

WAYNE COUNTY PLANNING BOARD
MINUTES
October 26, 2011

Larry Lockwood called the October 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, Nelson Cook, Monica Deyo, Steve Guthrie, Dave LeRoy, Larry Lockwood, Kevin Rooney, Larry Ruth, Jim Switzer, Ron Thorn, Roger VanDemortel, Ken VandeWalle

Staff: Bret DeRoo, Tracy Lambie

Guests: Jacque Ruth, Brenda Lockwood, Courtney Eisenmenger, Jeff Spring, Debra Dammert, Mary Pinkerton, Pete Pinkerton, Douglas Weeks, Barbara Carley, Randall Seavert, Michael T. Kunzer, Sam Malone, Fred Walker, Pat Cannan, Al Schoonmaker, Duane Piede, Brian Bannerman, William Hughes, Don Lewis, Rick Nudd

AUGUST 2011 MINUTES (September 2011 meeting was canceled)

Action – Approve

Motion – Mr. Switzer

Second – Mr. Buisch

Abstention –

Motion carried

ZONING AND SUBDIVISION REFERRALS

Studio for the Performing Arts, 1500 Welcher Road, T. Arcadia

Special Use Permit, Tax Map Ref. No: 68111-00-535658

Dance/gymnasium

Action – Approve with conditions

Motion – Mr. Switzer

Second – Mr. Ruth

Opposed –

Abstention –

Motion carried

Conditions:

- 1) the parcel and building should be confirmed to be environmentally sound,
- 2) the septic system must meet NYS Department of Health regulations and
- 3) items that are stored in the other portion of the building must be compatible with the studio use.

Sign and Lighting Services, LLC. 530 Route 104, T. Ontario

Area Variance, Tax Map Ref. No: 61117-00-478597

Add 2 LED board signs to existing sign

Action – Approve with Conditions

Motion – Mr. Guthrie

Second – Mr. Switzer

Opposed –

Abstention –

Motion carried

Conditions:

- 1) the hardship criteria required to grant the area variance must be substantiated at the local level,
- 2) the proposed signs should not impede sight distance, and
- 3) sign aesthetics and compatibility (similar to other signs in the area?) should be considered given the parcel's location on the highly traveled NYS Rt. 104 and with an effort to maintain consistency, and
- 4) hours of operation, driver distraction due to illumination and scrolling should be considered in light of the highly traveled NYS Rt. 104, and
- 5) Town should consider looking at a special permit so that it can be reviewed yearly.

Dave Fagner, 7455 Field Street (Irwin), V. Sodus Point

Special Permit, Tax Map Ref. No. 71119-18-484115

40' dock 1' from property line where 10' is required

Action – no intermunicipal or countywide impact, return to town to be handled as a local matter.

Motion – Mr. Ruth

Second – Mr. Cook

Abstention –

Motion carried

Conditions:

- 1) the dock should adhere to local docks and mooring laws, and
- 2) all necessary NYSDEC and ACOE permits must be obtained.

DiGravio, lot 6, Section V, Bushwood Drive, T. Walworth

Prelim. / Final Site Plan / Prelim. / Final Subdivision Plan, Tax Map Ref. No: 62116-00-334649

2 lot subdivision, 1 lot site plan

Action – Approve with conditions

Motion – Mrs. Deyo

Second – Mr. VandeWalle

Abstention – Mr. Ruth

Motion carried

Conditions:

- 1) emergency vehicle access should be provided for,
- 2) future plans for the remainder of the land should be considered and
- 3) based on the distance from the road, water service should be confirmed to meet NYS Uniform Fire Prevention and Building Code regulations (i.e. there should be adequate flow for fire suppression).

Bauer Estate Subdivision, 4424 West Walworth Road, T. Walworth

Prelim. / Final Subdivision Plan, Tax Map Ref. No: 61115-00-896304

3 lot subdivision

Action – Approve with conditions

Motion – Mr. Guthrie

Second – Mr. Switzer

Abstention – Mr. Ruth

Motion carried

Conditions:

- 1) sight distance for existing and/or proposed driveways should meet AASHTO recommendations and
- 2) all lots should be configured so there is adequate room for an existing and/or new septic system to meet NYS Department of Health regulations.

Yoder Site Plan, Hennessey Road, T. Walworth

Prelim. / Final Site Plan, Tax Map Ref. No: 62116-00-629522

One lot site plan

Action – Approve with conditions

Motion – Mr. Guthrie

Second – Mr. Switzer

Abstention – Mr. Ruth

Motion carried

Conditions:

- 1) the applicant should be aware that the parcel appears to contain FEMA flood zone area and if so, FEMA flood zone regulations must be adhered to,
- 2) the septic system must meet NYS Department of Health regulations,
- 3) emergency vehicle access should be provided for and
- 4) sight distance for existing and/or proposed driveways should meet AASHTO recommendations, and
- 5) future use of the total parcel should be considered.

Ronald Melia, 2378 Smith Hill Road, T. Walworth

Prelim. / Final Subdivision Plan, Tax Map Ref. No: 63115-00-814657

Subdivide 4.416 acres to sell to neighbor

Action – Approve with condition

Motion – Mr. Switzer

Second – Mrs. Deyo

Abstention – Mr. Ruth

Motion carried

Condition:

- 1) Future use of the remainder of the land should be considered.

