

WAYNE COUNTY PLANNING BOARD  
MINUTES  
July 27, 2009

Chairman Jim Switzer called the June meeting of the Wayne County Planning Board to order at 7:02 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, Ken VandeWalle, John Zornow

Staff: Bret DeRoo and Susan Pullen

Guests: Robert Fitzgerald (Newark Wayne Hospital), Steven Zonneville (reception hall)

**MINUTES**

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

**ZONING AND SUBDIVISION REFERRALS**

Newark-Wayne Hospital, 1200 Driving Park Avenue, V. Newark 7/09-76  
Preliminary Site Plan, Tax Map Ref. No: 68111-09-194561

Referral to construct a 10,946 sq. ft emergency department addition on the north side of the building. The helicopter landing pad will also be located on the north side of the building. The emergency room on the south side of the building will be used for other departments in the building. Mr. Fitzgerald indicated there is a 20 year life for emergency departments with the need for updated technology. They will re-route existing emergency room traffic and tractor trailer deliveries to the north side. The traffic study was conducted by Lu Engineers and indicated a use of 2-3 ambulances per hour to the hospital. This will also help to clear up congestion of the residential neighborhood. Ambulances will enter from Pearl Street. There will be two separate parking lots, for employees and visitors. The village requires 500 parking spaces for the whole complex. Extra parking was budgeted into the funding. The time line for construction is based on receiving funding for the project.

Motion made by Mr. Ruth for approval, seconded by Mrs. Deyo. Motion Carried.

Mary Zonneville, 5529 South Centenary Road, T. Sodus 7/09-72  
Use Variance, Tax Map Ref. No: 68116-00-116685

Referral to construct and operate a reception hall/restaurant on 2+ acres of land south of their home. The property is zoned agricultural and is located 2 miles south of Ridge Road. Mr. Zonneville indicated the view from the property was one of the selling points of the venture. The building would be 125'x50' and would accommodate 250 people. The applicant stated there are very limited accommodations in the area for weddings, receptions, and large gatherings. Projected opening is 2011. They understand they may have to drill another well, have a 1000 gallon tank or buy water for the facility. They will comply with Department of Health regulations. They also indicated they may have municipal water in 2-3 years. Parking would be behind the building. Mr. Zonneville indicated they have provided a concept plan to the town for consideration, but no formal action has been taken.

Motion made by Mr. Guthrie for approval provided that the hardship criteria required to grant the use variance are substantiated at the local level. Seconded by Mr. Rooney. Abstained: Mr. Malchoff. Motion Carried.

Fred Sapp, Route 350, T. Macedon 7/09-79  
Preliminary/Final Site and Subdivision Plans, Tax Map Ref. No: 62113-00-990343, 974414, 052428

Referral for a 3 lot subdivision. This is an 11 acre parcel split to create two 1.5 acre lots. The remaining land would be added to two existing lots. There would be an 80' access to Route 350. Would this be enough access for up to 6 lots if developed as a cul-de-sac? As this is the second subdivision this year by the applicant, the board would like to see a plan of the lands for future development.

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

- 1) the driveways proposed for Lots FS1 and FS2 should be designed/constructed to provide the best sight distance possible. It appears there is an opportunity to improve the access sight distance (that is available to the south) for Lot "FS1" by relocating the driveway north and/or increasing the driveway elevation. The Board would like to ensure the proposed development does not impair traffic flow on NYS Rt. 350, particularly given Rt. 350's slight curvature, slope, width and traffic volume in this area. According to a NYSDOT "2003 Traffic Volume Report for Wayne County", there is a 5,106 Annual Average Daily Traffic (AADT) count on this section of NYS Rt. 350.
- 2) NYSDOT permits must be obtained for the proposed driveways and
- 3) plans for the remainder of the lands now contained within tax parcel numbers 62113-00-974414 and 62113-00-990343 should be requested to coordinate the applicant's future development intent with the Town's development standards.

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

Townsend Oil Corp., 922 Route 31F, T. Macedon 7/09-80  
Area Variance, Tax Map Ref. No: 61112-00-990770

Referral for a petroleum bulk storage facility with a setback variance. This is an existing facility located east of Alpco Recycling. They would locate 6 tanks in the southeast corner of the property. There is a Class II wetland and DEC maintains they must stay out of the 100' buffer. A former landfill site surrounds the property. This is an 11 acre site and the facility cannot be seen from the road.

