

WAYNE COUNTY PLANNING BOARD
MINUTES
January 31, 2007

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

Present: Bill Bailey, Monica Deyo, Scott Gregg, Steve Guthrie, Larry Lockwood, Doc Malchoff, Kevin Rooney, Peter Schillaci, Jim Switzer, Ken VandeWalle, John Zornow

Staff: Bret DeRoo and Susan Pullen

Guests: Paul Castelli (Crickett Communications), Scott VanderWeel (National Oil Recycling)

MINUTES

Motion made by Mr. Switzer to Approve the December minutes. Seconded by Mr. Gregg. Motion Carried.

ZONING AND SUBDIVISION REFERRALS

Crickett Communications, Franklin Street, V. Lyons 1/07-13
Special Permit, Tax Map Ref. No: 71111-14-441379

Referral for a co-location of antennas on an existing tower and placing equipment inside an existing fenced compound. Mr. Castelli was present from the company to answer questions. He indicated they have acquired an FCC license for the Rochester area. They have service in Syracuse and will be connecting the two areas. They will also be co-locating on addition towers in Walworth, Palmyra and Arcadia. Question was raised if towers would need to be extended to accommodate any new co-location antennas. If this did happen, a new application would be to be submitted to extend the height of any tower. Mr. Castelli indicated the antennas are for cell phone customers. Lease agreements are typically for 5 years. The co-locations they are propping for Wayne County should be good to 2009.

Motion made by Mr. Switzer for Approval with the following conditions: 1) all applicable local, state and federal regulations must be met and 2) the tower must be structurally capable of handling the increased antenna load. Seconded by Mr. Rooney. Motion Carried.

Crickett Communications, 1382 Wilson Road, T. Macedon 1/07-07
Special Permit, Tax Map Ref. No: 61111-00-568487

Referral for a co-location on an existing cell tower. Mr. Castelli was present from the company to answer questions.

Motion made by Mr. Zornow for Approval with the following conditions: 1) all applicable local, state and federal regulations must be met and 2) the tower must be structurally capable of handling the increased antenna load. Seconded by Mrs. Deyo. Motion Carried.

Crickett Communications, 82 Bills Road, T. Walworth 1/07-18

Special Permit, Tax Map Ref. No: 60114-00-994568, 994569

Referral to co-locate antennas and equipment on an existing guyed tower. Mr. Castelli was present from the company to answer questions.

Motion made by Mr. Switzer for Approval with the condition that storm water and erosion and sediment control measures meet Phase II NYS DEC regulations. Seconded by Mr. Rooney. Motion Carried.

National Oil Recycling, Railroad Avenue, T. Rose
Special Permit, Tax Map Ref. No: 73116-19-708067

1/07-09

Referral for a new business to recycle used cooking oil and sell it for fuel oil. Mr. VanderWeel was present to answer questions. He indicated he will recycle cooking oil from restaurants and sell the refined oil for dog food, chicken food and fuel oil. The used vegetable oil is collected in 55 gallon drums. He filters out the impurities and water. He indicated it is not recognized by the government as diesel fuel and can haul the oil without permits. The business is an existing building in an industrial zone. He has placed two trailers to hold the drum oil in a heated area and to keep the area clean. He indicated he has applied to DEC about the water by-product. He indicated when he was in Sodus he used the sewer system or put the water on farmer's fields.

Motion made by Mrs. Deyo for Approval with the following conditions: 1) the operation will be compatible with existing adjacent industrial land uses, 2) the applicant will improve the aesthetic value of the property and 3) the applicant has contacted the NYS Department of Environmental Conservation and will adhere to their environmental regulations, including proper disposal of operational by-products such as waste water. Seconded by Mr. Rooney. Abstained: Mr. Guthrie. Motion Carried.

Local Law – Wind Energy, T. Lyons
Amendment to Text

1/07-03

Amending local law on wind energy. One change is that WECS will be permitted in the R-A (Residential-Agricultural) and M-I (Industrial) Districts only.

Motion made by Mr. Switzer for Approval with the following conditions: 1) the town attorney reviews and approves the local law, 2) consideration should be given to allowing Small Wind Energy Conversion Systems (“Small WECS”) be greater than 50’ in total height (to be viable and potentially reduce the need for height variances) and 3) consideration should be given to providing setback requirements from property lines for small WECS. Seconded by Mr. Rooney. Motion Carried.

