

MINUTES OF THE TOWN OF WAYNE
PLANNING BOARD
March 7, 2016

Mr. Neu called the public hearing for Richard Weathers, Special Permit No. 01SP16, to order at 6:30PM.

Mr. Weathers stated the following:

- They bought 6 acres along Ste. Rte. 54 and wanted to put in a new driveway that currently has an old logging road.
- A NYS DOT engineer visited the site and recommended the placement of the proposed drive.
- Site distance is more than 500 ft. in both directions.

Mr. Machuga, Contractor for the Weathers stated the following:

- The existing driveway (logging road) would be abandoned.
- The proposed new drive would be put in at an angle, starting at 12 ft. at the bottom and tapering to 10 ft. at the top.
- It will require excavation on a slope greater than 15%.
- Some silt fencing and tarps are already being used for erosion control. (Photos on file).
- They would like to start construction of the drive as soon as possible and start building the residence once the weather breaks.

Ms. Kurtz stated 5 letters were sent to the neighboring property owners and no responses were received back at this time.

Mr. Witkowski made a motion to close the public hearing at 7:00PM, seconded by Mr. Mooney.

The March 7, 2016 Planning Board meeting started with a roll call of the members.

	<u>PRESENT</u>	<u>ABSENT</u>	<u>LATE ARRIVAL</u>
<u>MEMBERS PRESENT:</u>			
Glenn Neu, Chair	X		
Nancy Gabel		X	
James Hancock		X	
Chris Mooney	X		
Jon Serdula	X		
Stan Witkowski, Vice-Chair	X		
Donna Sue Kerrick	X		
Dennis Carlson, liaison	X		
Gill Harrop, CEO	X		

ALSO PRESENT: Richard Weathers Rose Marie Weathers
Rick Machuqa

MINUTES:

Mr. Witkowski made a motion to approve the February 1, 2016 minutes as amended, seconded by Ms. Kerrick.

A roll call vote was taken.

<u>VOTE RECORD:</u>	<u>Ayes</u>	<u>Nays</u>	<u>Abstain</u>	<u>Absent</u>
Glenn Neu	—	—	X	—
Nancy Gabel	—	—	—	X
James Hancock	—	—	—	X
Donna Sue Kerrick	X	—	—	—
Chris Mooney	X	—	—	—
Jon Serdula	—	—	X	—
Stan Witkowski	X	—	—	—

Ayes-3. Nays-0. Abstain-2. Absent-2.

NEW BUSINESS:

SPECIAL USE PERMIT NO. 01SP16: Richard Weathers. Property located at 15260 State Rte. 54, Town of Wayne. Request to excavate on a slope greater than 15% for new driveway.

Mr. Neu read to those present 7.4.2 of the Land Use Regulations pertaining to residential driveways.

Upon discussion, it was determined that this was a Type II action and no SEQR would be needed.

Mr. Witkowski made a motion to approve Special Use Permit NO. 01SP16 as submitted, seconded by Mr. Mooney.

Mr. Harrop stated the following:

- NYS DOT reviewed and approved placement of the proposed driveway and referenced Permit No. 20150654914.
- He had no issue or concerns with the application.

Mr. Machuga stated the following:

- Removal of any trees will be minimal.
- Most removed materials would be reused on site as fill material for around the house.
- There would be less than 10,000 sq. ft. of excavation needed for the driveway.
- The proposed drive would be able to accommodate emergency vehicles.

A roll call vote was taken to approve Special Permit No. 01SP16. Ayes-5. Nays-0. Absent-2.

SITE PLAN APPLICATION(s):

Richard Weathers: Property located at 15260 Ste. Rte. 54., Town of Wayne. Request to construct new home and garage with breeze-way on property.

Mr. Witkowski made a motion to accept the site plan application as submitted, seconded by Ms. Kerrick.

Mr. Harrop stated the following:

- The proposed site met all setback requirements.
- Pending septic approval, a building permit will be issued.
- He has visited the site and found view shed wouldn't be an issue.
- The proposed work meets the NYS building code requirements.
- Proposed septic and well location will meet the separation requirements.
- He has no issue with this request.

Mr. Machuga stated the first test holes for the septic are scheduled for March 9, 2016 with both Colby Peterson of KWIC and Engineer Kernahan in attendance.

Upon discussion and after reviewing elements 1 through 14 of the site plan requirements, the following items were noted:

- No SEQ was needed, as it was a Type II action.
- No issue with either lighting or viewshed from across the Lake.
- They need an approved Septic system.

Upon further discussion, a roll call vote was taken to accept the site plan application as submitted, conditional upon having an approved septic plan. Ayes-5. Nays-0. Absent-2.

Roy Woodard: Property located at 9252 Grove Springs Rd., Town of Wayne. Request to construct a 14 ft. by 24 ft. (wood-tex style) storage shed.

Mr. Witkowski made a motion to accept the application as submitted, seconded by Mr. Serdula.

Mr. Harrop stated the following:

- They met all setback requirements.
- The proposed shed was located in the middle of the woods.
- There would be no electric or running water.
- He had no issue with the request.

Mr. Mooney stated he knew the individual, both, as being located near his residence and personally.

Mr. Neu stated as long as Mr. Mooney wasn't benefitting from the proposed construction, there was no conflict of interest.

Upon discussion, the following items were noted:

- It was a Type II action and didn't need a SEQ.
- View shed wasn't an issue.
- From a previous request, the applicant has shown proof per deed right-of-way that he has road access off of Grove Springs Road.

Upon further discussion, a roll call vote was taken to approve the site plan application as submitted. Ayes-5. Nays—0. Absent-2.

COMMUNITCATIONS:

Mr. Neu stated the following:

- He attended a meeting on February 18th with the Attorney, Mr. Witkowski, Mr. Mooney, Mr. Harrop, Mr. Butchko regarding the Land Use Regulations the Planning Board submitted to the Town Board.
- The Attorney suggested the following changes to the proposed LUR that were submitted:
 1. If the applicant is able to meet all set back requirements and the 14 elements on the site plan application, Mr. Harrop would be able to process their request without waiting on the Planning Board for review.
 2. The Planning Board would be kept updated via email on all site plan applications.
 3. Site plan priorities would be separated by the Zoning districts.
 4. The new LUR would have the setback requirements listed in each district and if the applicant is unable to meet those requirements, it would go to the Zoning Board of Appeals for variance.
 5. Any site plan needed to be reviewed by the Planning Board would be advertised.
 6. There needed to be an established flow chart for Mr. Harrop to follow.

Upon further discussion, it was noted that the standards could be changed and revised as needed.

Mr. Neu read the definition of a site plan review from the "The Latest Illustrated Book of Development Definitions".

Ms. Kerrick inquired what would best help Mr. Harrop in addressing any violations in the area.

Mr. Harrop stated all complaints needed to be in writing; he then would be able to go through a 3 step process:

1. Violation notice.
2. Order to remedy.
3. Court, if applicant hasn't complied.

After further discussion, the consensus of the Planning Boards role would be to review and make their recommendation to change to the Town Board on the Town of Wayne's Comprehensive Plan, Land Use Regulations, Subdivision Regulations, etc.

Mr. Harrop stated he would email the discussion items from the February 18th meeting with Attorney to the Planning Board. (On file).

Mr. Witkowski made a motion to adjourn the meeting at 9:10PM, seconded by Mr. Serdula. Ayes-5. Nays-0. Absent-2.

Sincerely, Maureen Kurtz