

WAYNE COUNTY PLANNING BOARD
MINUTES
September 26, 2007

Chairman Steve Guthrie called the September meeting of the Wayne County Planning Board to order at 7:03 p.m. in the Court House in Lyons, New York.

Present: Steve Buisch, Monica Deyo, Steve Guthrie, Ken Lauderdale, Larry Lockwood, Doc Malchoff, Kevin Rooney, Larry Ruth, Jim Switzer, Ken VandeWalle, John Zornow

Staff: Bret DeRoo and Susan Pullen

Guests: Stephanie Rahn

MINUTES

Motion made by Mr. Malchoff to Approve the August minutes. Seconded by Mr. VandeWalle. Motion Carried.

ZONING AND SUBDIVISION REFERRALS

Kahli's Garden Industrial Park, Kermway Drive, T. Marion
Special Permit, Tax Map Ref. No: 65114-00-806988

9/07-144

Referral to develop 20-30 acres of the 60 acre site for industrial type business. The property was zoned as industrial use in the early 1990's. This is one of the few properties that is sewer and water and electric ready. Ms. Rahn was present to answer questions. She indicated this would be a dealer only auto auction with a mechanics shop and detail body shop. A special permit is needed to operate the auction. The auction would be 1 day a week. The body and mechanics shop would be open 5 days a week. She hopes to create upwards of 300 jobs at the facility. The site plans show lots 1-5 proposed for possible future industrial development. The proposed road servicing the proposed lots would be dedicated back to the town. Kermway Drive is also a town road. There are 2 residences to the south which also use Kermway Drive for access. Ms. Rahn indicated the only concerns those neighbors had were with lighting from the buildings. She indicated the lot is heavily wooded and the lights should not be a concern to the neighbors. They hope to open the auction facility in spring 2008.

Motion made by Mr. Lauderdale for approval with the following conditions: 1) consideration should be given to modifying the concept site/subdivision plan (September 2007- Concept Plan "A") so that Lots 1-5 are relocated away from the area that is between the mapped wetlands and floodplain. By relocating and using the same length of dedicated road, the applicant may be able to develop the western portions of the parcel and use BOTH sides of the road for industrial sites. This may result in the need to relocate the auction, mechanics, industrial park and detailing auto body buildings. 2) given the potential for high traffic volumes, a traffic study should be undertaken (right and left turn lanes needed on NYS Rt. 21?), 3) NYS DOT should review the plans and must approve of any new road cuts, 4) the development should be made aesthetically pleasing through use of building materials and design, landscaping, etc., 5) wetlands and floodplains should be mitigated/avoided, 6) all required NYSDEC permits must be obtained for every phase of development and 7) and storm water and erosion and sediment control measures must meet Phase II NYSDEC regulations if one acre or more of soil is disturbed by the development. Seconded by Mrs. Deyo. Motion Carried.

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

9/07-142

Referral to allow a permanent structure 20' from the edge of the road. This is a .153 acre parcel, zoned C-3. Applicant proposes a 400 sq. ft. structure, with no specific tenant in place. There are 9 parking spaces denoted on the plan. Theoretically, applicant has gotten an ok for RG&E easements. This parcel was reviewed in June as a non-permanent structure.

Motion made by Mr. Zornow for Denial. The Board does not wish to discourage business, but they still have concerns similar to those cited the last time the applicant submitted a proposal in June 2007. There was a lack of information needed to determine "compatibility of land use" issues and traffic impacts. The site plan was difficult to interpret and given the size of the parcel, infrastructure contained on the parcel (electric utility, pump station) as well as the range of business use proposals (bicycle/paddle boat rental, bait and tackle or antiques shop), the site doesn't seem to contain the area needed to compensate the use as well as 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. VandeWalle. Motion Carried.

Bark Inn, 6821 Rotterdam Road, T. Sodus
Special Permit, Tax Map Ref. No: 68118-00-942330

9/07-138

Referral to operate a kennel to board dogs. This is a 15 acre parcel zoned Residential. There are structures near the road and wetlands to the rear of the parcel. There is municipal water. There is a 12'x28' pole barn that was built in 2006 specifically for this type of business. There are 4x6' stalls for adult dogs. There is a menagerie of different animals on the property already. The town has recommended they limit the number of dogs to 5.