Chester Wood, Phase 2, Pannell Road, T. Macedon
Preliminary plan, Preliminary/Final Subdivision Plan, Tax Map Ref. No: 60110-00-999800

1/07-12

Referral for a 3 lot subdivision. This was seen in September 2005 originally as a 9 lot subdivision with a dedicated road. The board approved phase 1 with conditions re: sight distances, road cuts and stormwater. Phase 1 was approved locally. The total subdivision is now 6 lots total, with one home already built (phase 1, lot 1). Developer may split one of the lots into 2 more lots – lots 4&5. There are currently six lots on a private drive. The private road needs to meet town specifications and a homeowner's association will be needed. Lot #1 would be forced into the homeowner's association. If further development continues, a town dedicated road may be needed.

Motion made by Mr. Switzer for Approval with the following conditions: : 1) storm water and erosion and sediment control measures must meet Phase II NYSDEC regulations, 2) there is a maintenance agreement between the existing (Phase 1, Lot No. 1) and proposed homes for the shared private driveway,

possibly through creation of a Homeowners Association and 3) the developer and property owners are aware that a dedicated road may be required when six (6) or more homes access the proposed private drive. This may be the case if Lot 6 is re-subdivided in the future. Seconded by Mr. VandeWalle. Abstained: Mr. Rooney. Motion Carried.

Summer Lake Subdivision, Lake Road & Roder Parkway, T. Ontario 1/07-16
Final Plan, Preliminary/Final Subdivision Plan, Tax Map Ref. No: 61119-15-551399

Referral for a phased 65 lot subdivision. Section 4 is proposed for preliminary/final approval, while Sections 5-8 are for preliminary approval. Minimum lot size is 16,000 sq. ft., minimum lot width 80'; front setback 40'; side setback 10'; minim rear setback 20'; acres of conservation area 17.30. Phases 1-3 have already been completed. Section 6 has a detention pond and conservation area which buffers neighbors. Section 4 has 17+ acres of conservation area. Water will drain north onto neighboring properties. There are serious stormwater issues. The school system can handle the increase as they have 40 additional classrooms since BOCES backed out of their school. Union Hill has put in a second fire station. The homes will price at \$180,000+.

Motion made by Mr. Switzer for Approval with the following conditions: 1) plans for the conservation areas should be determined, including ownership and use details and 2) storm water and erosion and sediment control measures should meet Phase II NYSDEC regulations, particularly given drainage considerations in this area. The Board often encourages cluster subdivisions, particularly if the open space not only provides buffering, but is also made usable for activities such as walking or biking. Seconded by Mr. Rooney. Motion Carried.

Wayne CAP, 7188 Ridge Road, T. Sodus 1/07-04
Special Permit, Tax Map Ref. No: 69117-00-794724

Referral to convert an existing building into a transitional housing facility. Wayne CAP owns the building and would receive funding for the housing. This project involves providing food, shelter, education and counseling to the homeless. This was previously reviewed in August 2006 as a use variance. With a reinterpretation of code definitions in the town, this is being reviewed as a special permit. Head Start is behind the building and there business properties and residences.

Motion made by Mr. Switzer for Denial of the special permit. The Board would like to support the application, but ultimately felt the transitional housing proposal would not be a compatible use with the adjacent Head Start facility. Seconded by Mr. Zornow. Abstained: Mr. Malchoff. Motion Carried.

A&Z Auto Sales, 6910-5 Ridge Road, T. Sodus 1/07-06
Special Permit, Tax Map Ref. No: 69117-06-473925

Referral to operate an auto repair/sales business. This is an existing car lot, and is simply a change of ownership.

Motion made by Mr. Schillaci for Approval with the following conditions: 1) hazardous/toxic materials should be properly disposed of, 2) there should be no outstanding "environmental issues" (i.e. substandard buried tanks) with the property, 3) the property should be maintained in an aesthetically pleasing manner (i.e. limit outside storage, landscape, etc.). Seconded by Mr. Rooney. Abstained: Mr. Malchoff. Motion Carried.

Savannah Community Church, Seneca Street, T. Savannah 1/07-14
Final Site Plan, Tax Map Ref. No: 77111-00-574665

Referral to construct a 68' x 42' church on 9 acres. There is adequate parking, 40-50 spaces. The driveway will be off Seneca Street. There is septic detail on the maps.

Motion made by Mr. Rooney for Approval with the following conditions: 1) driveway sight distances should meet American Association of State Highway Transportation Officials (AASHTO) recommendations, 2) a Wayne County Highway Department driveway permit should be obtained, 3) the sight should be developed in an aesthetically pleasing manner (through use of such things as building materials, landscaping, etc.), 3) the potential to connect to public sewer should be discussed and 4) storm water and erosion and sediment control measures should meet Phase II NYS Department of Environmental Conservation regulations if one acre or more of soil is disturbed by the development. Seconded by Mrs. Deyo. Motion Carried.

