

MINUTES OF THE TOWN OF WAYNE  
PLANNING BOARD  
September 8, 2014

The September 8, 2014 meeting was opened with a roll call at 7:00PM.

	PRESENT	ABSENT	LATE ARRIVAL
MEMBERS PRESENT: Glenn Neu, Chair	<u>  X  </u>	<u>      </u>	<u>      </u>
Nancy Gabel	<u>  X  </u>	<u>      </u>	<u>      </u>
James Hancock	<u>      </u>	<u>  X  </u>	<u>      </u>
Chris Mooney	<u>  X  </u>	<u>      </u>	<u>      </u>
Stan Witkowski, Vice-Chair	<u>  X  </u>	<u>      </u>	<u>      </u>
Donna Sue Kerrick	<u>      </u>	<u>  X  </u>	<u>      </u>
Dennis Carlson, liaison	<u>  X  </u>	<u>      </u>	<u>      </u>
Gill Harrop, CEO	<u>  X  </u>	<u>      </u>	<u>      </u>

ALSO PRESENT: Jim Coots	Michelle Coots
Rick Darcangelo	John Griffin
Anna Erdle	Ralph Ridolfino
John Vang	Linda Vang
Tracey Register	Marty Reasoner

**MINUTES:**

Mr. Mooney made a motion to approve the August 4, 2014 minutes as presented, seconded by Mr. Witkowski.

A vote was taken by stating Aye. Ayes-4. Nays-0. Absent-2.

**NEW BUSINESS:**

**SUBDIVISION APPLICATION(s):**

**SUBDIVISION APPLICATION SA61-14: Teresa Jacobus.** Property located at 8284 Whitehead Hill Rd., Town of Wayne. Request to subdivide into two lots.

Mr. Mooney stated Ms. Jacobus contacted him by phone prior to the meeting to state Ms. Erdle would be representing her (Teresa Jacobus) at tonight's meeting.

Ms. Erdle presented a letter to the Planning Board from Teresa Jacobus, giving Ms. Erdle permission to represent her (Teresa Jacobus) for the subdivision. (Letter on file).

Mr. Harrop questioned the benefit of having a public hearing at the final subdivision phase instead of the preliminary.

Mr. Neu reviewed with those present page 14, section 3.3.3 on the requirements for a subdivision hearing.

Mr. Neu further stated a public hearing allows for the following:

- Neighbors are given a chance to state any concerns.

- Upon review of those concerns, the Board may put restrictions on the proposed subdivision.
- It gives time for the Planning Board to review their decision.
- Does the proposed subdivision fit into the Comprehensive Plan?
- Ultimately, the Planning Board bases its decision on whether the applicant meets the letter of the law.

Ms. Gabel made a motion to have the Planning Board act as the lead agency for the SEQR, seconded by Mr. Witkowski.

An Aye vote was taken. Ayes-4. Nays-0. Absent-2.

Upon completion of a negative SEQR, Mr. Witkowski made a motion to approve the Subdivision Application No. SA61-14 as a minor subdivision, dividing the property into two lots, seconded by Mr. Mooney.

Ms. Erdle stated the owner wanted to sell the proposed 16 acres with the house, barn and garage and at this time, keep the 66.112 acres that had some fruit trees and ponds as open land.

Upon further discussion, the Board found no issues with the application and stated the applicant would need to supply a completed survey map by a licensed surveyor by September 23, 2014. This would allow the Planning Board secretary to meet the October 6, 2014 public hearing requirements.

A roll call vote was taken. Ayes-4 Nays-0. Absent-2.

**SUBDIVISION APPLICATION SA62-14: Richard Morrison.** Property located along Keuka Hill Rd. and Silsbee Rd., Town of Wayne. Request to subdivide into two parcels.

Mr. Morrison was present to state the following:

- 26.82 acres that he wanted to divide into two lots.
- He currently has a building permit for a barn that would be located on one of the lots and that it would meet the required setback distances.

Ms. Gabel made a motion to have the Planning Board act as the lead agency for the Planning Board, seconded by Mr. Witkowski.

An Aye vote was taken. Ayes-4. Nays-0. Absent-2.

Upon completion of a negative SEQR, Mr. Mooney made a motion to approve Subdivision Application SA62-14 as a minor subdivision, dividing the property into two lots, seconded by Ms. Gabel.

Upon further discussion the Board stated the following:

- The request was pretty straight forward and found no real issues with the proposed subdivision.
- The applicant provided five complete certified survey maps.
- A public hearing will be scheduled for October 6, 2014 at 6:45PM.

- Upon review of those concerns, the Board may put restrictions on the proposed subdivision.
- It gives time for the Planning Board to review their decision.
- Does the proposed subdivision fit into the Comprehensive Plan?
- Ultimately, the Planning Board bases its decision on whether the applicant meets the letter of the law.

Ms. Gabel made a motion to have the Planning Board act as the lead agency for the SEQR, seconded by Mr. Witkowski.

An Aye vote was taken. Ayes-4. Nays-0. Absent-2.

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Upon further discussion, the Board found no issues with the application and stated the applicant would need to supply a completed survey map by a licensed surveyor by September 23, 2014. This would allow the Planning Board secretary to meet the October 6, 2014 public hearing requirements.

A roll call vote was taken. Ayes-4 Nays-0. Absent-2.

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Ms. Gabel made a motion to have the Planning Board act as the lead agency for the Planning Board, seconded by Mr. Witkowski.

An Aye vote was taken. Ayes-4. Nays-0. Absent-2.

