

MINUTES OF THE TOWN OF WAYNE  
PLANNING BOARD  
May 14, 2018

Mr. Witkowski called the public hearing for Jay Paul Martin, Special Permit No. 01SP18 to order at 6:30PM.

Mr. Martin stated the following:

- He would like to put a pond on his property.
- Jeff Parker of Soil and Water designed the plan for the proposed pond.

Ms. Kurtz stated 12 letters were sent out and there were no responses.

Mr. Witkowski stated the plans for the pond are considered engineered plans, since Jeff Parker of Soil and Water assisted its design.

As no one was present to express any concern, Mr. Witkowski closed the public hearing.

Mr. Witkowski opened the public hearing for Special Permit No. 02SP18 for Brian Nowlan and Dave Michaels.

Mr. Nowlan was present to represent both him and Mr. Michaels.

Mr. Harrop stated the following:

- This request was heard by the Zoning Board of Appeals on May 7, 2018 and approved for setback relief for the proposed retaining wall with the stipulation that a railing be placed on top of the wall.

Ms. Kurtz stated 14 letters were sent out and there were no responses.

As no one was present to express any concern, Mr. Witkowski closed the public hearing.

The May 14, 2018 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> Stan Witkowski, Chair | <u>X</u>       | _____         | _____               |
| Nancy Gabel                                   | <u>X</u>       | _____         | _____               |
| Chris Mooney, Vice-Chair                      | <u>X</u>       | _____         | _____               |
| Jon Serdula                                   | <u>X</u>       | _____         | _____               |
| Donna Sue Kerrick                             | _____          | <u>X</u>      | _____               |
| Jeff Martin, alternate                        | <u>X</u>       | _____         | _____               |
| Shonna Freeman, liaison                       | _____          | <u>X</u>      | _____               |
| Gill Harrop, CEO                              | <u>X</u>       | _____         | _____               |

|                                  |                  |               |
|----------------------------------|------------------|---------------|
| <u>ALSO PRESENT:</u> Jay Palermo | Brian Nowlan     | Julie Haar    |
| Don Curtis                       | Natalie Cerwonka | Jerry Kenahan |
| Thomas Cerwonka                  | Jay Paul Martin  | Bob Canfield  |
| Candy Dietrich                   | Lin Hough        |               |

Mr. Witkowski stated since Ms. Kerrick was absent, Mr. Martin will be brought on board.

**MINUTES:**

Mr. Witkowski made a motion to approve the April 9, 2018 minutes as submitted, seconded by Mr. Martin.

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>    | ___         | ___            | ___           |
| Nancy Gabel         | ___         | ___         | <u>X</u>       | ___           |
| Donna Sue Kerrick   | ___         | ___         | ___            | <u>X</u>      |
| Jeff Martin, alt.   | <u>X</u>    | ___         | ___            | ___           |
| Chris Mooney        | ___         | ___         | <u>X</u>       | ___           |
| Jon Serdula         | <u>X</u>    | ___         | ___            | ___           |

Ayes-3 Nays-0. Abstain-2. Absent-1. Late-0.

**NEW BUSINESS:**

**SPECIAL PERMIT NO. 01SP18 for Jay Paul Martin:** Property located at 9915 Keuka Hill Rd. Request to put in an 8 ft., 33,000 sq. ft. pond.

Mr. Serdula made a motion to accept Special Permit No. 01SP18 as submitted, seconded by Mr. Mooney.

Mr. Harrop stated the following:

- He had no issues with this request.
- Placement of the proposed pond site was logical, as it was close to the woods and greenhouses.
- Applicant would need to stay within the DEC guidelines.

Mr. Witkowski declared the Planning Board lead agency for Part 2 of the SEQR.

The Planning Board found the applicant completed an older version of Part 1 of the SEQR and remedied the issue by completing the current version. As the applicant left prior to its completion; the applicant will sign the Part 1 section prior to receiving the building permit.

Upon completion of Part 2, it was then determined the proposed action would not result in any significant adverse environmental impact.

No one had any issue with this request.

Upon further discussion, Mr. Martin made a motion to approve Special Permit Application 01SP18 contingent upon the applicant signing Part 1 of the completed SEQR, seconded by Mr. Serdula.

A roll call vote was taken. Ayes-5. Nays-0.

**SPECIAL PERMIT 02SP18 for Brian Nowlan and Dave Michaels:** Properties located at 4188 and 4190 Shorewood Dr. Request to construct a retaining wall higher than 4 ft.

Mr. Mooney made a motion to accept the site plan application, seconded by Ms. Gabel.

Mr. Harrop stated:

- The application was heard and approved for setback relief on May 7, 2018 by the Zoning Board of Appeals with the condition the applicant supply a property survey map, showing the property boundaries and mean high water mark consistent with the building plans.
- Due to the proposed height, a railing needs to be placed on top of the wall.
- He had no issue with this request.

Mr. Witkowski declared the Planning Board lead agency for Part 2 of the SEQR.

Upon completion of Part 2, it was then determined the proposed action would not result in any significant adverse environmental impact.

The application was complete.

