

MINUTES OF THE TOWN OF WAYNE
 PLANNING BOARD
 December 5, 2016

The December 5, 2016, Planning Board meeting started at 7:45 pm with a roll call of the members.

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

<u>ALSO PRESENT:</u>		
Wendy Flaitz		Debbie Gleason
Stanley Zula		Tim Bauer
Anna & David Bauer		Joe Carroll
John & Diane Fisher		Jen & Phil Rouin
Daniel Brennan		Gary O'Bourn
Candy Dietrich		Gus Carr
Martin Castellana		Jeff Martin
Dan and Carleen Tarpin		

MINUTES:

Ms. Kerrick made a motion to approve the November 7, 2016, minutes as presented, seconded by Mr. Witkowski.

A roll call vote was taken.

<u>VOTE RECORD:</u>	<u>Ayes</u>	<u>Nays</u>	<u>Abstain</u>	<u>Absent</u>
Glenn Neu	<u>X</u>	---	---	---
Nancy Gabel	<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-4. Nays-0. Abstain-0. Absent-2.

NEW BUSINESS:

SITE PLAN APPLICATION(s):

Gus Carr for Don Robbins: Application to construct 18 ft. x 21 ft. swim spa enclosure, 9648 Treasure House Road. The site plan application was paid for as "building without a permit." Mr. Carr noted there would be residential lighting.

As this was a Type II action, no SEQR was required.

A roll call vote was taken.

<u>VOTE RECORD:</u>	<u>Ayes</u>	<u>Nays</u>	<u>Abstain</u>	<u>Absent</u>
Glenn Neu	<u>X</u>	___	___	___
Nancy Gabel	<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-4. Nays-0. Abstain-0. Absent-2.

Scott Buescher: Application is to build a new home at 9535 Crystal Beach Road. Gill stated that the height of the building is about 30 ft. off the ground. This site plan is approved with the condition of a certified-approved septic system and a proposed drainage system to be mapped out.

As this was a Type II action, no SEQR was required.

A roll call vote was taken.

<u>VOTE RECORD:</u>	<u>Ayes</u>	<u>Nays</u>	<u>Abstain</u>	<u>Absent</u>
Glenn Neu	<u>X</u>	___	___	___
Nancy Gabel	<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-4. Nays-0. Abstain-0. Absent-2.

Dan and Carleen Tarpin: A pre-lim subdivision application for 9743 County Road 87 and Rose Road to change lots resulting in two (2) lots: 3 acre lot and 66.568 acres lot. Since this is a "lot-line adjustment," Gill will coordinate the process for the Tarpin's.

A roll call vote was taken.

<u>VOTE RECORD:</u>	<u>Ayes</u>	<u>Nays</u>	<u>Abstain</u>	<u>Absent</u>
Glenn Neu	<u>X</u>	___	___	___
Nancy Gabel	<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-4. Nays-0. Abstain-0. Absent-2.

Verizon Wireless: Special Permit Application No. 05SP16, to construct and operate a wireless communications facility at 9658 Day Road.

After several people presented their views during the Public Hearing, the Planning Board has prepared a list request such as:

- Feedback from Public Hearing. [A representative from Nixon Peabody LLP, Attorneys at Law, presented the Planning Board with:
 - Verizon New York RSA 3 Cellular Partnership d/b/a VERIZON WIRELESS, Silsbee Site, Hilltop Analysis December 5, 2016 information (on file)
 - Topo Map (on file)
 - Memorandum from Laura V. Hall (RETTEW) dated October 13, 2016 (REVISED December 1, 2016), Project Name: Silsbee Cell Tower Site; Subject: Balloon Test Supplement] (on file)
- Feedback from Attorney
- The proposed site falls outside "search ring" and should move to a better proposed site. (The Nixon Peabody LLP Application information dated October 18, 2016]. In this document in Section B, page 13 of 15 and 14 of 15; Section C, page 17 of 19 shows what they have as the "search ring."
- Federal Law ties our hands – they can do it. What stipulations can we put in? Within our Comprehensive Plan, this should have a neutral to positive impact. This application shows a "negative" impact on the property values in the area. There may need to be a certified engineer to complete this. Assessor can possibly do this. This (Communication Tower) is allowed in the Agricultural District. Need to keep them within the boundary where they signed the lease.
- Our Attorney stated even if the Tower moved down the hill, it would raise the height of the Tower with a light on it.
- Glenn will prepare letter to be sent to Nixon Peabody LLP, Attorneys at Law.

A roll call vote was taken to table the decision until we get feedback from their Attorneys.

<u>VOTE RECORD:</u>	<u>Ayes</u>	<u>Nays</u>	<u>Abstain</u>	<u>Absent</u>
Glenn Neu	<u>X</u>	___	___	___
Nancy Gabel	<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-4. Nays-0. Abstain-0. Absent-2.

Mr. and Mrs. Philip Rouin (Jennifer) presented a letter dated December 3, 2016, to the Planning Board. (on file)

COMMUNICATIONS:

A Letter was presented from David Slade concerning property located at 14161 State Rte. 54

to operate a commercial business. Mr. Martin Castellana was present and would like to operate a wood-fired pizza and gelato business on this property. He would have employees. It would largely be a carry-out business.

The property is currently zoned home office and not "commercial" property. Mr. Neu stated that since Mr. Castellana's intentions were for a commercial business, he did not see this property being converted to a Use Variance.

We can recommend to the Town Board to adopt both sides of State Rte. 54 (about 1.5 miles) be in the Scenic Corridor. This proposed business would fall into the Scenic Corridor.

From a Planning Board perspective we can survey the residents to see what they would like to have as businesses in that area.

The mobile business could be headquartered at the proposed property and used as a home office.

OTHER:

Gill asked we consider adding to our Land Use Regulations under Fire Emergency Services and provide private road setbacks. A minimal set back should be from a fence, another building, etc.

Ms. Gabel made a motion to adjourn the meeting at 9:15 PM, seconded by Ms. Kerrick.
Ayes-4. Absent-2.

Acting Secretary, Nancy Gabel for Maureen Kurtz

Next Meeting: February 6, 2017