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

- 1) all applicable NYS Department of Environmental Conservation (e.g. bulk storage, Phase II storm water and erosion and sediment control) U.S. Army Corps of Engineers and FEMA flood zone regulations must be met based on the proximity of NYSDEC and national wetland as well as FEMA flood zone areas and
- 2) the hardship criteria required to grant the area variance must be substantiated at the local level.

Seconded by Mrs. Deyo. Abstained: Mr. Rooney. Motion Carried.

Chapter 150 Zoning Revisions, T. Ontario 7/09-75  
Amendment to Text

The revisions were sent to the board before the meeting for their perusal. This is a re-review as the town attorney wanted this in local law format. Changes encompass dog kennel requirements and special permit uses.

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

- 1) the town attorney should review and approve the suggested modifications and
- 2) the minimum acreage required to operate a dog kennel should be increased. The Board feels that more area will be needed (closer to a 10 acre minimum based on the need for a parcel containing nearly 650' of width and depth) to comply with the proposed 300' minimum setback that is currently proposed from any property line.

Seconded by Mrs. Deyo. Abstained: Mr. Switzer. Motion Carried.

Marsh Subdivision, 6986 Thornton Point Road, T. Sodus  
Preliminary/Final Subdivision Plan, Tax Map Ref. No: 71118-00-681470

7/09-71

Referral for a 3 lot subdivision. Owner will retain lot #1, transfer lot #2 and retain lot #3, an undersized lot. Both lots 1 and 2 do not meet the 2 acre requirement. The subdivision is reviewed because of the proximity of the town boundary. There are some year round residents who maintain the road themselves.

Motion made by Mr. Zornow for approval, seconded by Mrs. Deyo. Abstained: Mr. Malchoff. Motion Carried.

Local Law #4, T. Walworth  
Amendment to Text

7/09-77

Referral to amend zoning to allow solar collectors and installation. SEQR forms are included.

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

- 1) the town attorney should review and approve the suggested modifications and
- 2) Section 180.35.2.E should be modified to remove the words "the laws and regulations of Wayne County and" (as there are currently no county laws regarding this issue).

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

Local Law #5, T. Walworth  
Amendment to Text

7/09-78

Referral to Add Chapter 177, Article II Small wind energy conversion system and Article III Variances. SEQR was included. Large wind energy systems are not allowed in town. Small systems are allowed on 5 acres and on a minimum of 1 acre in size – should be one or the other.

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

1) the town attorney should review and approve the suggested modifications and 2) the text should be modified to more clearly define minimum lot size requirements in one section. Currently, two sections contain language regarding minimum lot sizes: Section 177-9 (5 acres) and Section 177-11 (1 acre).

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

O'Brien Subdivision, Atlantic Avenue, T. Walworth  
Prelim/Final Subdivision Plan, Tax Map Ref. No: 60115-00-979327

7/09-81

Referral for a 2 lot subdivision to split a 15 acre lot into 2 lots, with the parent parcel would contain approx. 12 acres (with 40' of access to County Line Road), while lot #3 will consist of 3.6 acres (with 37.3' of access to County Line Road).

Motion made by Mrs. Deyo for approval with the condition that any driveway proposed to provide access to the newly created lot should be developed on the less traveled County Line Road rather than Atlantic Avenue, should site conditions permit. Seconded by Mr. Rooney. Abstained: Mr. Ruth. Motion Carried.

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

Thomas Nicholson, 1304 Lake Road, T. Ontario  
Area Variance, Tax Map Ref. No: 62119-00-458301

7/09-73

Construct porch with setbacks. Hardship criteria must be verified at the local level.

Jeff Hollebrandt, 2214 Ridge Road, T. Ontario  
Area Variance, Tax Map Ref. No: 63117-15-601379

7/09-74

Construct deck with front setback. Hardship criteria must be verified at the local level.

#### Other Business

Bret suggested we establish standards for the WECS (wind energy conversion systems), as we did for the cell towers several years ago. Agreed that the two criteria so far involve fall zones and tower heights. Wind energy collector fall zones should lie entirely within the parcel on which the towers are constructed and total heights for small WECS should range between 120' and 150' in total height.

Bret will also talk with Mr. Bechtold and get his input on standards for the towers.

There being no further business, the meeting was adjourned at 8:25 p.m.

Respectfully submitted,

Susan Pullen  
Secretary