Upon completion of a negative SEQR, Mr. Mooney made a motion to approve Subdivision Application SA62-14 as a minor subdivision, dividing the property into two lots, seconded by Ms. Gabel.

Upon further discussion the Board stated the following:

- The request was pretty straight forward and found no real issues with the proposed subdivision.
- The applicant provided five complete certified survey maps.
- A public hearing will be scheduled for October 6, 2014 at 6:45PM.

A roll call vote was taken. Ayes-4. Nays-0. Absent-2.

**SITE PLAN APPLICATION(s):**

**Ralph Ridolfino:** Property located at 12142 East Lake Rd., Town of Wayne. Request for two car garage.

Mr. Ridolfino stated the following:

- He would contract Mr. Coots to be his contractor.
- The two car garage would have storage above the rafters.
- All lighting would be to code.

Mr. Harrop stated the following:

- Placement of the garage met all setbacks requirements.
- It met the height requirements and wouldn't impair on the view shed.
- He had no issues with this application.

Mr. Neu stated this was a Type II action and didn't require a SEQR.

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

Mr. Carlson inquired if there were any deeded right of ways.

Mr. Ridolfino stated there were none, but he would continue to let his neighbor's access to their property from his.

Upon further discussion, a roll call vote was taken to approve the site plan.

Ayes-5. Nays-0. Abstain-0. Absent-1.

**Tom Harnas:** Property located at 8965 Fleet Rd., Town of Wayne. Request to construct an addition.

Mr. Harrop stated the following:

- The application was granted a Special Use Permit to have two residences on a single lot.
- The applicant would like to connect the buildings.
- No new bedrooms would be created.
- His only concern was potential runoff, as more land space would be covered.
- He had no real issue with the proposed addition.

Mr. Neu stated this was a Type II action and didn't require a SEQR.

Mr. Witkowski made a motion to approve the site plan application as submitted, seconded by Ms. Gabel.

Upon discussion the application was straight forward.

Upon further discussion, a roll call vote was taken.

Ayes-4. Nays-0. Abstain-0. Absent-2.

**Rick Darcangelo:** Property located at 10033 Log Cabin Dr., Town of Wayne. Request to remove existing two metal trailers addition and deck and construct new cape style unit, intended for owner occupancy.

Mr. Harrop stated the following:

- Originally the applicant applied for a multifamily residence and would need a Use Variance, but since withdrew the variance.
- The 8,500 sq. ft. lot size was created prior to the 1982 Land Use Regulations and is considered "Grandfathered," making it an allowed pre-existing lot.
- The applicant would remove two old existing trailers located on the lot.
- Due to lot size and parking availability, the applicant should seek a septic tank that allows parking for cars.
- The Board should see if the proposed construction is in keeping with the neighborhood.

Mr. Neu stated Mr. Harrop brought up goods points.

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

Mr. Darcangelo stated the following:

- It would be a single family dwelling.
- Water would be supplied from the Lake.
- Showed surrounding homes located within the area.
- Met with Colby Peterson from KWIC and Engineer Bill Groves to design a new septic system.
- If all falls into place, he would like to start construction before Thanksgiving.

Upon discussion and review of the site plan review of question 1 through 14, the Board stated the following:

- It would be an improvement to the neighborhood with the removal of the two trailers.
- Erosion control measures should be used before and after construction by using properly installed silt fencing and seeding.
- The need to have safe distance from neighboring structures and meet the required 10 ft. setback.
- Removal of the trailers and placing the home further back from the Lake would allow for better view shed for the neighboring property.
- Concern was noted about not having approved engineered plans for a septic system.

Upon further discussion, Mr. Neu questioned whether anyone would do anything different with regards to the site plan.

As no one had any suggestions, a roll call vote was taken to approve the site plan application with the following two conditions:

- The applicant has an approved engineered septic system.

- Have defined erosion control measures both during the construction phase and the continued permanent resident phase.

A roll call vote was taken. Ayes-4. Nays-0. Absent-2.

**FRED NEWMAN:** Property located at 9438 County Rte. 87, Town of Wayne. Request to place a manufactured home on existing cement slab.

Mr. Harrop the following:

- This was a legal undersized lot that was created prior to 1982 regulations.
- The applicant was placing a smaller unit on the existing pad to meet the setback requirements.
- He had no concerns about this request.

Ms. Gabel made a motion to approve the site plan as submitted, seconded by Mr. Witkowski.

Upon discussion, the Board found this application to be straight forward.

A roll call vote was taken. Ayes-4. Nays-0. Absent-2.

### **COMMUNICATIONS:**

Mr. Reasoner was present to inquire about the status of the proposed Land Use Regulations.

Mr. Neu stated he should attend the Town Board meeting on September 9, 2014 to get the correct answer to his inquiry.

Mr. Reasoner then inquired if the Planning Board had any suggestions on how improve his variance request.

Mr. Neu stated the following:

- The correct procedure for any variance request goes first to the Zoning Board of Appeals then comes before the Planning Board as a site plan.
- The need to prove a hardship goes a long way when determining a request.
- Make sure the applicant has pictures and letters from neighbors supporting the request.

Mr. Harrop inquired about the Putney subdivision, as there was a for sale sign on the property.

Mr. Neu stated he has been unable to contact the Putney's with regards to their request and they shouldn't be able to advertise the subdivided lot until it is an approved subdivision.

He would check with Steuben County and see if the Putney's have recorded the proposed subdivision.

Mr. Mooney inquired about alternative energy sources that the Board should review and stated he would be interested in looking into them.

Ms. Gabel made a motion to adjourn the meeting at 9:25PM, seconded by Mr. Witkowski.

Sincerely, Maureen Kurtz