

MINUTES OF THE TOWN OF WAYNE
PLANNING BOARD
July 11, 2016

Mr. Neu opened the **Public Hearing** at 6:30 p.m. for Mr. John Flint, **Special Permit No. 04SP16**. Request to prepare site for future building construction. 7.3.5(1)(b)

Mr. Neu stated the following 3 responses were received of the 30 letters sent:

- A letter was read from Mr. Wolfe, stating he had no objections; his only concern was that appropriate erosion control measures be taken for any drainage issues.
- A verbal comment from Mr. and Mrs. Jefferds via Mr. Serdula; stating they had no objections to the proposed project.
- A verbal comment from Mr. Serdula; stating he had no objection.

Mr. Flint stated the following:

- Wanted to prepare a 200 ft. by 200 ft. area at this time for the parking of cars and boats.
- At a future time, he would apply for a building permit to construct a 40 ft. by 70 ft. pole barn.
- The proposed site was fairly flat.
- There is an existing seasonal creek on the property.
- The Highway Department cleaned out the ditches and put in some new sluice pipes along Shorewood Drive after the 2015 storm.

Mr. Serdula moved to close the public hearing, seconded by Ms. Kerrick. The public hearing was closed with the Board's approval: Glenn Neu – yes; Nancy Gabel – yes; Donna Sue Kerrick - yes; Chris Mooney – yes; Jon Serdula – yes; Stan Witkowski – yes.

The July 11, 2016, Planning Board meeting started at 6:45 PM with a roll call of the members:

	PRESENT	ABSENT	LATE ARRIVAL
<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	—	—
<u>ALSO PRESENT:</u>	John L. Flint, Hammondsport	Cindy Flint, Hammondsport, NY	
	Jim McCormick, Hammondsport, NY		

MINUTES:

Mr. Witkowski made a motion to approve the June 6, 2016, minutes as presented, seconded by Mr. Mooney.

A roll call vote was taken.

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

Ayes-6. Nays-0. Abstain-0. Absent-0.

NEW BUSINESS:

SPECIAL USE PERMIT NO. 04SP16: Mr. John Flint. Property located on County Route 97, Town of Wayne. A request to prepare the area for a future building site.

A motion to accept and approve the application as submitted was made by Ms. Kerrick, seconded by Ms. Gabel.

A roll call vote was taken.

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

Ayes-6. Nays-0. Abstain-0. Absent-1.

Mr. Neu stated this was an unlisted action and a SEQR was required.

Mr. Witkowski moved to act a lead agency for the SEQR, seconded by Mr. Mooney. The Board agreed by an Aye vote.

Upon review of the SEQR, item #9 was changed to "not applicable" and signed by the applicant.

Upon further review and subsequent discussion by the Board; it was determined that the proposed action would not result in any significant adverse environmental impact.

The application was approved with the stipulation that sufficient mitigation be applied to erosion control measures.

Mr. Witkowski made a motion to move (d) James McCormick to (b) Peter Baker on the agenda, seconded by Ms. Gabel; since Mr. McCormick was present. The Board agreed by saying Aye.

Mr. Flint signed the responsibilities and condition sheet. (Copy of file).

Mr. Neu requested that Ms. Kurtz inquire if the Town had any engineering firm look into potential drainage issue along Shorewood Drive.

No site plan was needed at this time, as no structure was being built.

SITE PLAN APPLICATION(s):

Mr. James McCormick: Property at 13171 Ste. Rte. 54. A request for the alteration on an existing non-conforming structure.

Mr. Witkowski moved to approve the application as submitted, seconded by Ms. Kerrick.

Mr. McCormick stated the following:

- They would be staying within the structural footprint of the structure.
- Not adding any further space to the structure.
- The roof itself will remain the same and not shed any further water runoff.

Mr. Harrop stated the following:

- The application was heard and approved as a variance for the alteration/expansion on a pre-existing non-conforming structure on June 9th by the ZBA.
- The proposed alteration/addition would stay within the same footprint of the existing structure.
- This was a straight forward request.

Mr. Neu stated that this was a Type II action and waived the need for a SEQR.

- A letter was read from Mr. Wolfe, stating he had no objections; his only concern was that appropriate erosion control measures be taken for any drainage issues.
- A verbal comment from Mr. and Mrs. Jefferds via Mr. Serdula; stating they had no objection to the proposed project.
- A verbal comment from Mr. Serdula; stating he had no objection.

