

WAYNE COUNTY PLANNING BOARD
MINUTES
January 30, 2008

Chairman John Zornow called the January 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, Larry Lockwood, Doc Malchoff, Kevin Rooney, Larry Ruth, Jim Switzer, Ron Thorn, Ken VandeWalle, John Zornow

Staff: Bret DeRoo and Susan Pullen

Guests: Nelson Cook, Leroy Hollier, Carrie O'Neill, Vicky Savard (Complete Foot Care), Betsy Brugg Bryan Dibble (Canalside Estates), Anne Young

MINUTES

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

ZONING AND SUBDIVISION REFERRALS

Complete Foot Care, 154 West Shore Blvd., V. Newark 1/08-10
Preliminary/Final Plan, Tax Map Ref. No: 68111-17-140156

Referral to construct a new 2,646 sq. ft medical office facility. The Board saw this property in the spring of last year as Colacino Electric. That project didn't materialize. This 3.5 acre parcel will now be split into 2 parcels. The medical facility will accommodate all setbacks; there will be 28 parking spaces and 8 handicapped loading areas. There is a veterinarian office to the east.

Motion made by Mrs. Deyo for approval with the condition that the site is developed in an aesthetically pleasing manner through use of items such as building design/materials, fencing, landscaping etc. Seconded by Mr. Gregg. Motion Carried.

Canalside Estates, 4190 Palmyra-Newark Road, T. Palmyra 1/08-12
Special Permit, Tax Map Ref. No: 66111-00-115535

Referral to expand the 90 unit park by an additional 40 manufactured housing units. This is a senior housing development. There is town water and private sewers. The town planning board has approved the plan. The density of the park is lower than allowed by code. The homes are approx. 28'x60' with attached garages, no carports. The sewer system is gravity fed through the park with 4" laterals into the septic tanks and pump station. There would be a 50% expansion of the sewer system. There is currently only one access/egress to the park and the board was concerned that with a park that large, one access would be adequate if the Route 31 access was blocked or an emergency arose. This plan should also be referred to the fire and ambulance personnel for their input. The applicants indicated a traffic study has not been done. Access on the west side of the park was not allowed by NYS DOT because of the severe curve in the road. The board suggested an island for 2-way traffic onto Route 31.

Motion made by Mr. Switzer for approval with the condition that all necessary NYSDEC and NYSDOH permits/approvals (sanitary sewer, drinking water, storm water and erosion and sediment control) are

obtained. The Board does also suggest that applicable emergency service agencies should be contacted regarding the functionality of the proposed site design (considering the number of units, internal road layout, NYS Rt. 31 ingress/egress, etc.). There was concern about developing approximately 140 residences on a parcel that is accessed by only one driveway. The Board discussed options that would provide another outlet to NYS Rt. 31 such as: 1) modifying the existing driveway by splitting it with an island to provide two access alternatives should a problem arise with one (e.g. becomes blocked) and 2) if possible, using VFW property as an emergency access alternative by extending their driveway/paved area to meet this development. Given the latter scenario, the Board felt a crash gate should be installed to discourage thru traffic between the two properties, if the VFW would even consider the proposal. Seconded by Mr. Ruth. Motion Carried.

Anne Young, 50 Canal Street, V. Lyons
Special Permit, Tax Map Ref. No: 71111-09-141667

1/08-11

Referral to allow an apartment on the second floor over retail business. There is a laundromat on the ground floor. The second floor apartment has five bedrooms and meets the zoning code, as long there is only one family living there. She has received village board approval. The referral now goes before the village zoning board for final action.

Motion made by Mr. Guthrie, seconded by Mr. Switzer for approval with the condition that all applicable NYS Uniform Fire Prevention and Building Codes are met. The Board supported the reuse of an existing downtown building (including the upper floor for family space); particularly given that it will be “operator-occupied” and that it is supported by strategies found in the Village’s “Community Revitalization & Development Strategic Plan”. However, they do want to ensure there is no chance that the Laundromat activity (e.g. dryer use) will place upstairs occupants at risk. Motion Carried.

Old Duck Inn B&B, 1062 Tyre Road, T. Galen
Special Permit, Tax Map Ref. No: 75111-00-072133

1/08-13

Referral to establish and operate a bed and breakfast, located near the Audubon Center. This is on a 90 acre parcel and meets code per the town. There are wetlands to the rear of the property.

Motion made by Mr. Guthrie for approval with the condition that driveway sight distances meet AASHTO (American Association of State Highway and Transportation Officials) recommendations for the posted road speed limit. Given the proximity of the Montezuma Wetlands Complex, the Planning Board felt the addition of a Bed and Breakfast in this location could be a benefit to Galen should the Town wish to promote eco-tourism opportunities. Seconded by Mr. Thorn. Motion Carried.

Darren Oswald, 102 Wilkinson Road, T. Macedon
Area Variance, Tax Map Ref. No: 60110-00-979948

1/08-04

Referral to construct an in-law addition larger than allowed by code. The town allows a maximum of 500 sq. ft. This addition is 772 sq. ft., making the whole house 1272 sq. ft. Discussion centered on a second entrance for the addition and the possible trend of more in-law apartments as the aging population increases.

Motion made by Mr. Gregg for approval with the following conditions: 1) NYS Uniform Fire Prevention and Building Code is met (ensure there is required access to the proposed addition and verify there is a safe separation distance between the existing barn and proposed addition) and 2) the hardship criteria

required to grant the area variance must be met at the local level. Seconded by Mr. Guthrie. Abstained: Mr. Rooney. Motion Carried.

