

WAYNE COUNTY PLANNING BOARD
MINUTES
October 29, 2008

Chairman John Zornow 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: Nelson Cook, Monica Deyo, Steve Guthrie, Leroy Hollier, Larry Lockwood, Kevin Rooney, Larry Ruth, Jim Switzer, Ron Thorn, Ken VandeWalle, John Zornow

Staff: Bret DeRoo and Susan Pullen

Guests: Scott and Amy Burdick

MINUTES

Motion made by Mr. Cook to Approve the September minutes. Seconded by Mr. Rooney. Motion Carried.

Ely Mansion - Mr. Zornow passed out pictures of the Ely Mansion which has been fully restored. Mark Wright came before the board in April 2008 for a special permit to operate the mansion as a bed and breakfast.

ZONING AND SUBDIVISION REFERRALS

Burdick Horse Boarding, 11337 Kelsey Road, T. Galen 10/08-122
Special Permit, Tax Map Ref. No: 74113-00-982477

Referral for a horse boarding operation on a 5+ acre lot zoned agricultural. They plan to board ten horses and use 3 acres for pasture. The applicants were present to discuss their referral. They have cleared some of the property and anticipate clearing more in the spring. They also plan to extend the driveway to allow trailers to pull back by the stable, allowing trailers to back up and drive out. Trailers would usually enter the property between 8 AM and 3 PM. The driveway is on the crest of a knoll. There are 14 double stalls in the barn.

Motion made by Mr. Ruth for approval with the condition that driveway sight distances meet American Association of State Highway and Transportation Officials (AASHTO) recommendations. Given the traffic generating characteristics of the boarding operation (delivery trucks and trucks with horse trailers), driveway location and the elevation changes of Kelsey Road, the Board would like to ensure that traffic flow remains safe. The Board did feel that having additional site plan details that show all property lines, building and driveway locations as well as parking areas would be helpful when trying to consider overall project impacts. Seconded by Mr. Rooney. Motion Carried.

Griffeth Kennel, 9003 Old Route 31, T. Galen 10/08-123
Special Permit, Tax Map Ref. No: 72112-00-059141

Referral to operate a dog breeding kennel. This is a 4 acre parcel zoned Residential. The garage to be used for the dogs is 20x30'. In an undated letter from the applicant, she indicates the type of heating/ventilation and septic system to be used. A letter from the town Code Enforcement Officer indicated he has condemned the home as unfit for human occupancy and the garage has not been repaired.

The home does not appear to have a proper septic system. The proposed septic system for the kennel is questionable.

Motion made by Mr. Rooney for Denial as there are unresolved health and safety concerns with the property. Septic and water supplies are not proven to meet NYS Department of Health regulations or be potable for human or animal use. Additionally, the garage that is to be used for the kennel is not properly repaired. Seconded by Mrs. Deyo. Motion Carried.

Howard & Joyce Clark, Quaker Road, T. Macedon 10/08-128
Preliminary/Final Site Plan, Tax Map Ref. No: 64111-00-054848

Referral for a single family residence on a 30+ acre parcel. Several lots were combined to increase the size of this parcel. There is a national wetland near the proposed home. Access is off Quaker Road. The driveway is approx. 490', is 15' wide and has an emergency pull off, per town code.

Motion made by Mr. Switzer for approval, provided the on-site national wetland is protected. Seconded by Mr. Ruth. Abstained: Mr. Rooney. Motion Carried.

Fred Sapp, Route 350, T. Macedon 10/08-129
Preliminary/Final Site Plan, Tax Map Ref. No: 62113-00-974414

Referral for a single family residence on a 24+ acre parcel. There are no natural features on the property and site distance is good. The home would be 400' off Rt. 350 with a 15' driveway. There is provision for an emergency vehicle turnout.

Motion made by Mrs. Deyo for approval, seconded by Mr. VandeWalle. Abstained: Mr. Rooney. Motion Carried.