John P. Sebastian / Vincent Costanzo, 787 Plank Road, T. Walworth

Special use Permit, Tax Map Ref. No: 61116-00-806098

Used car sales/service

Action – Approve with conditions

Motion – Mrs. Deyo

Second – Mr. VanDemortel

Abstention – Mr. Ruth

Motion carried

Conditions:

- 1) toxic/hazardous materials should be properly stored, handled and disposed of,
- 2) the applicants should be aware that the parcel appears to contain FEMA flood zone area and if so, FEMA flood zone regulations must be adhered to,
- 3) the site should be maintained in an aesthetically pleasing manner through use of landscaping, screened storage area and property maintenance,
- 4) driveway sight distances should meet AASHTO recommendations and

- 5) displayed vehicles should not impede sight distance and
- 6) the special use permit should be reviewed annually.

Richard Skubis, 6188 Lincoln Road, T. Ontario

Area Variance, Tax Map Ref. No. 61117-00-689528

Side / rear setbacks for accessory building

Action – no intermunicipal or countywide impact, return to town to be handled as a local matter.

Motion – Mr. Switzer

Second – Mr. VandeWalle

Abstention –

Motion carried

Conditions:

- 1) the hardship criteria required to grant the area variance must be substantiated at the local level,
- 2) the proposed side setback should not be less than 10' so that "maintenance area" remains on the owners' property,
- 3) the proposed building must not infringe on the septic system meeting NYS Department of Health regulations and
- 4) access to the barn should be planned and not require driving over the septic system with heavy equipment.

Twilight Valley RV Park, 4500 Boynton Road, T. Walworth

Prelim. / Final Site Plan, Tax Map Ref. No. 64115-00-103433

Action – Deny with comments

Motion – Mr. Switzer

Second – Mr. VanDemortel

Abstention –

Recused self from review and action – Mr. Ruth

Motion carried

Before review of the site plan began, Mr. Larry Ruth made the following statement: "Mr. Chairman, I have a statement that I want to read into the record. In as much as certain officials have gone to great lengths to insure and ensure that I refrain from speaking on this project, I shall excuse myself to avoid any accusations at a later date, and I note that I use the word excuse. Thank you." Mr. Ruth then left the table.

Don Lewis (A.E.Y Enterprises) gave an overview of the Site Plan and answered any Board questions.

The following public requested and was allowed 5 minutes each to address the Board: Alan Schoonmaker, Fred Walker, Jeff Spring, Debra Dammert, Mary Pinkerton, Douglas Weeks, Rick Nudd, Patricia Cannan, Duane Piede and Brian Bannerman. (During Fred Walker's address, Mr. Guthrie asked for clarification that a letter from the Town of Marion Supervisor to the Town of Walworth Supervisor was never replied to. Mr. Walker confirmed that was correct.)

The Board then went around the room and addressed some of their concerns or gave suggestions:

- Even though now permitted by Town Code, they still do not feel the proposed campground is a compatible use with the existing neighborhood
- Fencing around the perimeter of the parcel, berms and increased setbacks near existing residential property should be used to increase compatibility of this proposal with existing residential properties

- Soil conditions/characteristics that limit (“somewhat” or “very”, based on USDA Web Soil Survey data) camp area development and septic tank absorption are concerns for the developer as well as the town
- Still traffic-related concerns, particularly with the Walworth-Marion Road / Boynton Road intersection and a turning lane is still recommended on Boynton Rd at the entrance
- Secondary egress should be provided
- Air quality concerns: 1) there should be a campfire policy and 2) driveway materials should be used that limit dust
- Park safety/security issues should be addressed, with attention given to the winter months when trailers will potentially be stored, but the park will not be occupied
- Encourage cooperation/communication between Town of Walworth and Town of Marion
- hours of operation during construction phase, supply/delivery vehicles, delivery hours,
- water line/ assessment concerns
- ADA compliance

Comments:

- 1) The board asked that the May 25, 2011 letter from the informal review be referenced, as many of those conditions and comments still stand,
- 2) all proposed building, pool and camping sites should be ADA compliant,
- 3) topsoil should remain on-site for use in items such as berms,
- 4) a letter of credit should be considered for water improvements and any other applicable property improvements,
- 5) the entire parcel should be fenced to help provide clear property boundaries and discourage accidental trespassing,
- 6) additional buffering (through use of increased setback space and/or berms/fencing) should be added between portions of this parcel and neighboring residential property to enhance compatibility and reduce noise impacts (Note: Town Code requires a 100’ setback),
- 7) driveway materials should consist of product(s) that will produce minimal dust (i.e. not gravel),
- 8) there should be park rules regarding when campfires will **not** be allowed (e.g. during excessively dry times and/or poor atmospheric conditions),
- 9) request Town Board to communicate with the Town of Marion and address their concerns.

Other Business:

Nominating Committee: Election of Officers will take place at the December meeting. The Nominating Committee consists of Jim Switzer, Steve Guthrie and Kevin Rooney.

There being no further business, the meeting was adjourned at 10:30 PM.

Respectfully submitted,

Tracy Lambie, Secretary