

WAYNE COUNTY PLANNING BOARD  
MINUTES  
October 31, 2007

Chairman Steve Guthrie 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: Steve Buisch, Scott Gregg, Steve Guthrie, Ken Lauderdale, Larry Lockwood, Doc Malchoff, Larry Ruth, Jim Switzer, Ron Thorn, Ken VandeWalle, John Zornow

Staff: Bret DeRoo and Susan Pullen

Guests: Theodore Gintner, Kevin Hartson

Welcomed Ron Thorn as representative from the Town of Galen.

**MINUTES**

Motion made by Mr. Ruth to Approve the September minutes. Seconded by Mr. VandeWalle. Motion Carried.

**ZONING AND SUBDIVISION REFERRALS**

Prime Time Convenience Store, 1241 Route 31, T. Macedon  
Special Permit, Prelim/Final Site Plan, Tax Map Ref. No: 62111-06-389762

10/07-147

Referral for a special permit to sell gasoline and site plans for a convenience store with fueling stations. This is the former Bonosky car dealership located just west of the village of Macedon. The 2.5 acre parcel is zoned general commercial. The convenience store will be 6000 sq. ft and will include 2 restaurant tenants. There will also be a fuel island with 5 fueling stations. Mr. Gintner indicated this is similar to the NOCO station in Amherst, NY. His company constructs major chain gas stations. Demolition is planned to start at the end of 2007, with new construction starting in January 2008. The facade of the building will be brick veneer on all four sides and would be similar to that of CVS and Dunkin' Donuts. The large open driveway would become a split driveway, with one access and one egress. There is also an entry to Dunkin' Donuts right next door. To help alleviate traffic they plan to have a road at the back of the parcel to Canandaigua Road. There are 48 parking spaces currently, which exceeds the number required by the town. There was concern about the vacuum canisters which are located at the front of the parcel. These will have single sided access and Mr. Gintner indicated the parking spaces near the canisters have been lengthened. It was suggested the vacuums might be moved closer to the west side of the lot toward Dunkin' Donuts.

Motion made by Mr. Lockwood for approval with the following conditions: 1) necessary NYSDEC, NYSDOH, NYSDAM and NYSDOT permits/approvals must be obtained (the Board did question how an additional retail establishment will impact NYS Rt. 31 traffic, but understands that the Town of Macedon is reportedly nearly ready to begin a Traffic Corridor study that will include this segment of Rt. 31), 2) the proposed vacuum canisters should be sited in areas that will maintain safe on-site traffic flow patterns as well as minimize noise impacts to adjacent properties, and 3) the site should be developed in an aesthetically pleasing manner (through use of landscaping, building design/materials, etc.) as this is located on the highly traveled NYS Rt. 31. Seconded by Mr. Malchoff. Motion Carried.

K.P. Enterprises, 4 West Main Street, V. Macedon  
Special Permit, Tax Map Ref. No: 62111-07-557790

10/07-149

Referral for a home occupation for sign/graphics business. Applicant will use the garage for the construction of the signs. There is an office in the home for the administrative part of the business. There are two parking areas in front of the garage and two additional spaces on the north end of the driveway. The majority of the sales are done over the phone or by outside sales. They are trying to establish a clientele in the area with the intent to move to a commercially zoned area in the future.

Motion made by Mr. Zornow for approval with the following conditions: 1) there should be adequate off-street parking, 2) operational noise should be limited particularly given the adjacent residential land uses, 3) outside storage should be limited and 4) more "intense" manufacturing processes (ex. metal fabrication) should take place elsewhere as written in the applicant's narrative. Seconded by Mr. VandeWalle. Motion Carried.

Express Mart #363, 123 Main Street, V. Macedon  
Area Variances, Special Permit, Final Site Plan, Tax Map Ref. No: 62111-08-951920

10/07-150

Referral for the construction of a new express mart as seen in April 2007. The major revision is the deletion of the car wash and the addition of a Tim Horton's restaurant with a drive-thru. Erie Street Road was reconstructed and realigned to be across from the Route 350 intersection. The road is currently under construction, with work to continue through the winter and to be completed in spring 2008. Access to the express mart will be from Route 31 and from Erie Street Road. Mud Creek runs near the property and all wetland permits have been obtained.

Motion made by Mr. Lauderdale that the area variances be handled as no county impact, provided that the hardship criteria required to grant the variances are substantiated at the local level. The Board recommended approval of the special permit and final site plan with the following conditions: 1) all necessary NYSDEC, NYSDOH, NYSDAM, NYSDOT and U.S. Army Corps permits/approvals must be obtained, 3) necessary Wayne County Highway Department permits must be obtained, 2) given the reported increase in NYS Rt. 31 traffic, a "right turn only" exit should be considered for the Rt. 31 road cut and 3) the site should be developed in an aesthetically pleasing manner (through use of landscaping, building design/materials, etc.) as this is located on the highly traveled NYS Rt. 31. Seconded by Mr. Switzer. Motion Carried.