Motion made by Mr. Ruth for approval with the following conditions: 1) driveway sight distance should meet American Association of State Highway Transportation Officials recommendations, 2) there should be adequate on-site parking, 3) operational odors and noises should be mitigated (with particular attention given to any neighboring residential property), 4) animal waste must be properly disposed of, 5) outdoor boarding (noise mitigation) and/or storage should not be permitted 6) the site should be developed in an aesthetically pleasing manner through use of items such as building materials, landscaping and general property maintenance, 7) NYS Dept. of Agriculture and Markets permits/approvals should be obtained if necessary and 7) proper veterinary care and records should be provided. Seconded by Mr. Switzer. Abstained: Mr. Malchoff. Motion Carried.

GC Specialty Company, 7624 Sodus Center Road, T. Sodus
Special Permit, Tax Map Ref. No: 70116-06-353806

9/07-140

Referral to sell merchandise from the home, i.e. household, lawn/garden, toys, games, cabinets. Orders would be from a catalog and sold from an outside display. This .37 acre parcel is zoned Residential and is located near the former Indian Summer plant. Displays and catalogs would be on the porch, in the garage and on the driveway. He plans to be open Monday, Wednesday, Friday and Sunday from 10 AM to 8 PM. Parking would be in the driveway and roadway.

Motion made by Mr. Lauderdale for approval with the following conditions: 1) there must be adequate off-road parking, 2) impacts to Sodus Center Road traffic should be minimized by making sure that vehicles will not need to back into the road to leave the site and 3) the proposal should not negatively

impact the residential character of neighborhood. Limiting outside storage of merchandise (i.e. no permanent outside storage) to operational hours may be one way to accomplish this. Seconded by Mr. Ruth. Opposed: Mr. Zornow, Abstained: Mr. Malchoff. Motion Carried.

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

Bruce Bell, 3174 County Line Road, T. Macedon 9/07-145
Area Variance, Tax Map Ref. No: 60113-00-951753

Construct pole barn in front yard with the following comments: 1) the hardship criteria required to grant an area variance must be met at the local level and 2) should the area variance be granted, the barn should be sited and constructed (materials and design considered) in a way that helps it blend with surrounding residential developments.

Prime Time Convenience Store, 1241 Route 31, T. Macedon 9/07-146
Area Variances, Tax Map Ref. No: 62111-06-389762

Development of a convenience store/fast food/gasoline. The board added the following comments: 1) the hardship criteria required to grant the area variances must be met at the local level and 2) should the area variances be granted, the developers are encouraged to use as much of the parcel as necessary to make the site's traffic flow and parking as safe as possible. The submitted site plan appears to be a bit congested given the anticipated traffic patterns and proposed parking spaces. It appears a few parking spaces could be removed (and still meet code requirements) if necessary.

Village of Newark, West Shore Blvd., V. Newark 9/07-141
Annexation

A small portion of the West Shore Blvd. right-of-way lies with the Town of Arcadia. To simplify future development, the village is requesting annexation of this small parcel.

Burnap Subdivision, North Centenary Road, T. Sodus 9/07-139
Prelim/Final Site Plan, Prelim Subdiv. Plan, Tax Map Ref. No: 667118-00-997619

Two lot subdivision Sight distance for any driveway accessing the proposed lots should meet AASHTO recommendations.

Antonina Labarbera, East Port Bay Road, V. Wolcott 9/07-143
Use Variance, Tax Map Ref. No: 76117-05-041844

Install a mobile home on vacant land. Hardship required to grant a use variance must be met at the local level.

OTHER BUSINESS

The planning department has accepted, with regret, Lyman Kaller's resignation from the county planning board. Mr. Switzer suggested the board send a letter to Lyman thanking him for his 17 years on the board and 15 years faithfully serving on the preview committee.

There being no further business, the meeting was adjourned at 8:00 p.m.

Respectfully submitted,

Susan Pullen
Secretary