

WAYNE COUNTY PLANNING BOARD  
MINUTES  
May 27, 2009

Chairman Jim Switzer called the May 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, John Zornow

Staff: Bret DeRoo and Susan Pullen

Guests: Sheila Rivers (EZ Bottle/Can Return), David Corea, Bob Bringley (Marathon Engineering-ESL Credit Union)

**MINUTES**

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

**ZONING AND SUBDIVISION REFERRALS**

EZ Can and Bottle Return, 1167 East Union Street, V. Newark 5/09-53  
Special Permit, Tax Map Ref. No: 68111-20-954049

Referral to operate a bottle and can redemption center in an existing building on the east side of the village across from Colburn Park. Ms. Rivers was present and indicated she owns and operates a similar operation in Fairport. She is able to accept all bottles and cans from any company. If legislation passes the water bottle bill she will also handle disposal of them. She plans to employ 2-5 employees at this location. Ms. Rivers has hired a local man to manage the operation in Newark. He is currently being trained at her site in Fairport. Tractor trailers will drive to the back of the store on the north and exit the property to the south. Customers with large amounts of cans/bottles will also go to the back of the store for drop offs. Customers with small amounts can park out front and enter the front of the building. She is also able to do commercial pickups if there is a need for it. There are empty adjacent stores and garages she can utilize for storage if needed. All storage would be kept in garages at the rear of the property. She anticipates operating the business 7 days a week, 10A to 6 PM and will adjust the hours as needed. Pick up of the recyclables would be once per week to start.

Motion made by Mr. Rooney for approval with the condition that the proposal does not impede traffic flow on the highly traveled NYS Rt. 31. The Board feels that steps can be taken to make site ingress/egress more efficient and safe. For example, customer parking areas and truck delivery routes can be clearly marked by adding striping, signs and directional arrows. Also, vehicles should not be permitted to back onto Rt. 31. Seconded by Mr. Zornow. Motion Carried.

David Corea, 101 Throop Street, V. Palmyra 5/09-54  
Area Variance, Tax Map Ref. No: 64111-12-905702

Referral to allow a permanent structure 20' from the edge of the road on a 3 rod road. Parcel is zoned commercial. Mr. Corea was present and gave a brief history of the parcel. His first submission was for a caboose to sell ice cream – considered a temporary structure; he applied for a permanent structure but the village had issues; so he has applied again. He meets all requirements for the site except setbacks. He stated this is a pre-existing, non-conforming lot. This is a substandard lot and he has developed two others in the village. He was originally told he must be 50' from the power lines; but only has to be 15'

from the lines. The village is putting in a 15 acre park and marina along the canal and Mr. Corea stated he wants to develop this piece of property to enhance the area. He does not know what he will put on the property but it would likely be something canal related. He sold the parcel of land that fronts on Route 31, but will have access to the driveway. He will also be able to utilize that parcel for overflow parking.

Motion made by Mrs. Deyo for approval with the understanding that the scale of whatever business occupies the parcel will not exceed the capacity of the site. As in past reviews, the Board maintains that the site should be large enough to contain the proposed use as well as the parking and on-site traffic needs. The Board also noted that the hardship criteria required to grant an area variance must be substantiated at the local level. Seconded by Mr. Guthrie. Abstained: Mr. Cook. Motion Carried.

ESL Credit Union, Gananda Parkway/Canandaigua Road, T. Macedon  
Prelim/Final Site and Subdivision Plans, Tax Map Ref. No: 62113-00-351851

5/09-55

Referral for a one lot subdivision and site plan for a drive-thru ATM. This is a two lane 24x24' stand alone kiosk with a logo sign on the gable. Property is zoned PUD and no variances are required. Lighting will be dark sky compliant. ESL will retain 1.7 acres of the 2.7 acre site. The rest will be retained by Gananda Partnership. Water will be provided for irrigation purposes only. It was suggested the driveway be moved away from the parkway intersection.

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

1) traffic generating characteristics of the proposal must be thoroughly assessed/studied and planned for in the design. Development should not impede traffic flow on Canandaigua Road. The Board was concerned that given the high traffic counts on Gananda Parkway and the proximity of the proposed driveway to the intersection of Canandaigua Rd. and the Parkway, traffic flow could be negatively impacted. Alternatives that could be considered include:

- a. constructing the driveway as far away from the Gananda Parkway/Canandaigua Rd. intersection as possible
- b. constructing a left turn lane on Canandaigua Rd. for southbound vehicles and
- c. providing 2 exit lanes from the site to Canandaigua Roads to improve traffic flow.

