRoy

**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) and
- 2) the Town attorney should review and approve the proposed amendments.

The Board also had the following comments:

- 1) definitions and terms of use for “mobile home”/“manufactured home”, “junk”/“salvage yard”, “farm labor housing”, “plat” and “building line” should be verified,
- 2) the “Town of Sodus Zoning Map”, June 2012, should include all proposed districts (and abbreviations) in the legend (“Agriculture”-A seems to be missing).
- 3) the proposed zone names and abbreviations (i.e. “C-1”) should match and be shown on the proposed map as well as in the “Use Regulations” and
- 4) for quick reference, the map should include dimensions for proposed districts where feasible (e.g. 250’ from centerline of road).

**Local Law No. 4 of 2012, T. Walworth**

Amend Text

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**Action** – Approve with Comments

**Motion** – Mr. Switzer

**Second** – Mr. VanDemortel

**Abstention** – Mr. Ruth

**Motion carried**

**Comments:**

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

**Brian Cuvelier, 4430 Lake Road, T. Williamson**

Preliminary / Final Subdivision Plan

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4 lot subdivision

**Action** – Approve with Comments

**Motion** – Mr. Ruth

**Second** – Mr. Thorn

**Abstention** – Mr. VandeWalle

**Motion carried**

**Comments:**

- 1) there should be a maintenance agreement for the proposed shared driveway,
- 2) there should be appropriate utility easements,
- 3) a driveway permit should be obtained from the Wayne County Highway Department,
- 4) all applicable NYS Uniform Fire Prevention and Building Codes should be met and
- 5) emergency service vehicle access should be planned and provided for.

**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** – Mrs. Deyo

**Abstention** –

**Motion carried**

**David Tobin, 2541 West Walworth Road, T. Macedon**  
Area Variance, Tax Map Ref. No. 61112-00-453951

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Accessory structure larger than house

**Comment:**

- 1) the hardship criteria required to grant the area variance are substantiated at the local level.
- 2) The applicant should be aware that the parcel appears to contain both National and NYSDEC wetland areas.

**Bear Hill Holdings, LLC, 1121 Johnson Road, T. Palmyra**  
Special Permit, Tax Map Ref. No. 64111-00-868106

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Pond

**Comment:**

- 1) drainage impacts should be reviewed by the applicable (i.e. local, county or state) highway department,
- 2) the applicant should be aware that the parcel appears to contain both National and NYSDEC wetland areas and any applicable approval/permits that are required by those agencies should be obtained and
- 3) the USDA Natural Resources Conservation Service and Wayne County Soil and Water Conservation District do offer technical assistance regarding pond development/maintenance.

**Jeffery & Paula Smith, 4394 Hogback Hill Road, T. Palmyra**  
Special Permit, Tax Map. Ref. No. 66111-00-230754

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Pond

**Comments:**

- 1) drainage impacts should be reviewed by the applicable (i.e. local, county or state) highway department,
- 2) the applicant should be aware that the parcel appears to contain both National and NYSDEC wetland as well as FEMA flood zone areas and any applicable approvals/permits that are required by those agencies should be obtained and
- 3) the USDA Natural Resources Conservation Service and Wayne County Soil and Water Conservation District do offer technical assistance regarding pond development/maintenance.

**Other Business:**

Information provided from Town of Sterling Planning Board. Letter of intent regarding Proposed Residential PDD that extends into Wayne County.

**Motion made by Mr. Switzer, seconded by Mr. Burgess** to send a letter acknowledging receipt of intent to the Town of Sterling Planning Board. **Motion carried.**

Information provided regarding International Joint Commission public information session on June 7, 2012 at 7:00 PM at the Williamson High School Auditorium.

There being no further business, the meeting was adjourned at 8:50 PM.

Respectfully submitted,  
Tracy Lambie, Secretary