

WAYNE COUNTY PLANNING BOARD  
MINUTES  
February 28, 2007

Chairman Steve Guthrie called the February meeting of the Wayne County Planning Board to order at 7:04 p.m. in the Court House in Lyons, New York.

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

Staff: Bret DeRoo and Susan Pullen

Guests: Paul Castelli (Crickett Communications), Bill Haynes, Jim MacKecknie (Penn Cann), Steve Gile, Barry Cook (New Life Church), Dominick Lis, John Celso (Dollar General), Jason Wilburn, (Wayne Store & Lock), Jeanne Frey (Bed & Breakfast)

**MINUTES**

Motion made by Mr. Malchoff to Approve the January minutes. Seconded by Mrs. Deyo. Motion Carried.

**ZONING AND SUBDIVISION REFERRALS**

Crickett Communications, 1700 Minstead Road, T. Arcadia 2/07-35  
Special Permit, Tax Map Ref. No: 68111-00-389972

Referral for a co-location of antennas on an existing 270' tower and placing equipment inside an existing fenced compound. The co-location would be at 220'. Mr. Castelli was present from the company to answer questions. There are 2 towers on the hill, one being a radio tower. Mr. Castelli indicated that T Mobil and Cingular are also on the tower and that all conduits (power and telephone) are underground. He indicated they have a lease agreement with the owner for the tower and the fenced area. The tower would be accessible to technicians if the need presented itself. The property owner would maintain the property.

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 Mr. VandeWalle. Motion Carried.

Penn Can Asphalt, 300 Cole Road, V. Lyons 2/07-30  
Preliminary/Final Site Plan, Tax Map Ref. No: 71111-15-575260

Referral to install a 4 million gallon tank as part of a facility expansion to the existing plant. They installed a 2 million gallon tank last summer. Mr. Haynes indicated in December 2006 they met with DEC, a site visit was made and there were no anticipated problems with the expansion. There is 10' piping from the railroad and the tanks are filled from the railroad spur. Site work will start in April, with construction of the tank in June. Mr. Hayes indicated green space will be left as a buffer zone and that the old tanks from Chevron have been removed.

Motion made by Mr. Malchoff for approval provided that all NYS Department of Environmental Conservation regulations are met. Seconded by Mr. Switzer. Motion Carried.

New Life Community Church, 13266 Ridge Road, T. Wolcott 2/07-31

Special Permit, Tax Map Ref. No: 77117-00-344446

Referral to construct a church and operate church activities in an agricultural zone. There is an existing 30x40' pole barn which will be used for the church. They would like to add a 92x40 building as phase 1. Phase 2 will be a new sanctuary and phase 3 will be for recreational/fellowship gym. They are currently using a church on Westbury Road. Pastor Cook stated his youth membership is increasing and they would like to expand. He indicated they are prepared to put in a new septic system if the current one is not adequate. There are no plans for a sewer system to come to this area. The church is paying cash for the land and will use a bank loan for the building.

Motion made by Mr. Switzer for approval with the following conditions: 1) driveway sight distances should meet American Association of State Highway Transportation Officials recommendations, 2) parking and septic designs should be adequate for all phases of development, 3) septic design should meet NYS Department of Health regulations for the type of structure being proposed, 4) the site should be developed in an aesthetically pleasing manner (through use of items such as landscaping, fencing, building materials/design, etc.), 5) the developer should be aware that there is a flood zone in the most southern portion of the property and 6) storm water and erosion and sediment control measures must 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. Abstained: Mr. Gregg. Motion Carried.

Dollar General, 110 Wayne Avenue, V. Clyde  
Area Variance, Use Variance, Preliminary Site Plan

2/07-28

Referral to construct a 9,000 sq. ft retail store. Use variance is required for a free standing sign on the property and an area variance is requested for parking, i.e. 35 spaces where 75 are required. Mr. Lis was present to speak about the application. He indicated this is a grandfathered commercial use in an R-2 zone. An additional 3,000 sq. ft. will be added on to the former John's Restaurant. This 9,000 sq. ft. building is a standard prototype of the store. There will be no thru traffic. There is a gated access from Sodus Street. Mr. Lis indicated they have been to the planning board and have worked out every issue.

Motion made by Mr. Lauderdale for approval of the area variances and use variance provided that the hardship criteria required to grant the area and use variances are substantiated at the local level. Approval of the preliminary site plan was given with the following conditions: 1) the seven (7) parking spaces that are shown between the north side of the building and Wayne Avenue are no longer proposed, 2) the site will be developed to meet local fire fighting requirements and 3) the site will be developed in an aesthetically pleasing manner through use of items such as building materials (brick) and landscaping. Use of landscaping (and possibly even fencing) may help the proposal blend with the mixture of adjacent land uses. Motion Carried.

