

WAYNE COUNTY PLANNING BOARD
MINUTES
December 12, 2007

Chairman Steve Guthrie called the combined November-December 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, Monica Deyo, Scott Gregg, Steve Guthrie, Ken Lauderdale, Larry Lockwood, Doc Malchoff, Kevin Rooney, Larry Ruth, Jim Switzer, Ron Thorn, Ken VandeWalle, John Zornow

Staff: Bret DeRoo and Susan Pullen

Guests: Chris Vitale, Paul Vitale (Terrace @ Newark), James Cleason (Cleason Co), Tyler LaVoy

MINUTES

Motion made by Mr. Lauderdale to Approve the October minutes. Seconded by Mr. Lockwood. Motion Carried.

ZONING AND SUBDIVISION REFERRALS

The Terrace @ Newark, 208 Route 88 S, T. Arcadia 12/07-157
Special Permit, Preliminary Site Plan, Tax Map Ref. No: 68110-18-420059

Referral to construct and operate a 60 bed assisted living facility in a residentially zoned area south of the Village of Newark. The applicants appeared before the board to answer questions. They currently operate similar facilities in Geneva, Camillus and Baldwinsville. They provide meals, housekeeping and home health aides. They will not provide medical care outside of maintenance medication. There would be no physical on staff. The residence is for those who do not need skilled nursing home care and want to stay independent. The residence would be approx. 30,000 sq. ft. and would mimic a residential home. There would be a common area in the center of the building with a small town atmosphere, offering a beauty salon, ice cream shop, lounges.

The Vitales acquired the property 10 months ago. They are a family owned and operated business. They will have an administrator operating the building. They indicated they have a background of working with skilled nursing homes. Medicaid patients would be in one wing, with up to 18 beds. They do not anticipate adding any on to the residence, as the 60 bed is a manageable facility.

Motion made by Mr. Lockwood for approval with the following conditions: 1) even though there are no current plans, thought should be given to future expansion (i.e. an addition or building) and site development should proceed accordingly, 2) it is suggested that a service road encompass the entire building (could the service road also be used to provide a place for residents to walk?), 3) the proposed building should be constructed further away from the residence that is located to the north to provide an added buffer between the two uses, 4) given the proposed number of units, the Board felt that providing a second driveway could be beneficial (emergency vehicle access), 5) a NYSDOT permit must be obtained for the proposed Route 88 road cut, 6) the proposed driveway should have AASHTO recommended sight distances, 7) as this is located on the highly traveled NYS Route 88 ("gateway" to the town and county), the site should be developed in an aesthetically pleasing manner through use items such as building and site design, building materials and landscaping. Seconded by Mr. Switzer. Motion Carried.

Cleason Mine, Palmer/Hogback/Whitbeck Roads, T. Palmyra 12/07-156

Special Permit, Tax Map Ref. No: 67111-00-002282, 008862,144302,859880, 976854, 66111-10-999593

This is an existing DEC permitted excavation/mining operation. The DEC mining permit was issued in 2006 and they have conducted compliance reviews with the Town of Palmyra participating. This is a long standing mining operation from the early 1960's. A three volume DEIS was provided with the review. DEC has noted there are no adverse effects. Traffic volume was discussed. Mr. Cleason indicated the Town of Arcadia and Wayne County haul from the pit. They do not expect much change in the amount of traffic. The crossing at Whitbeck Road has been taken care of by the State and the Port Gibson bridge has a posted weight limit.

The operation would be done in phases. Phase I would have to be reclaimed before starting phase 2. They mine 150,000 tons per year and there is about 155 million ton there, according to Mr. Cleason. The land would be agricultural after reclamation. They had 2-3' of topsoil and have had good ag reclamation.

