

WAYNE COUNTY PLANNING BOARD
MINUTES
December 10, 2008

Vice Chairman Jim Switzer called the combined November-December meeting of the Wayne County Planning Board to order at 7:05 p.m. in the Court House in Lyons, New York.

Present: Nelson Cook, Steve Guthrie, Leroy Hollier, Larry Lockwood, Doc Malchoff, Larry Ruth, Jim Switzer, Ron Thorn, Ken VandeWalle

Staff: Bret DeRoo and Susan Pullen

Guests: Kevin and Dawn Wright, Jim Homburger, Cynthia Kukuva

MINUTES

Motion made by Mr. Ruth to Approve the October minutes. Seconded by Mr. Cook. Motion Carried.

ZONING AND SUBDIVISION REFERRALS

Kevin Wright, 5076 Route 31, T. Palmyra 12/08-135
Use Variance, Tax Map Ref. No: 67110-00-181941

Referral to operate a residential transfer station at the former Phil Marvin site on Route 31. This site is 4.75 acres and is zoned highway commercial. The area allows locating of a trash hauling company but does not allow for residential drop off of independent trash. Applicant intends to move the whole operation (trash hauling and transfer station) from Garnsey Road to this site. The Garnsey Road site would revert back to agricultural use. Material would be weighed and a fee charged to those bringing in garbage, construction debris or appliances. The dumpster would be hidden from view to the rear of the building. Weigh scales in the building would be brought out to weigh material. Mr. Wright indicated all material would be disposed of daily, with no outside storage or materials.

Motion made by Mr. Guthrie for approval with the following conditions: 1) any necessary NYSDEC requirements (e.g. permits, approvals, reports) must be met, 2) there should be proper handling and no storage of hazardous/toxic materials (including materials that are part of the transfer activity and fleet maintenance), 3) all waste must be promptly transported away from the site for proper disposal (no accumulation), 4) traffic impacts should be thoroughly considered and addressed given the high level of traffic on NYS Rt. 31 (Year 2001 AADT count of 11,438) and the traffic generating characteristics of the proposal and 5) the site should be made aesthetically pleasing (through use of screening, landscaping, building materials etc.) as the parcel is located on the highly traveled NYS Rt. 31 (Canal Corridor).

The Board does note that the hardship criteria required to grant the use variance must be substantiated at the local level. Seconded by Mr. VandeWalle. Motion Carried.

Glover Wind Turbine, 309 Lake Road, T. Ontario

12/08-136

Special Permit, Area Variance, Tax Map Ref. No: 61119-00-220392

Referral for an 80' wind tower with 15' blades. This was previously reviewed in August as a 125' tower. This bowling alley lot is 175' wide. The proposed siting of the tower is near a shed on the neighboring property. The fall zone of the proposed tower would still not be wholly on the applicant's property. There was concern that allowing the tower could set a precedent if fall zones are not adequately contained on the property. There are driveways on either side of the applicant's property and emergency vehicles could be hampered if the tower fell on either of the driveways.

Motion made by Mr. Guthrie for Denial. The Board does not wish to discourage use of alternative energy sources. However, the Board felt the proposed wind energy conversion system would not be compatible with adjacent land uses given that the "fall zone" is not completely contained on the applicant's property. The Board feels it is important to ensure there is no opportunity for the proposal to physically affect neighboring property. Seconded by Mr. Ruth. Motion Carried.

Fun Zone, 1250 Route 104, T. Ontario 12/08-131
Special Permit, Site Plan, Tax Map Ref. No: 62117-10-384624

Referral to operate a family recreation and entertainment center in the former Ames Dept. store. The applicant has a solid business plan and experience in the business. He operated a similar venture in Henrietta. This is Christian based operation for young teens up to age 17. Some of the venues are roller skating, laser tag, teen lounge, snack bar. ID's will be required for the teen lounge. Security is provided by off duty police officers for the interior and parking lot areas. The busiest time is anticipated to be Saturday afternoon. The site can accommodate up to 200 vehicles.

Motion made by Mr. Ruth for approval with the following conditions: 1) given the high level of traffic that will be generated from the proposal, the parking lot should be well managed and maintained to provide safe on-site traffic circulation, drop-off, parking and security (i.e. pavement should be in good repair, striping and signage should be satisfactory, snow should be removed routinely, a dedicated drop-off area should be considered, lighting and supervision should be adequate, etc.), 2) a high priority should be placed on public safety both inside and outside of the building (i.e. sufficient supervision and security should be provided in the parking lot as well as inside the facility), 3) there should be no off-site "light pollution" that would disturb neighboring property owners, 4) the site should be re-developed in an aesthetically pleasing manner (through use of landscaping, construction materials, etc.) as the parcel is located on the highly traveled NYS Rt. 104 and 5) all improvements must meet NYS Uniform Fire Prevention and Building Code requirements. Seconded by Mr. Thorn. Motion Carried.

The following referrals were reviewed and determined to be of no intermunicipal or countywide impact. Unless otherwise noted, motion made by Mr. VandeWalle, seconded by Mr. Cook, to return these referrals to their respective town/village to be handled as local matters. Motion Carried.

Thomas VanEtten, 2157 Barnes Road, T. Macedon 12/08-133
Area Variance, Tax Map Ref. No: 63113-00-524421

Small business on less than 10 acres

Brian Cafalone, 1214 Victor Road, T. Macedon 12/08-134
Area Variance, Tax Map Ref. No: 62111-00-055259

Small business on less than 10 acres

Robert Goosen, 4753 Lasher Road, T. Rose 12/08-130

Area Variance, Tax Map Ref. No: 75116-00-373027

Add in-law residence on property Abstained: Mr. Guthrie.

Rose Fire Company, 4018 Main Street, T. Rose
Area Variance, Tax Map Ref. No: 74114-05-127904

12/08-132

Build addition with inadequate setbacks Abstained: Mr. Guthrie.

OTHER BUSINESS

Nominating Committee

The following slate of officers was presented:

Chairman – Jim Switzer
Vice Chairman – Larry Ruth
Secretary – Larry Lockwood

Motion made by Mr. Malchoff that the nominations be closed and that the administrative secretary cast one ballot for each nomination. Seconded by Mr. VandeWalle. Motion Carried.

There being no further business, the meeting was adjourned at 7:53 p.m.

Respectfully submitted,

Susan Pullen
Secretary