

## TOWN OF WAYNE PLANNING BOARD

### Minutes

July 12, 2021

#### REGULAR MEETING

In attendance: Daniel Hamm, Lori Foster, David Harman, Roberta Harris, Phil Harris, Peter Weis, Michael Brown, Greg Wojcik, Melissa Hope, Joe Hope, Steve Butchko, Barbara Root.

	Present	Absent	Late
Roll Call			
Stan Witkowski	<u>X</u>	____	____
Nancy Gabel	<u>X</u>	____	____
Donna Sue Kerrick	<u>X</u>	____	____
Chris Mooney	<u>X</u>	____	____
Shonna Freeman	<u>X</u>	____	____
Scott Hendershott	<u>X</u>	____	____

#### **MINUTES:**

Mr. Witkowski made a motion to accept the minutes of the May 2021 meeting. Hendershott seconded the motion. Ms. Kerrick abstained. Motion approved.

#### **AGENDA REVIEW**

The agenda was reordered so that the Hamm site plan preliminary review would be conducted last.

#### **NEW BUSINESS:**

- a. Site Plan review of BP 046-21, Robert Michael & Molly Brown to build a Monitor-style barn with loft  
Mr. Mooney made a motion to accept the proposed application as submitted. The planning board reviewed the application as presented. Mr. Witkowski asked if the board had any issues or questions – Mr. Mooney voiced a concern about driveway plans and would there be access for fire/emergency crews to access the building? Mr. Brown responded that he and the contractor had discussed the drive and it should be fine for both construction and emergency access. There was a conversation about a getting a culvert pipe put in at the end of the driveway. Mr. Brown was instructed to call Jim Rizzo at the County to see if they would put in a pipe. Ms. Kerrick offered advice to ensure proper drainage around the barn. Mr. Brown indicated that was being addressed. Mr. Mooney asked if electric would be run to the barn. Mr. Brown indicated he might try to run electric if he can connect to an existing power line near the cell tower. There are no plans for a well or septic. This is only to store equipment and boats, jet skis etc. Mr. Mooney made a motion to approve the plan. Seconded by Ms. Gabel. Motion passed with unanimous approval.

b. Site Plan review of BP 051-21, Greg Wojcik to build cabin

Mr. Mooney made a motion to accept the proposed application as submitted. The Board reviewed the submitted materials. A type II SEQR can be waived and there are no view shed issues. Mr. Wojcik intends to build a "Tiny Cabin." Mr. Witkowski pointed out that New York State has enacted new code for "tiny structures," and the cabin must conform to said code. Mr. Mooney asked if there was a viable well on the land and what are the septic plans? There is an existing well that needs to be tested for viability and a holding tank will be used for septic. Mr. Mooney asked about access to the planned septic location for pumping trucks. Ms. Gabel called the question on the motion. The application was unanimously approved.

c. Preliminary Site Plan review, Dan Hamm for an event venue

Mr. Witkowski began the review by reading the procedure for a preliminary review from the Land Use Regulations. He indicated that this is not a public hearing and public comments will only be allowed at the discretion of the board. Comments and Questions from the gallery are to be directed to the planning board only.

Mr., Hamm want to put up an event venue that can accommodate up to 300 people. He also indicated he intends to plant the 10 acre parcel with grapes and hops. He provided the board with a rough sketch of the property and proposed structures. There is an existing home that is large and is currently in use as a short-term rental. Mr. Hamm would construct an additional 60x70' event building open on three sides but with some sort of doors or sliding walls that can be closed for inclement weather.

Ms. Kerrick asked how the 10 acre plot would be accessed. Mr. Hamm said he would like to pursue an easement with NYSEG in the future to allow for greater access. Longer term he would like to perhaps purchase the parcel from NYSEG.