Motion made by Mr. Rooney, seconded by Mr. Zornow for approval with the following conditions: 1) all necessary federal, state and local permits/approvals must be obtained, 2) **absolutely everything possible** is done to keep petroleum and/or hazardous products from reaching the water table/supply (e.g. store equipment in a sheltered environment and on an impervious surface, 3) the Town of Palmyra should consider options for providing dependent residents with water should the proposed operation happen to impact either ground water quality or quantity in the area, 4) truck traffic should be routed to **avoid residential areas, including the Village of Palmyra**, 5) any development near (or visible from) the Erie Canal should be screened in a manner that preserves the view for visitors using the canal or its adjacent trail, 6) where necessary/applicable, operational noise and dust should continue to be mitigated (through use of berms, watering, etc.) and 7) hours of operation should continue to be limited so they don't interfere with adjacent residential uses. Motion Carried.

Wayne ARC, 927 Victor Road, T. Macedon
Special Permit, Tax Map Ref. No: 61110-732931

12/07-158

Referral to convert the former Farm Restaurant into a day treatment facility. There would be an office and day treatment facility. This is a 22 acre parcel and a re-use of an existing building. Wayne ARC is regulated by New York State. The building/property were donated to ARC.

Motion made by Mr. Lockwood for approval with the following conditions: 1) all NYSDOH regulations applicable to a day treatment facility must be complied with and 2) prior to making parking lot/driveway improvements, thought should be given to how the proposed public access (canoe launch) will integrate with the overall site design and anticipated traffic patterns. Seconded by Mr. Switzer. Abstained: Mr. Rooney. Motion Carried.

Todd Kaplin, 2904 Kittering Road, T. Macedon
Special Permit, Tax Map Ref. No: 61113-00-341418

12/07-159

Referral to operate a towing business at this residence. He currently operates a towing service elsewhere but would like to operate out of his home. There would be 4 tow trucks that he would maintain, but would not conduct any other mechanical work on the property. There is a garage currently on the 10.5 acre parcel. There is buffering in the back of the property and some fencing for screening. There is a Harley business down the road and more housing is being built in the area.

Motion made by Mr. Switzer for approval with the following conditions: 1) all hazardous/toxic materials must be properly disposed of, 2) outside storage of parts, etc. should not be permitted, 3) the driveway should have AASHTO recommended sight distances, 4) the operation should be screened from neighbors

through use of landscaping, fencing, etc. and 5) vehicles should not be towed back to the property. Seconded by Mr. Ruth. Abstained: Mr. Rooney. Motion Carried.

Wooster Farms Subdivision, 7500 Lakeside Road, T. Ontario 12/07-155
Preliminary/Final Subdivision Plan, Revised Site Plan, Tax Map Ref. No: 62119-00-051115

Referral for a two lot residential subdivision. Two parcels, 5 acres and 7 acres are being split off a 157 acre parcel. There are some flood zone areas on the back part of the parcel.

Motion made by Mr. Zornow for approval with the following condition: 1) any proposed driveways should have AASHTO recommended sight distances. Seconded by Mr. Ruth. Motion Carried.

Local Law #1 of 2007 – Animal Feeding 12/07-160
Amendment to Text

Referral for a 3 month moratorium on concentrated animal feeding operations in the Town of Rose. The town proposed a moratorium 2 years ago. The town can ask for a site plan for manure storage.

Motion made by Mr. Lauderdale for approval with the following recommendations: 1) the Town should consider increasing the length of moratorium from 3 months to 6 or even 9 months, 2) the proposed local law should be compatible with NYS Agriculture and Markets Law and 3) the Town should utilize the NYS Department of Agriculture and Markets (NYSDAM) as a resource regarding this matter. Seconded by Mr. Gregg. Abstained: Mr. Guthrie. Motion Carried.

OTHER BUSINESS

Nomination of Officers

The following slate of officers for 2008 was presented:

Chairman – John Zornow
Vice Chairman – Jim Switzer
Secretary – Scott Gregg

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

Training - Discussed requirements of training. Towns require 4 hours per year. The County does not yet have an official written policy for planning board members.

Ken Lauderdale submitted his resignation as a board member, as he was elected as Supervisor of the Town of Savannah. He thanked the board members and planning staff for their assistance and friendship over the last three years.

There being no further business, the meeting was adjourned at 8:08 p.m.

Respectfully submitted,

Susan Pullen
Secretary