2) the site should be developed in a way that minimizes "light pollution" and headlight glare from neighboring properties, particularly the church that is located directly to the west

3) the site should be developed in an aesthetically pleasing manner (through use of building design/materials, landscaping, screening etc.).

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

ESL Credit Union, Route 31/Canandaigua Road, T. Macedon  
Preliminary/Final Site Plan, Tax Map Ref. No: 62111-10-327730

5/09-56

Commercial site plan for a drive-thru ATM located at the southwest corner of Canandaigua Road and Route 31, near Burger King. Parcel is zoned TPF (Total Planned Development).As the ATM is located inside the plaza; access will be from the existing driveway cuts on Route 31 and Canandaigua Road. The only signage will be on the kiosk.

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

- 1) cross-lot access should be considered between this and the Burger King site in an attempt to provide efficient inner-plaza traffic flow and

- 2) the site should be developed in an aesthetically pleasing manner (through use of building design/materials, landscaping, screening etc.) as the parcel is located on the highly traveled NYS Rt. 31 (Canal Corridor).

- 3)

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

Bay Shore Heights, Catchpole Shores Road, T. Huron  
Special Permit, Tax Map Ref. No: 73116-00-006841, 72117-00-977887

5/09-44

Referral to construct a dock 310' long with 36 boat slips to serve 33 upland lots in the Bayshore Heights subdivision. This will make waterfront accessible to inland individuals and boating docks would be less than a mile from their homes. Boats may also be launched from the marina and Bay Bridge. There is a docks and moorings law in Huron. The marina has docks 500' in the water. Local zoning questioned why there were no restrooms proposed at the docks. It is not a public facility. The owner has contacted the Department of State, Environmental Conservation and Army Corps of Engineers.

Motion made by Mr. Zornow for approval with the condition that all applicable federal, state and local permits/approvals are obtained. The Planning Board also suggests that data from the "Inventory and Analysis of Existing Conditions" section of the Draft Great Sodus Bay Harbor Management Plan should be used for reference when trying to assess how proposals such as this coordinate with management of water uses on the entire bay. Seconded by Mr. Rooney. Abstained: Mr. Lockwood. Motion Carried.

Mary Hunter, 9648 Ridge Road, T. Huron  
Special Permit, Tax Map Ref. No: 72117-16-891467

5/09-45

Referral to operate a small takeout restaurant in an existing building. This parcel has been reviewed previously as a grocery store and a hot dog stand. This is a 30 mph zone just before Bay Bridge. Operation would be weekends, 8 AM to 8 PM with outside seating.

Motion made by Mr. Ruth for approval with the following conditions: 1) Huron Planning Board recommendations from February 2, 2009 minutes should be followed, 2) the site should be developed in a way that will not impede traffic flow on Ridge Road (e.g. vehicles should not be backed onto Ridge Road), 3) the property should be developed in an aesthetically pleasing manner (through use of landscaping, screening, etc.) and 4) the site should be well maintained (i.e. the site should be free of garbage/debris and refuse containers should be animal proof) as this proposal is sited on the highly traveled Ridge Road and adjacent to Great Sodus Bay.

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

Fred Ford, Witherden Road, T. Marion  
Preliminary Subdivision Plan, Tax Map Ref. No: 66115-00-138249, 191317

5/09-43

Referral for a 5 lot subdivision. The overall parcel was originally 87 acres with 16 lots subdivided in 2006. The proposed lots are 20, 14, 10, 7.2 and 12 acres in size. Three lots have access to Witherden Road, with each driveway being 145' wide. The other two lots access to the town built road Greenfield Drive. The developer appears to be implementing a design that is cost effective for him, i.e. larger lots, less development. This is a non-traditional layout and is not the best use of the land.

Motion made by Mr. Guthrie for approval with modifications suggested that would retain design features that were formerly approved by the Town in the Greenfield Subdivision (2006). The developer and Town appear to have previously agreed upon a plan that blended the applicant's ideas with Marion's responsibility (based on Town Law) to plan for the future growth and development of the town and

“provide adequate facilities for the housing, transportation, distribution, comfort, convenience, safety, health and welfare of its population” (per Town Law, Section 276). Relatively consistent lot sizes and configurations were planned around the dedicated road (which would help minimize new road cuts onto Witherden Road) in the past. The proposed subdivision appears to be very different in character based on proposed lot access (“flag lots”), area and configuration.