Orchard View Estates, Route 441, T. Walworth 1/07-01
Preliminary/Final Plan, Tax Map Ref. No: 63114-00-507734

Modification of plans to construct smaller units on smaller lots. The number of homes has increased to 142; town allows 164 lots on an 82 acre site used as cluster development. These will be patio homes, approx. 1800-2400 sq. ft targeted at age 55+ who want to downsize.

Motion made by Mr. Switzer for Approval with the condition that storm water and erosion and sediment control measures meet Phase II NYS Department of Environmental Conservation regulations. Seconded by Mr. Rooney. Abstained: Mr. Schillaci. Motion Carried.

Baldwin-Richardson Foods, 4949 Townline Road, T. Williamson 1/07-08
Area Variance, Tax Map Ref. No: 66117-00-970963

Referral to remove an existing building at the west end of the complex that is 55' from the front line and construct a new building that will be 75' from the front line. Two area variances were granted by the ZBA for the buildings to be closer to Route 104. This new building will be in line with the large warehouse to the east. The new building will be approx. 61,000 sq. ft, which is slightly smaller than the existing portion that will be demolished. This is the former Seneca Foods plant and is a good re-use of the building. Access is off Townline Road.

Motion made by Mr. Zornow for Approval with the following conditions: 1) the hardship criteria required to grant an area variance are substantiated at the local level, 2) the proposed addition will not hinder access (ingress or egress) to NYS Route 104, 3) necessary NYSDOT permits are obtained for any Route 104 access modifications, and 4) the site is developed in an aesthetically pleasing manner (through use of such things as building materials, landscaping, etc.), as it is located on the highly traveled NYS Route 104. Seconded by Mr. Malchoff. Abstained: Mr. VandeWalle. Motion Carried.

Wilbor Subdivision, 2991 Lake Road, T. Williamson 1/07-15
Preliminary/Final Subdivision Plan, Tax Map Ref. No: 64119-00-562464

Referral to subdivide land on the north side of the road. Ag use will remain on the south side of Lake Road. There two existing homes on the property. There will be 4 new homes in total.

Motion made by Mr. Zornow for Approval with the following conditions: 1) driveway sight distances meet American Association of State Highway Transportation Officials (AASHTO) recommendations, 2) development avoids the adjacent FEMA flood zone and 3) storm water and erosion and sediment control measures will meet Phase II NYSDEC regulations if one acre or more of soil is disturbed by the development. Seconded by Mr. Rooney. 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 Mr. Schillaci seconded by Mr. Gregg to return these referrals to their respective town/village to be handled as local matters. Motion Carried.

William Toomey, 950 Yellow Mills Road, T. Macedon 1/07-11
Preliminary/Final Subdivision Plan, Tax Map Ref. No: 64111-00-141082

Realty subdivision and sale of land between adjoining property owners

Okay/Cino Subdivision, Williamson Road, T. Marion 1/07-19
Preliminary/Final Subdivision Plan, Area Variance, Tax Map Ref. No: 66116-00-025164
Divide 3.7 acres into 2 lots; requesting 41.06' in lieu of 60' required for access to individual lots

Reginald Dallaire, 2191 Lake Road, T. Ontario 1/07-02
Area Variance, Tax Map Ref. No: 63119-15-570465

Adding addition to residence, with variance of 23' from required 40' rear yard setback , 2.7' from the 12' eastern side yard setback and 9' relief to required 32' side yard setback to construct 25'x26.3' addition on north side of residence.

Youngman Subdivision, 5557 Richardson Road, T. Sodus 1/07-05
Preliminary Site, Preliminary Subdivision Plans, Tax Map Ref. No: 67116-00-354805

One lot subdivision (1.19 acres from 56 acres)

Gananda Retail Center, Canandaigua Road/Fairway 7, T. Walworth 1/07-17
Preliminary/Final Subdivision Plan, Tax Map Ref. No: 62113-00-345929

3 lot subdivision

OTHER BUSINESS

Bret informed the board that Wayne County will partner with Seneca County and offer training to local boards. The Department of State will offer courses to fulfill the 4 hour required training at one training session, the evening of April 18th in Lyons. Information will be sent out to the local boards in the coming weeks.

There being no further business, the meeting was adjourned at 8:55 p.m.

Respectfully submitted,

Susan Pullen

Secretary