

MINUTES OF THE TOWN OF WAYNE
PLANNING BOARD
June 8, 2020

The June 8, 2020 Planning Board meeting was held via Zoom web conference started at 7:10 pm with a roll call of the members.

	<u>PRESENT</u>	<u>ABSENT</u>	<u>LATE ARRIVAL</u>
<u>MEMBERS PRESENT:</u> Stan Witkowski, Chair	<u>X</u>	<u> </u>	<u> </u>
Nancy Gabel	<u>X</u>	<u> </u>	<u> </u>
Chris Mooney, Vice-Chair	<u>X</u>	<u> </u>	<u> </u>
Jon Serdula	<u>X</u>	<u> </u>	<u> </u>
Donna Sue Kerrick	<u>X</u>	<u> </u>	<u> </u>
Jeff Martin, alternate	<u> </u>	<u>X</u>	<u> </u>
Shona Freeman, liaison	<u>X</u>	<u> </u>	<u> </u>
Gill Harrop, CEO	<u> </u>	<u>X</u>	<u> </u>

ALSO PRESENT: Tim Walburn, Ronnie McIntire, Jay Palmer, Gary Osborne, Ken Hurst, Jim Russel, Chris Toomey, Rhett Nelson, Lance Laughlin, James DeForest

MINUTES:

Ms. Gabel made a motion to accept the January Minutes, Second by Mr. Serdula, The minutes were approved with Ms. Kerrick abstaining.

A roll call vote was taken.

<u>VOTE RECORD</u>	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Stan Witkowski	<u>X</u>	<u> </u>	<u> </u>	<u> </u>
Nancy Gabel	<u>X</u>	<u> </u>	<u> </u>	<u> </u>
Donna Sue Kerrick	<u> </u>	<u> </u>	<u>X</u>	<u> </u>
Chris Mooney	<u>X</u>	<u> </u>	<u> </u>	<u> </u>
Jon Serdula	<u>X</u>	<u> </u>	<u> </u>	<u> </u>
Jeff Martin, alt.	<u> </u>	<u> </u>	<u> </u>	<u>X</u>

A motion was made by Witkowski, to amend the agenda. Seconded by Mooney. Approved.

NEW BUSINESS:

Site Plan Preliminary Review Community Space Project

Ken Hurst discussed with the board a proposal to build a Mennonite school on a leased parcel located at 9412 Ct. Rt. 87, tax ID 105.00.03.008.000. There are no regulations for schools in the town it would be an allowed as community space (pg1-6). Mr. Hurst was encouraged to continue with his plans.

SITE PLAN REVIEW:

Lance Laughlin, property located at 9597 Treasure House Road, Town of Wayne. Request to a construct single-family home replacing a previous structure on the lot.

Mr. Serdula made a motion to accept the application. Second Ms Gabel. The following were noted on review of the application.

- It is a Type II action and no SEQR would be required.
- View-shed wasn't an issue.
- It met all setback requirements with previous relief granted at the Zoning board meeting of April 6, 2020.
- No Run Off issues identified
- All the site plan requirements were met.

After discussion, a roll call vote was taken to approve the application. Unanimous approval.

Timothy Walburn, property located at 9603 County Route 87 Sylpk Row, Town of Wayne. Request to a construct single-family home replacing a previous structure on the lot.

Mr. Serdula made a motion to accept the application as submitted. Second Ms Gabel. The following were noted on review of the application.

- It was a Type II action and no SEQR would be required.
- View-shed wasn't an issue.
- It met all setback requirements.
- All the site plan requirements were met.

After discussion, a roll call vote was taken to approve the application. Unanimous approval.

Christopher Toomey, Property at 9442 Alderman Road Request to a construct a seasonal cabin.

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

- It is a Type II action and no SEQR would be required.
- View-shed wasn't an issue.
- It met all setback requirements.
- All the site plan requirements were met.

After discussion, a roll call vote was taken to approve the application. Unanimous approval.