Northeast Biogas, 317 Route 104, T. Ontario  
Special Permit, Site Plan, Tax Map Ref. No: 61117-00-282664

10/07-153

Referral for a power generation and distribution facility located in the Wayne Industrial Sustainable Park (WISP). The electrical and heat energy generated will not be distributed but rather consumed within the WISP. Biogas refers to the methane production by fermentation of organic matter. The system consists of a digester tank designed to process animal manure and other organic vegetable matter. The biogas produced is converted into electricity and heat. The electricity will be used to support Northern Biogas. The byproduct that is left would be trucked back to the farm that provided the manure to be used in land spreading. The tank is sealed, with sealed pipelines and emits no odors. At this time there is no expectation of selling excess energy outside the park.

Motion made by Mr. Lauderdale for approval with the following conditions: 1) all necessary permits/approvals must be obtained that relate to the proposed operation (NYSDEC, EPA, etc.), 2) all materials (ex. manure, post-digested liquid and fibers) must be properly stored and handled and 3) the

site should be developed in an aesthetically pleasing manner (through use of landscaping, building design/materials, etc.) as this is located on the highly traveled NYS Route 104 and is a “gateway” to the Town and County. Seconded by Mr. Ruth. Motion carried.

Rite Aid Pharmacy, 6296 Ontario Center Road, T. Ontario  
Area Variance, Revised Site Plan, Tax Map Ref. No: 62117-12-781671

10/07-154

Referral for setbacks to the northwest front of the pharmacy building and the northeast corner of the retail building, and sign regulations to allow 2 freestanding signs with additional square footage, multiple façade signs and relief for overall square footage allowed. The retail building is 9500 sq. ft and the pharmacy is 12,500 sq. ft. Access is to/from Ridge Road, with a right in/right out on Route 104. Tenants are still to be determined for the retail building which will be built to specs when determined.

Motion made by Mr. Zornow that the area variances be handled as no county impact, provided that the hardship criteria required to grant the variances are substantiated at the local level. The Board recommended approval of the revised site plan with the following conditions: 1) all necessary NYSDEC and NYSDOT permits/approvals must be obtained, 2) necessary Wayne County Highway Department permits must be obtained, 3) stormwater and erosion and sediment control measures must meet Phase II NYSDEC regulations and 3) the site should be developed in an aesthetically pleasing manner (through use of landscaping, building design/materials, etc.) as this is located on the highly traveled NYS Rt. 104. Seconded by Mr. VandeWalle. Motion Carried.

Dominic Folino, 4592 Maple Ridge Road, T. Sodus  
Special Permit, Tax Map Ref. No: 68115-00-262551

10/07-148

Referral to operate a used car sales lot at a residence in an agricultural zone. There is an existing house and barn on the property. There are wetlands to the extreme rear of the 19 acre parcel. There is a beauty salon across the street. Applicant will not display any signs except the business sign required by NYS Department of Motor Vehicles. The board suggested limiting the number of cars on site.

Motion made by Mr. Zornow for approval with the following conditions: 1) the rural “character of neighborhood should be maintained by remaining low-impact, 2) the number of autos for sale should be limited, 3) there should be no outside storage of parts, 4) hazardous/toxic materials must be properly disposed of (water quality issue), and 5) available driveway sight distances should meet AASHTO recommendations. Seconded by Mr. Ruth. Abstained: Mr. Malchoff. Motion Carried.

Alexander Subdivision, 7161 Tuckahoe Road, T. Williamson  
Preliminary Subdivision Plan, Tax Map Ref. No: 65118-00-508744

10/07-151

Referral for a 3 lot subdivision. Both water and sewer are available. Site distance is very good. Two of the lots have road frontage of 130 and 140 feet. The third lot is a flag lot of 4.5 acres with land that drops off to the rear of the property.

Motion made by Mr. Buisch for Approval with the following conditions: 1) available sight distances for all of the proposed lots should meet AASHTO recommendations and 2) it should be noted that Lot 3 is most likely (at least partially) impacted by a FEMA flood zone due to the proximity of Salmon Creek. Seconded by Mr. Mr. Gregg. Motion Carried.

## OTHER BUSINESS

### **Training**

Reminded members of training opportunities coming up in November at Mt. Morris. Both Monroe County Planning Department and Genesee/Finger Lakes Regional Planning Council are offering training several times a year on various planning and zoning issues.

### **Nominating Committee**

Election of Officers for 2008 will take place at the December meeting. The nominating committee consists of Doc Malchoff and Steve Guthrie.

There being no further business, the meeting was adjourned at 8:08 p.m.

Respectfully submitted,

Susan Pullen  
Secretary