Wayne Store & Lock, 1464 Welcher Road, T. Arcadia  
Special Permit, Tax Map Ref. No: 68112-00-369657

2/07-34

Referral to construct an additional 22 unit storage building. Applicant will move a smaller storage unit from Marion to this location and place it on a new pad. The existing lighting on the adjacent buildings should suffice for this building also. There was a question as to whether there is adequate room between the buildings for emergency access. There is 40' between the 2 western most storage buildings. Welcher Road has public water.

Motion made by Mr. Lauderdale for approval with the following conditions: 1) if applicable, the new storage structure should comply with regulations relating to construction in a flood zone, 2) on-site traffic patterns, including provision for emergency vehicle access, should be planned for and 3) the site should

be developed in an aesthetically pleasing manner (through the use of items such as landscaping, fencing, building materials, etc) as the property is visible from the highly traveled NYS Route 88. Seconded by Mr. Gregg. Motion Carried.

Bed and Breakfast, 2356 Ryder Road, T. Arcadia  
Special Permit, Tax Map Ref. No: 68112-00-625713

2/07-33

Referral to operate a bed and breakfast. Ms. Frey was present to speak about her application. She indicated she has added a complete 2 bedroom apartment with utilities, restored the home completely and installed a new septic system. There are also 2 other bedrooms upstairs. She has tried renting out the apartment, but feels a B&B might be a better solution for her.

Motion made by Mr. Zornow for approval with the following conditions: 1) all parking is contained on-site (i.e. no parking should be permitted along the shoulder of Ryder Road) and 2) the proposal meets all applicable NYS Fire Prevention and Building Code regulations. Seconded by Mrs. Deyo. Motion Carried.

Charles Camp, 6724 Fairville Station Road, T. Arcadia  
Area Variance, Tax Map Ref. No: 69113-00-268166, 262193

2/07-36

Referral for a 3' rear setback (25' is required) to construct a 34x65' pole barn. The pole barn would be 3' from the railroad with a 2' overhang, which would make the setback 1'. There is another existing structure on the parcel.

Motion made by Mr. Schillaci for Denial as he does not meet hardship criteria. Seconded by Mr. VandeWalle. Motion Carried.

Crazy Tracy's Camp & Cabins, 9677 Resort Road, T. Huron  
Special Permit, Tax Map Ref. No: 72117-12-912515

2/07-37

Referral to demolish the old Lotus Lodge building and develop a campground with cabins. They also plan to operate a fishing charter business. There will be 3-4 cabins with water, electric and sewer. Cabins will include kitchens and bathrooms. There will also be 3-4 campsites with water and electric. This would be a year-round facility catering to the sportsmen. The site is on the bay and a county road.

Motion made by Mr. VandeWalle, seconded by Mr. Switzer for Denial of the special permit. The Board was not opposed to the business proposal. However, given the magnitude of the operation (6-8 campground spaces and 4 cabins) and site constraints such as the physical size of the parcel, septic system location, national wetland boundary and Sodus Bay, the Board felt a more detailed (engineered) site plan should be submitted. The Board wanted to ensure that: 1) the site is large enough to contain all anticipated activity and traffic on-site, 2) water quality issues are addressed by verifying wetland boundaries and meeting septic system requirements and 3) the site is developed in an aesthetically pleasing manner (through use of items such as landscaping, fencing, building materials/design, etc.) as this is a premier piece of Sodus Bay property and could have a significant tourism impact. Abstained: Mr. Lockwood. Motion Carried.

Pheasant Run, 3232 Spragbrook Circle, T. Macedon  
Area Variance, Tax Map Ref. No: 61113-08-834849

2/07-39

Referral to reduce the square footage of a residence from 1800 to 1680 sq. ft. This residence is in one of the newer sections of Gananda. The town set a minimum square footage for homes. The owners want a

variance to build a home smaller than allowed. Homes have already been built in this subdivision and a precedent has been set for size of homes.

Motion made by Mr. VandeWalle for Denial as the Board felt granting the variance would negatively affect the character of the subdivision (“community character”). The Board understands that the town’s current square footage requirements were intact and understood by the developer prior to approval of this subdivision. Other homeowners within the subdivision have had to comply with the town’s square footage requirements and it seems that future homeowners should as well. Seconded by Mr. Kaller. Motion Carried.

Newark Industrial Park, West Shore Blvd., V. Newark 2/07-27  
Preliminary/Final Subdivision Plan, Tax Map Ref. No: 67111-20-810239

Referral to subdivide a 60 acre field into 4 lots with dedicated roads. One lot is spoken for, there is a likely tenant for another lot and the 2 remaining lots will be filled in the future. The land is valued at \$18,000 per acre. For each job created, the village will give away one acre.

Motion made by Mrs. Deyo for Approval, seconded by Mr. Gregg. Motion Carried.

