

WAYNE COUNTY PLANNING BOARD  
MINUTES  
February 25, 2009

Chairman Jim Switzer called the February 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, Nelson Cook, Monica Deyo, Steve Guthrie, Leroy Hollier, Larry Lockwood, Doc Malchoff, Kevin Rooney, Larry Ruth, Jim Switzer, Ron Thorn, Ken VandeWalle

Staff: Bret DeRoo and Susan Pullen

Guests: Matthew Lord, Darryl Lord (D&M Shooting Sports)

**MINUTES**

Motion made by Mr. Guthrie to Approve the December minutes. Seconded by Mr. Buisch. Motion Carried.

Bret presented Doc Malchoff with a plaque honoring him for 40 years as a Charter Member of the Planning Board, acknowledging his experience and time that he has offered Wayne County.

**ZONING AND SUBDIVISION REFERRALS**

D&M Shooting Sports, 4325 Route 31, T. Palmyra  
Use Variance, Tax Map Ref. No: 66111-14-255414

2/09-18

Referral to open a retail sporting goods store, i.e. firearms, gunsmithing, outdoor sports goods. The property is zoned agricultural and has been used as retail in the past. The owner, Matthew Lord, was present at the meeting. He stated he currently has a business in Marion, which he will relocate to Palmyra. There is an apartment in the basement. Mr. Lord will make improvements for security purposes. There will be a motion sensor tied in with county law enforcement and surveillance cameras inside and outside. Gun powder will be stored in a state compliant storage container. The location has to be documented with the fire department because of its flammable nature. Windows at the front of the building will be barred or removed and replaced with glass block.

Motion made by Mrs. Deyo for approval with the following conditions:

- 1) All applicable local, state and federal regulations must be met, with particular attention given to:
  - a. providing adequate and known (advertised/displayed) security measures which would reduce the chance for a break-in
  - b. providing acceptable gun testing methods (i.e. test fire repaired firearms in an appropriate manner /place.
- 2) Driveway sight distances must meet American Association of State Highway Transportation Officials (AASHTO) recommendations and
- 3) The site should be developed in an aesthetically pleasing manner (through use of landscaping, building improvements, screening etc.) as the parcel is located on the highly traveled NYS Rt. 31 (Canal Corridor).

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

Revisions to Chapter 150, T. Ontario  
Amendment to Text

2/09-19

Referral for proposed changes to the town's Chapter 150 Zoning Code. Revisions were made and code regulations added for windmills with a maximum height restriction of 200 feet; removed definition of "utility sheds". Sheds are now treated as any other accessory structure. Schedule II was added to address cantilevers as part of a structure; Schedule I Part A: "private club" was removed. Golf course is now *not* permitted in the business or business transitional district; Section 32 was updated to include "fraternal organizations"; the word windmill was removed and replaced with the term "wind energy collector".

The board has reviewed a number of private windmills which are all over 100' in height. From a countywide perspective, the height of wind energy collectors should be raised so no area variances will be required. They also should be able to fall on their own land.

Motion made by Mr. Ruth for approval with the following conditions:

1. The Town attorney/s should review and approve the proposed Zoning Revisions.
2. Consideration should be given to increasing the 100' maximum height requirement (to approx. 150') for Wind Energy Collectors to potentially reduce the need for area variances. Based on reviewing Wind Energy Collector referrals from across the county, even "small wind turbine" (i.e. for residential use) towers routinely reach heights of between 120' and 150'. The Board does agree that wind energy collector fall zones should lie entirely within the parcel on which the towers are constructed.

Seconded by Mr. VandeWalle. Abstained: Mr. Switzer. Motion Carried.

Crane's Gas Station, 4080 Main Street, T. Rose  
Special Permit, Area Variance, Tax Map Ref. No: 74114-05-162908

2/09-17

Referral to reopen a convenience store and enlarge the structure. This was also a gas station. The tanks have been tested and are in good shape. The applicant may re-open the gas pumps if the store does well. The store has been vacant a few years. The property is zoned Hamlet General Business. The variance is needed as the addition would encroach on side setbacks to the north. Required setbacks are 10'; they will be within 2' of the driveway to the north which runs to a home behind the store. The neighbors don't have an issue with the addition and variance.

Motion made by Mr. Ruth for approval of the special use permit and area variance provided that the hardship criteria required to grant the variance are substantiated at the local level. Seconded by Mr. Rooney. Motion Carried.

Azzano Subdivision, Lincoln Road, T. Walworth  
Preliminary/Final Site and Subdivision Plans, Area Variance, Tax Map Ref. No: 61116-00-611302

2/09-21

Referral for a 4 lot subdivision on 28 acres. Lots 1 and 2 will require area variances as they don't have the required width. Property is zoned RR1. There is land in back of the subdivision. If developed, the town will make them have 60' ROW on the north and south side of the development.

Motion made by Mr. Rooney for approval with the following conditions:

- 1) all driveway sight distances must meet American Association of State Highway Transportation Officials (AASHTO) recommendations, 2) stormwater and erosion and sediment control measures must

meet Phase II NYSDEC regulations should 1 acre or more soil be disturbed by the development and 3) proposed access to the interior land must meet local regulations.

The Board did question if future plans for the remainder of the parcel are known.

The Board recommended the area variance be handled as of no county impact, provided that the hardship criteria required to grant the variance are met at the local level.

Seconded by Mr. Lockwood. Abstained: Mr. Ruth. Motion Carried.

Moll Estates, Pease Road, T. Williamson

2/09-16

Preliminary/Final Site and Subdivision Plans, Tax Map Ref. No: 64117-00-436201

Referral for a 3 lot subdivision, resulting in 2 new building lots. Lot #4 is shown, but is not proposed for development. There are 33 acres zoned agricultural. The lots are bowling alley lots.

Motion made by Mr. Ruth for approval with the following conditions:

1) all driveway sight distances must meet American Association of State Highway Transportation Officials (AASHTO) recommendations and 2) stormwater and erosion and sediment control measures must meet Phase II NYSDEC regulations should 1 acre or more soil be disturbed by the development.

The Board did question if future plans for Lot 4 are known. Seconded by Mr. Cook. Abstained: Mr. VandeWalle. 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. Buisch, to return these referrals to their respective town/village to be handled as local matters. Motion Carried.

Murals, 2 W Genesee, 28 Sodus and 72 Glasgow Streets, V. Clyde  
Special Permit

2/09-20

Place murals on three buildings

There being no further business, the meeting was adjourned at 8:12 p.m.

Respectfully submitted,

Susan Pullen  
Secretary

