

WAYNE COUNTY PLANNING BOARD

MINUTES

August 28, 2013

Vice-Chairman, Dave LeRoy called the August 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, Matt Krolak, Dave LeRoy, Larry Lockwood, Mike Melino, Mike Schuth

Staff: Bret DeRoo, Tracy Lambie

Guests: Alfred I. LaRue (McMahon LaRue, Dunkin Donuts), Neal Zimmerman, Nan Chen, Rodney Finewood

JULY 2013 MINUTES

Action – Approve

Motion – Mr. Guthrie

Second – Mr. Schuth

Abstention –

Motion carried

ZONING AND SUBDIVISION REFERRALS

Dunkin Donuts, 246 East Union Street, V. Newark

Approval of alteration of site plan, Tax Map Ref. No. 68111-19-501064, 68111-18-491065

Alterations to existing Dunkin Donuts drive lane and parking, Alfred LaRue of McMahon LaRue presented.

Action – Approve with Comments

Motion – Mr. Melino

Second – Mrs. Deyo

Opposed – Mr. Guthrie

Abstention –

Motion carried

Comments:

- 1) any/all necessary NYS Department of Transportation permits must be obtained,
- 2) the current site plan (dated August 05, 2013) should be modified in an effort to improve the relationship between on-site parking areas and traffic flow. The Board was concerned there would be on-site (vehicular) congestion given the proximity of the handicapped parking space to the central driveway (two-way traffic). The Board felt the design could be made safer by changing the central driveway to “Exit Only” rather than two-way as proposed and ultimately create a traffic pattern that generally flows from east to west across the site,
- 3) the proposed patio area (near East Union Street) should be reviewed to determine if it is in the safest area possible, and moved and/or protected (e.g. cement flower pot/s?) if not and
- 4) the alterations should comply with the design/maintenance items (e.g. building design/materials, landscaping, etc.) that the Village of Newark recommends for the highly traveled NYS Rt. 31/Union Street and NYS Canal Corridor.

Neal Zimmerman, 3948 N. Main Street, T. Marion

Special Permit, Tax Map Ref. No. 65114-00-992745

Continuation of grocery store with storage additions.

Action – Approve with Comments

Motion – Mr. Guthrie

Second – Mrs. Deyo

Opposed –

Abstention –

Motion carried

Comments:

- 1) a site plan should ultimately be provided that meets Marion’s Zoning Code Requirements for the proposed use/additions,
- 2) development should be done in accordance with all applicable regulations (e.g. NYS Department of Environmental Conservation) that pertain to the underground storage tanks and
- 3) development must meet NYS Uniform Fire Prevention and Building Codes.

Nan Chen, 214 South Main Street, V. Newark

Use Variance, Tax Map. Ref. No, 68111-18-356001

Convert 2nd story into one apartment

The following referral was reviewed and determined to be of no intermunicipal or countywide impact:

Action – Return to Village to be handled as a local matter

Motion – Mr. Guthrie

Second – Mr. Buisch

Opposed –

Abstention –

Motion carried

Comments:

- 1) the hardship criteria that are required to grant the use variance must be substantiated at the local level,
- 2) modifications must meet NYS Uniform Fire Prevention and Building Codes,
- 3) the site should be developed in a manner that complies with the design/maintenance items (e.g. building design/materials, landscaping, etc.) that the Village of Newark recommends for the highly traveled NYS Rt. 88/Main Street and NYS Canal Corridor area and
- 4) the Village may wish to review current zoning regulations to determine if they still meet intended goals should there be repeated requests for similar variances such as this.

Finewood Enterprises, 213 West Union Street, V. Newark

Special Permit, Tax Map Ref. No. 68111-18-267051

Penske truck rental business

Action – Approval with comments

Motion – Mr. Guthrie

Second – Mr. Buisch

Opposed –

Abstention –

Motion carried

Comments:

- 1) any/all toxic/hazardous materials must be properly stored, handled and disposed of, particularly if truck maintenance is ever done on-site,
- 2) trucks should not be displayed in areas that will impede driveway sight distances. For example, the display vehicles should be parked at least five feet (5’) back from the sidewalk to compensate for recommended sight distances,

- 3) the site should be developed in a manner that complies with the design/maintenance items (e.g. building design/materials, landscaping, etc.) that the Village of Newark recommends for the highly traveled NYS Rt. 31/Union Street and NYS Canal Corridor and
- 4) given the number and types of businesses that occupy this site, the Board felt it would be helpful to have a scaled site plan that illustrates the building location as well as floor plan/s, associated businesses, respective parking areas and on-site traffic circulation. The information could be useful for emergency service providers to have also.

M. Wulfert Estate Subdivision, 1340 & 1354 Lake Road, T. Ontario

Preliminary / Final Subdivision Plan, Tax Map Ref. No. 62119-00-497288, 62119-00-517096

3 lot realty subdivision, Lot 1 – 2.439 acres, Lot 2 - 6.088 acres, Lot 3 – 56.7 acres

Action – Approval with comments

Motion – Mr. Burgess

Second – Mrs. Deyo

Opposed –

Abstention – Mr. Melino

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,
- 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,
- 3) future plans (if any) for the total acreage should be considered and
- 4) the applicant should be aware that the parcel may contain FEMA flood zone area and any planning/development should be done in accordance with applicable regulations.

D. Chilson Subdivision, 4671 Walworth-Ontario Road, T. Walworth

Preliminary / Final Subdivision Plan, Tax Map Ref. No. 63115-00-438677

2 lot realty subdivision, Lot 1 – 27 acres, remaining – 50.4 acres

Action – Approval with comments

Motion – Mr. Melino

Second – Mrs. Deyo

Opposed –

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,
- 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 and
- 3) future plans (if any) for the total acreage should be considered and
- 4) the property owner/s should be aware that portions of the parcel may contain both National wetland as well as FEMA flood zone area and any planning/development should be done in accordance with applicable regulations.

Voelckers Subdivision, 703 Walworth-Penfield Road, T. Walworth

Preliminary / Final Subdivision Plan, Tax Map Ref. No.61114-00-684387

2 lot realty subdivision, convey +/- 3.7 acres to 61114-00-675519

Action – Approval with comments

Motion – Mr. Buisch

Second – Mr. Lockwood

Opposed –

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,
- 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 and
- 3) future plans (if any) for the total acreage should be considered.

Other Business:

The Board was given training reminders.

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

Respectfully submitted,
Tracy Lambie, Secretary