Mr. Witkowski enumerated issues he has identified with the proposed plan:

- a. Traffic – the plans call for parking of 164 vehicles. What are the plans to provide emergency access to the venue? Hyatt Hill is a very narrow road – again that creates access problems for large vehicles.
- b. Sanitary system – Mr. Hamm explained he planned a 2000 gallon septic tank to act as a settling tank, then the gray water would flow to a 1500 gallon septic tank, then it would hit the leach field. Mr. Witkoski asked if the Caters and party guests would be using this system. Mr. Hamm indicated that they would. Mr. Witkowski then stated that would put the septic system into the realm of a commercial public facility and the Department of Health would have to

approve a commercial septic system. Mr. Hamm asked about using Port a pots for events. Mr. Witkowski cited the LUR and portable bathrooms are only allowed for one week, unless it is a construction site.

- c. The Parking Lot – the size of the parking lot with required a Department of Conservation review and permit. The Intensity of lot use/coverage will almost be 50% of the plot proposed for the event venue.
- d. Hosting Catered events each Weekend – this will require permitting from the Department of Health and obtaining an Alcohol event permit for each event.
- e. Neighborhood disruption – bringing 300 people into a residential area for 10-15 events each year will have a detrimental effect on the health, safety and welfare of the full-time residents.
- f. Short-term rentals – the temporary residents in for a day or two only are displacing those seeking affordable long term rentals. Further, short-term rentals encourage drinking, partying etc. and without an on-site landlord inebriated guests can cause noise and security problems for the neighboring houses.
- g. Traffic and engineering studies - If a traffic or engineering studies are requested, the cost of the study would fall on the applicant.

Mr. Hendershott asked how many events Mr. Hamm intended to host each year? Mr. Hamm replied his plan was to hold 15 to 20 events each year. Mr. Hendershott said that would be an event each weekend during the warm weather months. Next, Mr. Hendershott who else is providing venue of this size? Mr. Hamm indicated that the Four Seasons in Penn Yan could host 300. Mr. Hendershott also reiterated Mr. Witkowski's concerns about traffic congestion caused by up to 300 cars trying to enter or exit St. Rt 54 at the start or conclusion of an event each weekend.

Mr. Witkowski opened the floor for questions and comments from the gallery,

Lori Foster – has lived nearby for eight years and specifically bought her home on Hyatt Hill to be in a quiet, dark, low traffic location.

Dave Harmon – He is concerned that allowing this venue to be developed would set a precedence for other such uses in the neighborhood.

Lois Harris – Noise is a concern. Already, there is a noise problem with the house being used as a short-term rental with partying and inebriated guests.

Melissa Hope – Asked if Mr. Hamm can proceed with any building or lot alteration without a permit? She also stated she will not support the development of the party venue.

Mr. Witkowski closed public comments.

Board members shared additional concerns including:

- a. the impact of the proposed traffic load on the maintenance of Hyatt Hill Road.
- b. traffic safety as cars also would be entering County Route 26
- c. if motor coaches were used to bus guests to the venue, that would create other issues to allow for safe access of vehicles of that size.
- d. guests trespassing on private property – during and after official functions.
- e. increased foot traffic on Hyatt Hill as event guests might walk down and back to the restaurants, wineries and pubs
- f. Mr. Witkowski also noted that a SEQRA would be required for this application.

Mr. Witkowski invited Mr. Hamm to consider the points that came up during this preliminary hearing and proceed with his application. Mr. Witkowski then enumerated the potential outcome for any planning board application:

- 1. Approved as submitted
- 2. Approved with conditions
- 3. Denied

Roberta Harris asked how to submit letters to the board about this application. Mr. Witkowski gave her information.

Phill Harris asked if this is an allowed use in this district. Mr. Witkowski read the definition of a community space, and yes, this is an allowed use.

**OLD BUSINESS:**

No old business.

**DISCUSSION**

Ms. Gabel made a motion to adjourn, 2<sup>nd</sup> by Mr. Witkowski. Meeting adjourned at 8:36 PM.

Respectfully Submitted,

Amy Gush  
Board Secretary