

# TOWN OF WAYNE PLANNING BOARD

June 13, 2022

The regular meeting of the Planning Board was called to order at 7:05 pm.

In attendance: David Bauer, Ruth Barry, Joyce Plaisted, Martha Walter, Jason Blencowe, Katrina Blencowe, Kim Middaugh, attn. for Nelson, Rhett Nelson, Theresa Nelson, Ed Baranowycz

	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>	___	___
Don Robbins, alt	___	<u>X</u>	___
Gill Harrop	___	<u>X</u>	___

## **MINUTES:**

Ms. Kerrick made a motion to accept the minutes of May 3, 2022 meeting. Mr. Hendershott seconded the motion. Motion approved.

## **AGENDA REVIEW**

No changes to agenda

## **PUBLIC HEARING:**

**Public Hearing Site Plan review 032-22 Jason Blencowe**, Property Tax ID # 091.11-01-050.000 adjacent to 11350 East Lake Road Town of Wayne. Review for residence.

Mr. Blencowe presented the plan for the new residence he plans to build. He also shared that the county has assigned a new house number to the plot which is 11326 East Lake Road, Tax number 091.11-01-050.300. The plan has been reviewed by the town code officer and has KWIC approved septic plans. This is a type two application so no SEQR is required. Due to prior agreement with the county, it does not need county review.

Public comments opened. Mr. Baranowycz, a neighbor to the plot had some questions on the project. Mr. Blencowe showed him the plans for the build. Mr. Baranowycz was satisfied after review of the plans.

Public comments closed.

Mr. Witkowski asked if there was access to the property from Rt. 54. Yes, there is a shared driveway with deeded access already in place. There are no view shed issues with the proposed location of the house. It does not need to go to the county for review. The plans call for the bank to be stabilized by the basement wall of the house.

Mr. Witkowski made a motion to accept and approve the plans as submitted. Ms. Gabel seconded the motion. Motion was unanimously approved.

**NEW BUSINESS:**

**Preliminary Subdivision SA03-22 Mark & Joyce Plaisted**, Property Tax ID # 092.00-01-011.11, 9383 W. Waneta Lake Rd, Town of Wayne. Proposed subdivision.

The Plaisteds wish to subdivide a 77 acre parcel into three conforming lots. All lots will be buildable under LUR. This is a minor subdivision. Mr. Witkowski declared the Town of Wayne as the lead agency for the SEQR review and the board worked through the short form SEQR. A conversation ensued as to whether an FSA loan would have any bearing as a governmental agency.

The Plaisteds were instructed to get an official survey showing the new plots and arrange to be scheduled for a public hearing at the next meeting. Two weeks' notice is needed before hearing date to inform the neighbors.

**OLD BUSINESS:**

**Site Plan Review Rhett and Teresa Nelson**, Property Tax # ID 064.11-01-09.100, 1248 St Rt 54 Town of Wayne in LS residential 2. Build/site a Tiny Home or RV.

This matter was tabled at the request of Mr. Nelson's attorney in February 2022. Mr. Witkowski shared the board's concerns and that on the advice of town attorney the board was willing to provide conditional approval per the following:

The site plan application submitted contains issues resulting from construction without permits for a permanent deck and the placement of a new recreational vehicle on a parcel that already contains a recreational vehicle. The site has also received notification of a violation from NYS DOT regarding grading already performed. The site is in violation of the 2018 Town Land Use Regulations, pages 3-14, G. recreational Vehicles and Equipment, #2. The permanent deck was constructed without a permit and prior submission of a grading and erosion plan in a steep slope area that upon review from Steuben County Planning resulted in their concern being transmitted to the Town. The construction within the ravine was also in conflict with the Town Comprehensive Plan regarding the encroachment of natural ravines, page 36, and current NYS DEC guidelines regarding steep slope construction.

Therefore the application for site plan is approved with the following conditions:

- 1.** Removal of 1 recreational vehicle from the site to comply with current Land Use Regulations, and,
- 2.** Removal of the southern portion of the deck to a point 1 foot from the start of the steep slope of the ravine and,
- 3.** Resolution of the NYS DOT violation to the satisfaction of that Agency.

Proof of satisfaction of these conditions shall be provided to the Zoning Officer within 30 days of the decision of the Planning Board. If documentation is not provided within the time period the application for the site plan review is denied.

Ms. Middaugh asked for 60 days for her client to comply. That request was denied. She then asked for 45 days to comply. That request was denied. Mr. Witkowski stated that the board is firm on the 30 day time to comply and that the Code Officer was available to work with Mr. Nelson meet the deadline.

Mr. Witkowski made a motion to pass the conditional approval as per the stated concerns and stipulations (see above). Ms. Gabel seconded. The motion was unanimously approved.

Ms. Gabel motioned to adjourn, Mr. Mooney seconded. Adjourned at 8:00 PM

Respectfully Submitted,

Amy Gush  
Board Secretary