Vincent DeFranco, 1907 Ridge Road, T. Ontario 10/08-127
Special Permit, Final Site Plan, Tax Map Ref. No: 63117-09-221510

Referral to operate a private clubhouse for table games. The private clubhouse is a permitted use under current zoning. The building was to be used as a pole barn originally, but is not built to fire code. There is parking on premises for up to 30 cars and the applicant will use overflow parking at the town hall. There is no parking allowed on the highway. The applicant indicated there could be a maximum of 50 people once a month for tournaments. There is a membership fee. The hours would be Saturday Noon – 2 AM, Sunday Noon – 9 PM and two days during the week 6 PM to 2 AM.

Motion made by Mr. Ruth for approval with the following conditions: 1) the “traffic generating characteristics” of the proposed club activity should be managed on-site and proven to be safe i.e. all parking should be contained on-site and driveway sight distances should meet American Association of State Highway and Transportation Officials (AASHTO) recommendations, 2) any necessary local, state and federal permits (including gaming if applicable) must be obtained and 3) the building and site must meet applicable NYS Uniform Fire Prevention and Building Code requirements. Given the existing blend of surrounding land uses and the applicant’s letter dated October 24th, 2008, the Board felt the proposal has the potential to be compatible with the neighborhood. However, the applicant will need to ensure the use remains compliant with Town requirements Seconded by Mr. Guthrie, abstained: Mr. Switzer. Motion Carried.

Verdi Construction, 14150 Route 31, T. Savannah 10/08-124

Final Site Plan, Tax Map Ref. No: 77110-00-481512

Referral to add office space to an existing building. In February 2008 there was an addition to a separate building. This is a 95 acre parcel. Although the plan meets the town's requirements for a site plan, the Board felt it would be helpful if every site plan contains (minimally) scaled drawings that show all property lines, existing and proposed building and driveway locations and available sight distances. This information would help reviewing boards more easily take into consideration those items that are required by Town and General Municipal Law.

Motion made by Mr. Rooney for approval with the following conditions: 1) the proposed building must meet NYS Uniform Fire Prevention and Building Codes, 2) the septic system must meet NYS Department of Health regulations and 3) stormwater and erosion and sediment control measures must meet Phase II NYSDEC regulations should 1 acre or more soil be disturbed by the development. Seconded by Mrs. Deyo. Abstained: Mr. Hollier. Motion Carried.

Local Law – 10% Rental Law, V. Sodus 10/08-119
Amendment to Text

Referral for a local law regarding conversions to multi-family dwellings. When 10% of the buildings in any zoning district have been converted to multi-family or 2-family dwellings, there shall be no more conversions allowed.

Motion made by Mr. Switzer for approval with the condition that the Village attorney reviews and approves the proposed local law. The Board also recommended a few wording modifications for the proposed law that can be seen in the enclosed document. Seconded by Mr. Cook. Motion Carried.

Primmer Subdivision, 7546 Stoney Lonesome Road, T. Williamson 10/08-125
Preliminary/Final Subdivision Plan, Tax Map Ref. No: 64119-00-884286

Referral for a 3 lot subdivision. One lot would have the existing house and outbuilding with 5 acres; one lot would be vacant and the leftover 16 acres would be orchard with 60' of road frontage.

Motion made by Mr. Rooney for approval, seconded by Mr. Ruth. 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 Mrs. Deyo seconded by Mr. VandeWalle, to return these referrals to their respective town/village to be handled as local matters. Abstained: Mr. Switzer. Motion Carried.

David Reeve, 95 Geneva/2 Shuler Streets, V. Lyons 10/08-120
Use Variance, Tax Map Ref. No: 71111-13-102496, 102494

Allow conversion of office space to a third residential apartment

Thomas Heckman, 1821 Walworth Road, T. Macedon 10/08-121
Area Variance, Tax Map Ref. No: 63112-00-893077

Addition of mudroom and two car garage with setbacks; expansion of non-conforming building with setbacks

Sluss Subdivision, 384 Ridge Road, T. Ontario 10/08-126

Preliminary/Final Subdivision Plan, Tax Map Ref. No: 61117-00-320344

One lot subdivision

OTHER BUSINESS

Nominating Committee

Election of Officers for 2009 will take place at the December meeting. The nominating committee consists of John Zornow, Nelson Cook and Kevin Rooney.

There being no further business, the meeting was adjourned at 8:18 p.m.

Respectfully submitted,

Susan Pullen
Secretary