James and Barbara Russell, property location, 9100 Wixson Road, Town of Wayne. Request to a construct single-family modular home.

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

- It is a Type II action and no SEQR would be required.
- View-shed wasn't an issue.

- It met all setback requirements.
- All the site plan requirements were met.

After discussion, a roll call vote was taken to approve the application with the caveat to move existing shed to be at least 8' from property line. Unanimous approval.

Major Subdivision

James E. Knapp, property is located at 14994 St Rt. 54. James Deforest representing the Trust. Subdivision is requested to settle the Knapp Estate.

Ms. Kerrick made a motion to accept the plan, Mr. Serdula seconded.

Discussion of the application ensued. It was noted that this was a complete application. The Subdivision was not for development of the property. The 34.45 acre plots as mapped do not result in any land locked lots due to a granted right-of-way. Because this is a major subdivision the long form environmental impact form must be completed. The Town of Wayne would act as the lead agency on the EAF form. Mr. Witkowski led the group through the form. The form was completed. The determination is that there is no environmental impact caused by the subdivision.

The next step will be to schedule a public hearing on the matter. Mr. Deforest is to provide new survey maps (8 copies) to the planning board. Final survey must reflect the subdivision as plotted on the plans submitted with the application. Once survey is complete, a public hearing will be called.

The motion was tabled pending the outcome of the public hearing.

Ms. Kerrick was excused from the meeting at 8:19 PM.

Minor Subdivision

Gary Osborne, Subdivision of property located at 9667-9671 Back Street, Wayne, NY. Request to subdivide commercial lot for sale.

A motion was made by Ms. Gabel and seconded by Mr. Serdula to accept the application for a minor subdivision.

Discussion was opened. Mr. Osborne indicated he might want to subdivide the parcel into two or three lots. He decided after some conversation to subdivide into two lots at this time. As this is a minor subdivision, the short form EAF was reviewed and completed, With the Town of Wayne acting as the lead agency. The process was led by Mr. Witkowski. The determination is that there is no environmental impact caused by the subdivision.

The next step will be to schedule a public hearing on the matter. Mr. Osborne is to provide new survey maps with at least 3 copies to the planning board. Final survey must reflect two subdivision as plotted on the plans submitted with the application. Mr. Osborne

The motion was tabled pending the outcome of the public hearing.

Preliminary Review of Project.

Rhett Nelson, property located at 1248 State Route 5. Mr. Nelson had built a deck. On March 12, 2020 Gill Harrop, Town of Wayne Code Enforcement Officer, issued a stop work order.

Mr. Nelson had built a deck next to an RV. On March 12, 2020 Gill Harrop, Town of Wayne Code Enforcement Officer, issued a stop work order as a building permit was not in place. The lack of a building permit for construction of a permanent structure, i.e. the deck, is the primary issue. Mr. Witkowski and others on the board expressed concerns that the deck's location in a ravine, on steep slope, with sensitive vegetation may violate town comprehensive plan. Mr. Nelson stated that the deck is 19' off center of the ravine. Mr. Serdula raised the issue of NYSDEC jurisdiction as the deck is partially located in a flowing ravine. Also discussed, was access to the lot, which Mr. Nelson said he had right-of-way by deed. Finally, there is concern as the deck may infringe on setback for State Route 54 - a survey would be needed to determine setbacks. Mr. Nelson indicated he has observed other older structures built in ravines throughout the town and other existing structures within the state road setbacks.

The board recommended that Mr. Nelson apply for a building permit to start the official vetting process for the deck as it is a permanent structure and requires a permit. The project may also need referral to the Zoning Board if the application needs relief on setback and other town land use issues. NYSDEC may also have jurisdiction over the proposed building site. It was recommended that Mr. Nelson work with the Code Enforcement office to start the building permit process.

With no other matters to come before the board, the meeting was adjourned at 9:00 PM

Respectfully Submitted,

Amy Gush
Board Secretary