Mr. Martin made a motion to approve Special Permit 02SP18 with the stipulation a minimum of a 36 inch railing be affixed to the top of the retaining wall and be built as per submitted plans, seconded by Mr. Serdula.

As no one had any issues with this request, a roll call vote was taken. Ayes-5. Nays-0.

Mr. Nowlan signed the Responsibilities and Conditions sheet. (On file).

**SITE APPLICATION for Brian Nowlan:** Property located at 4188 Shorewood Dr. Request to add mudroom onto existing home and construct a garage.

Mr. Martin made a motion to accept the site plan application, seconded by Mr. Mooney.

Mr. Harrop stated the Zoning Board of Appeals covered the issues and he had no problem with this request.

Mr. Witkowski stated:

- It was a Type II action and no SEQR would be needed.
- Any future lighting should be down facing.

As no one had any issues with the request, a roll call vote was taken. Ayes-5. Nays-0.

Mr. Witkowski informed the applicant he had 90 days to start the project once the building permit was issued.

**SITE APPLICATION for Domenic Divirgilio:** Property located at 4178 Shorewood Dr. Request to enlarge existing bedrooms, remodel bathroom and add a powder room to their year-round home.

Mr. Mooney made a motion to accept the site plan application, seconded by Mr. Serdula.

Mr. Harrop stated:

- This was heard and approved by the Zoning Board of Appeals for setback relief on May 7, 2018.
- The request is straight forward.
- He had no issue with this request.

Mr. Witkowski stated:

- It was a Type II action and no SEQR would be needed.

As no one had any issues with this request, a roll call vote was taken. Ayes-5. Nays-0.

**SITE APPLICATION for Thomas Cerwonka:** Property located at 9248 Cedar Springs Rd. Request to construct a garage.

Mr. Serdula made a motion to accept the site plan application, seconded by Mr. Mooney.

Mr. Harrop stated:

- This request heard and approved for a Variance on May 7, 2018 by the Zoning Board of Appeals for side yard setback and height relief.
- Out of the 11 letters that were sent, one response from adjoining neighbor stating she had no concern.
- He had no concerns about this request.

Mr. Witkowski stated:

- No SEQR was needed as it was a Type II action.

As no one had any issues with the request, a roll call vote was taken. Ayes-5. Nays-0.

**SITE PLAN APPLICATION for Robin Baker:** Property located 9923 Mohawk Trail. Request to construct a seasonal 31 ft. by 22 ft. cottage.

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

Mr. Harrop stated:

- The lot size was created prior to Land Use Regulations.
- The applicant has applied for a demolition permit to tear down the existing cottage.
- He had no issues with this request.

Mr. Witkowski stated:

- No SEQR was needed as it was a Type II action.

As no one had any issues about this request, a roll call vote was taken. Ayes-5. Nays-0.

**SITE PLAN APPLICATION for Cindy Flint:** Property located at 4174 Shorewood Dr. Request for 50 ft. by 40 ft. garage and pad for parking.

Ms. Gabel made a motion to accept the site plan application, seconded by Mr. Martin.

Mr. Harrop stated:

- The proposed construction met all the setback requirements.
- He had no issues with this request.

Mr. Witkowski stated:

- No SEQR was needed as it was a Type II action.

As no one had any issues about this request, a roll call vote was taken. Ayes-5. Nays-0.

**SITE PLAN APPLICATION for Barry and Vicki Dickerson:** Property located at 10041 State Rte. 230. Request to construct a storage barn.

Ms. Gabel Made a motion to accept the site plan application, seconded by Mr. Serdula.

Mr. Harrop stated:

- The proposed construction met all the setback requirements.
- He had no issues with this request.

Mr. Witkowski stated:

- No SEQR was needed as it was a Type II action.

As no one had any issues about this request, a roll call vote was taken. Ayes-5. Nays-0.

### **COMMUNITICATIONS:**

Both Mr. Hough and Mr. Kernahan were present to inquire about a proposed tear down and rebuild for a property located between East Lake Rd. and State Route 54.

Upon discussion, the Planning Board stated the following:

- The proposed 2 retaining walls would need a Special Permit for height.
- Potential view shed issues from across the Lake from County Rte. 76 and 54 for the proposed windows located in front of the home.
- The need for a grading plan for the excavation and the fill that would need to be brought in.
- Address construction of a garage on a slope greater than 15%.

- The need to contact the DOT with regards to the real road right-of-way distances for the proposed garage with regards to State Route 54.
- A complete application with all setbacks measurements shown on a current survey map.
- The completed application would have to go to Steuben County Planning for their decision regarding the proposed work that encroached on State Route 54.
- The applicant would need to get a permit from the DOT for the proposed work.

Mr. Witkowski reviewed with the Board some of the findings and recommendations that were found after walking through Keuka Village.

It was noted that the following concerns about the latest proposed Land Use Regulations were discussed:

- The change in Land Conservation from 50 ft. to 100 ft. setback.
- Change regarding either addressing addresses to reflect Lakeside and Roadside.

As there was no further business, Ms. Gabel made a motion to adjourn the meeting at 8:45PM.

Respectfully, Maureen Kurtz