Lester Nodecker, Haak Road, T. Macedon 1/08-05
Preliminary/Final Subdivision Plan, Tax Map Ref. No: 64113-00-216553

Referral to subdivide 7 acres from a 63+ acre parcel. There is a flood zone and national wetlands on the property.

Motion made by Mr. Guthrie for approval of the preliminary and final subdivision plan with the following conditions: 1) all natural features (wetlands, flood zone and drainage ditch) present on the site should be properly avoided/mitigated when developed and 2) the site should have the potential to locate a driveway that will meet AASHTO recommendations for sight distances given the posted road speed limit. Seconded by Mr. Switzer. Abstained: Mr. Rooney Motion Carried.

St. Gregory's Subdivision, 3806, 3810 Union Street, T. Marion 1/08-02
Preliminary/Final Subdivision Plan, Tax Map Ref. No: 65114-12-922549, 65114-00-985484

Referral to sell the former rectory for a residence. There will not be an access to Union Street after the split. There is 30 acres to the rear of the parcel with access onto Pembroke.

Motion made by Mr. Guthrie for approval, seconded by Mr. Ruth. Motion Carried.

Local Laws 4-7 of 2007, V. Macedon 1/08-15-18
Amendment to Text

Local law #4 – requiring a storm water pollution prevention plan for site plan approval
Local Law #5 – requiring storm water pollution prevention plan for preliminary subdivision approval
Local Law #6 – adding definitions relating to the municipal separate storm sewer system
Local law #7 – specifications of a storm water pollution prevention plan for land development activity

SEQR forms were provided. These local laws will bring the town up to date with the requirements for the stormwater pollution prevention plan.

Motion made by Mr. Guthrie for approval with the recommendation that the proposed laws are reviewed and approved by the Village Attorney prior to adoption. Seconded by Mr. Switzer. Motion Carried.

AVL Recycling, 6375 Furnace Road, T. Ontario 1/08-03
Special Permit, Tax Map Ref. No: 63117-00-452805

Referral to operate an auto recycling center. Applicant will operate the auto recycling center in a former cold storage facility. This will be a totally indoor operation. No outside storage of parts or cars. He buys vehicles from insurance companies and then dismantles them. He buys late model cars, 2000 to current. He anticipates getting 6 cars a week. He has machines to take fluids out of the cars. These fluids will be removed by fluid recyclers.

Motion made by Mr. Guthrie for approval with the following conditions: 1) NYS Uniform Fire Prevention and Building Code must be met, particularly given the mixture of uses in the building, 2) all required NYSDEC permits must be obtained, 3) there should be proper handling, storage and disposal of hazardous materials, and 4) there should be no outside storage of parts. Seconded by Mr. Ruth. Motion Carried.

Gross Subdivision, 6187 Lincoln Road, T. Ontario
Preliminary/Final Subdivision Plan, Tax Map Ref. No: 61117-00-622516

1/08-05

Referral to subdivide 24 acres into 5 residential building sites. Lot sizes are 8.7, 7.28, 1.35, 1.69 and 5.13 and exceed town regulations. There is some concern about percs and a raised bed system will be needed. Site distance is good and there is a 4- way stop at the corner.

Motion made by Mr. Ruth for approval with the condition that storm water and erosion and sediment control measures meet Phase II NYSDEC requirements. Seconded by Mr. VandeWalle. Motion Carried.

George McConochie, 6889 North Geneva Road, T. Sodus
Special Permit, Tax Map Ref. No: 70118-00-494412

1/08-09

Referral to erect a 126' residential wind turbine on a 20+ acre parcel. This was reviewed previously, but the permit lapsed locally.

Motion made by Mr. Guthrie for approval, seconded by Mr. Rooney. Abstained: Mr. Malchoff. Motion Carried.

Sullivan Subdivision, 6910 Ridge Road, T. Sodus
Preliminary Subdivision Plan, Tax Map Ref. No: 69117-06-473925

1/08-08

Referral to split a commercial garage from a residential multiple residence building. Previously there was a car sales business out of the existing building/garage. The garage is being sold. The parcel would be split with the garage on one parcel and the multi-family residence on the second parcel. Zoning would be met for the business and residential property.

Motion made by Mr. Switzer for Denial. The Board felt more information was needed to accurately address General Municipal Law considerations. The Board was not necessarily opposed to the subdivision and understands that the proposal meets local code, but they still felt that a more detailed subdivision plan should be provided. For example, they want to verify that enough land is provided with each proposed parcel to ensure that septic systems will meet NYS Department of Health code requirements, particularly given the multi-family residential and commercial (garage) uses. Even though buildings are now sited on both proposed parcels, the Board also questioned if there would be any "compatibility of land use issues" once the buildings are under separate ownership. Seconded by Mr. Ruth. Abstained: Mr. Malchoff. Motion Carried.

Local Law #1 of 2008, T. Walworth
Amendment to Text

1/08-14

Referral for changes and additions to an existing local law. Addition to the "accessory building" chapter regarding bathroom facilities. Hours of operation were added for the B-1 District. Animal definitions were added to the "Farm Animals" section.

Motion made by Mr. Rooney for approval with the recommendation that the proposed law is reviewed and approved by the Town Attorney prior to adoption. Seconded by Mr. Zornow. Abstained: Mr. Ruth. Motion Carried.

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

Ford Subdivision, 4299 Witherden Road, T. Marion
Prelim/Final Subdivision Plan, Tax Map Ref. No: 66115-00-138252

1/08-01

Two lot subdivision

Marc White, 2263 Walworth-Marion Road, T Walworth
Special Permit, Tax Map Ref. No: 63114-15-650472

1/08-07

Family operated kitchen/bathroom showroom

There being no further business, the meeting was adjourned at 8:22 p.m.

Respectfully submitted,

Susan Pullen
Secretary