A roll call vote was taken.

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

Ayes-6. Nays-0. Abstain-0. Absent-1.

Upon further discussion, the applicant was advised to get a firm date from the proposed contractor before applying for a building permit since the permit was time sensitive.

Mr. Peter Baker: Property at 13171 Ste. Rte. 54. A request to place an 8'3" by 8'3" garden shed on his property.

Ms. Kerrick made the motion to approve the application as submitted, seconded by Ms. Gabel.

Mr. Harrop stated Mr. Baker bought the old life guard shed from Hammondsport and would like to place it on his property.

Mr. Neu stated this was a Type II action and waived the need for a SEQR.

Upon discussion the Board found that the view shed would not be affected.

A roll call vote was taken.

<u>VOTE RECORD:</u>	<u>Ayes</u>	<u>Nays</u>	<u>Abstain</u>	<u>Absent</u>	<u>Late</u>
Glenn Neu	X	—	—	—	—
Nancy Gabel	X	—	—	—	—
James Hancock	—	—	—	X	—
Donna Sue Kerrick	X	—	—	—	—
Chris Mooney	X	—	—	—	—
Jon Serdula	X	—	—	—	—
Stan Witkowski	X	—	—	—	—
Ayes-6. Nays-0. Abstain-0. Absent-1.					

Mr. Dale Gee: Property owned by James Wood, located at 9765 Italy Hill Rd. Request to construct a 30 ft. by 40 ft. storage shed.

Mr. Witkowski made the motion to approve the application as submitted, seconded by Mr. Mooney.

Type II action approved with a negative impact.

Mr. Harrop stated the following:

- The proposed work met all setback requirements.
- The ground is fairly level.
- No issue with this request.

Mr. Neu inquired about the number of existing outbuildings and due to the proposed height of 14 ft. 6 in. if it fell within the definition of a storage shed.

Mr. Harrop stated currently there was house and open sided garage on the property.

Mr. Witkowski read from the current LUR; noting storage sheds could not be more than 10 ft. in height.

Mr. Neu stated as prescribed by the Attorney, the Board should get Mr. Harrop's interpretation of the request for storage building height restrictions with regards to the setback distances. Noting consideration of the LUR, Comprehensive Plan, and the right to build law and what the intent allows.

Mr. Carlson inquired what Mr. Harrop's interpretation for a storage shed was.

Mr. Harrop stated it fell within his interpretation that the proposed height 14 ft. 6 in. was appropriate for this request being less than 18 ft.

A roll call vote was taken.

<u>VOTE RECORD:</u>	<u>Ayes</u>	<u>Nays</u>	<u>Abstain</u>	<u>Absent</u>	<u>Late</u>
Glenn Neu	X	—	—	—	—

Nancy Gabel	<u>X</u>	—	—	—	—
James Hancock	—	—	—	<u>X</u>	—
Donna Sue Kerrick	<u>X</u>	—	—	—	—
Chris Mooney	<u>X</u>	—	—	—	—
Jon Serdula	<u>X</u>	—	—	—	—
Stan Witkowski	<u>X</u>	—	—	—	—

Ayes-6. Nays-0. Abstain-0. Absent-1.

COMMUNICATIONS:

Mr. Harrop stated he received a letter from Attorney Schneider regarding the Yankelunas subdivision.

Mr. Harrop further noted the following:

- The subdivision was approved and stamped on November 2, 2015.
- The County Clerk stated the stamped subdivision time for filing had lapsed.
- Somehow the tax map was altered and 2 tax parcels were created.
- He wasn't sure how it got to the tax map office and not the County Clerks.

Upon discussion, Mr. Witkowski signed and re-dated the subdivision map for July 11, 2016.

Mr. Neu instructed Ms. Kurtz write a letter along with the signed maps to the Attorney informing them of the change.

Ms. Gabel inquired about the status on the updated LUR.

Mr. Neu informed the Board that the current latest draft supplements were in his drop box which he intends to review.

Ms. Gabel made a motion to adjourn the meeting at 7:53PM., seconded by Ms. Kerrick. Ayes-6. Nays-0. Absent-1.

Respectfully, Maureen Kurtz