The Board would like to review a modified plan that provides a balance between development of some of the land for single-family dwellings, efficient and safe access (i.e. dedicated road/ driveways) and maintenance of the natural and agricultural features of the remaining lands. Seconded by Mrs. Deyo. Motion Carried.

Newark-Wayne Hospital, 1200 Driving Park Avenue, V. Newark 5/09-52  
Conceptual Site Plan, Tax Map Ref. No: 68111-09-194561

Conceptual site plan for the construction of a 10,948 sq. ft emergency department addition on the north side of the building. The helicopter pad would also be relocated to the north side of the building to maintain easy access to the emergency department. The board had no recommended modifications to the plan at this time.

Wooster Subdivision, 7501 Slocum Road, T. Ontario 5/09-49  
Preliminary/Final Subdivision Plan, Tax Map Ref. No: 62119-00-051114

Referral to subdivide off 21.867 acres from 145 acres. No construction is planned at this time. Property will be used as an Asian pear farm.

Motion made by Mr. Rooney for approval, seconded by Mr. Buisch. Motion Carried.

Downtown Vision Plan, T. Savannah 5/09-51  
Amendment to Text

Referral for the downtown vision plan. ESF from Syracuse has worked with several communities to develop their downtowns. The plan is very well done.

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

Eagles Roost Subdivision, Eagles Roost Lane/West Walworth Rd., T. Walworth 5/09-40  
Preliminary/Final Subdivision Plan, Tax map Ref. No: 61114-19-505052

Referral for a 2 lot subdivision. Lots are 3.2 and .48, no variances are required. Neighbors have concerns if this property is part of the green space of the overall concept plan for Gananda.

Motion made by Mr. Rooney for approval with the condition that no new road cuts are permitted as Gananda Parkway is a limited access road. Seconded by Mr. Cook. Abstained: Mr. Ruth. Motion Carried.

Home Leasing, Hance Road, T. Walworth 5/09-46  
Preliminary/Final Site Plan, Tax Map Ref. No: 61113-08-901900, 61113-00-902908

Referral for a one lot subdivision. The property is divided by municipal boundary – home is to be constructed in Walworth, the land is in Macedon. The proposed driveway is to Hance Road which is

totally in the town of Macedon. Site distance is poor because of road alignment and elevation change near the intersection.

Motion made by Mr. Rooney for Denial as there was a concern that the proposal will create an unsafe traffic impact based on the following factors:

- 1) the high speed at which traffic can turn onto Hance Road from the Parkway, given the alignment of Gananda Parkway and Hance Road,
- 2) the proximity of the proposed driveway to Gananda Parkway and
- 3) the limited available sight distance.

The Board also feels it is important for the Town of Macedon to review this referral. Seconded by Mrs. Deyo. 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. Malchoff, seconded by Mr. Buisch to return these referrals to their respective town/village to be handled as local matters. Motion Carried.

Alan Wood, 3054 Sherwood Road, T. Marion 5/09-42  
Area Variance, Tax Map Ref. No: 64114-00-613090

Construct pole barn in front of front building line of residence

Bryan Norcott, 6736 Lakeside Road, T. Ontario 5/09-47  
Area Variance, Tax Map Ref. No: 61118-00-927221

Construct deck on front of home less than 60' to the property line

Wood Creek Estates, 6525 Lakeside Road, T. Ontario 5/09-48  
Area Variance, Tax Map Ref. No: 61117-00-802933

Addition with setbacks

Original Door Store, 1712 Route 104, T. Ontario 5/09-50  
Area Variance, Tax Map Ref. No: 62117-12-993657

Requesting two signs – one for Budget and one for The Door Store

Clark Site Plan, 1674 Plank Road, T. Walworth 5/09-41  
Preliminary/Final Site Plan, Tax Map Ref. No: 62116-00-925039

One lot subdivision

#### Other Business

Mr. Hollier and Mr. Switzer both attended the training at Burgundy Basin Inn in May.

There being no further business, the meeting was adjourned at 8:53 p.m.

Respectfully submitted,

Susan Pullen  
Secretary