Hasseltine Liquor, 505 West Main Street, V. Palmyra 2/07-25  
Special Permit, Tax Map Ref. No: 64111-10-329705

Referral to allow a liquor store in a commercial area with some residential property. This is a re-use of the former NAPA business. This is a mixed use neighborhood.

Motion made by Mr. Schillaci for Approval, seconded by Mr. Lauderdale. Motion Carried.

R G Rochester, 7168 Sodus Center Road, T. Sodus 2/07-21  
Special Permit, Tax Map Ref. No: 69116-00-773628

Referral to remodel an existing home into an office for an on-site gravel business. There will be 2 employees.

Motion made by Mr. Zornow for approval with the condition that driveway sight distances meet American Association of State Highway Transportation Officials (AASHTO) recommendations. Seconded by Mr. VandeWalle. Abstained: Mr. Malchoff. Motion Carried.

Tingue Subdivision, 6501 Joy Road, T. Sodus 2/07-22  
Preliminary Subdivision Plan, Tax Map Ref. No: 68116-00-967612

Referral for a 2 lot subdivision. Applicant has 2 homes on one lot and would like to divide the parcel to sell. The east lot will have the required 125’ frontage; the west lot will have only 15’. All setbacks will be met. There is enough land to meet septic requirements and there would be a driveway for each parcel.

Motion made by Mr. Switzer for approval with the condition that on-site septic systems will meet NYS Department of Health regulations (i.e. separation/setback distances). Seconded by Mr. VandeWalle. Abstained: Mr. Malchoff. Motion Carried.

Wilson Subdivision, 5387 Ridge Road, T. Sodus 2/07-23  
Preliminary Subdivision Plan, Tax Map Ref. No: 67117-00-541818

Referral to split approx. 4 acres into one 1.75 acre lot with an orchard. The remaining eastern lot of approx. 2.5 acres with a house will be sold.

Motion made by Mr. Lauderdale for approval with the condition on-site septic systems will meet NYS Department of Health regulations (i.e. separation/setback distances). Seconded by Mr. VandeWalle. Abstained: Mr. Malchoff. Motion Carried.

Sodus Marina, 7399 Route 14, V. Sodus Point 2/07-29  
Special Permit, Tax Map Ref. No: 71119-17-153055

Referral to build a 672' floating main dock eastward into Sodus Bay with 29 finger piers. This is part of the on-going marina development.

Motion made by Mr. Lauderdale for approval, seconded by Mr. Schillaci. Motion Carried.

Affronti Subdivision, Lincoln Road, T. Walworth 2/07-32  
Final Site Plan, Preliminary/Final Subdivision Plan, Tax Map Ref. No: 61115-00-750616

Referral for a 3 lot subdivision of 22 acres, with a fourth lot to be retained. There are 4 flag lots to the western section of the property. The lots will have private driveways built to town specs. There is public water and septic available.

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 if one acre or more of soil is disturbed by the development. Seconded by Mr. Gregg. Abstained: Mr. Schillaci. Motion Carried.

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

Parkwood Heights, 1334, 1338, 1342 Harwood Lane, T. Macedon 2/07-40  
Final Subdivision Plan, Tax Map Ref. No: 62111-10-411541, 417535, 385544

Resubdivision of 3 residential lots into 2 lots and roadway

Subway, 425 Route 31 (Wal-Mart), T. Macedon 2/07-38  
Area Variance, Tax Map Ref. No; 61111-00-320806

Additional signs inside the store

Lyons National Bank, 425 Route 31 (Wal-Mart), T. Macedon 2/07-41  
Area Variance, Tax Map Ref. No: 61111-00-275771

Driveway setbacks and signs (number/size)

Immanuel United Church of Christ, 1973 Ridge Road, T. Ontario 2/07-24  
Area Variance, Tax Map Ref. No: 63117-14-300475

Front and side yard setbacks for construction of 2-story addition

Robert Burkwit, 2848 Macedon Center Road, T. Palmyra  
Preliminary/Final Subdiv Plan, Tax Map Ref. No: 64112-00-380625

2/07-26

4 lot subdivision

Vivino Subdivision, 5103 Route 88, T. Sodus  
Preliminary Subdivision Plan, Tax Map Ref. No: 68116-00-876315

2/07-20

1 lot subdivision

#### OTHER BUSINESS

**GIS (Geographical Information System)** - Bret informed the board of the GIS kick-off meeting tomorrow. The county received a grant and has hired a consultant who will do interviews with each county department and all the towns and villages to see what their informational/mapping needs are, see what they have available now and what they would like to do in the future. The GIS system would be on a webpage from each town site and could be accessed from home. This will be in a digital format that is quick to update and ties to other sources.

There being no further business, the meeting was adjourned at 9:00 p.m.

Respectfully submitted,

Susan Pullen  
Secretary