

A public meeting of the Zoning Board of Appeals of the Town of Williamson was held on September 28, 2017, in the Town Complex meeting room at 7:00 PM.

The following members were present: Ernie Norton, Chairman  
Daniel DeCracker  
Tim Gulick  
Chuck Monsees

Absent: Noah Knataitis  
Janet Nelson, Alternate

Also present were Mark & Diana Lagoner (Lagoner Farms), Paul John & Sandi Saracen (Ontario Midland Railroad Corp.), Todd Macko (Baldwin Richardson), John Cody, and Tom Alexander, Town Code Enforcement Officer.

The minutes of the July 27, 2017, meeting were reviewed for approval. A motion was made by Dan DeCracker to approve said minutes as submitted, and was seconded by Tim Gulick. All voted in favor of the motion.

Appeal No. 867: Genesee Land Trust of 46 Prince St, Suite LL005, Rochester, NY. Applicant is requesting an area variance to install a sign. Property is owned by Genesee Land Trust and is located on Lake Rd, Williamson. Zoned L-R (Lakefront Residential).

All present ZBA members were also present for the public hearing for this appeal which was held on July 27, 2016. The Wayne County Planning Board reviewed this item at their August 30, 2017 meeting, and determined “it to have no intermunicipal or countywide impact.”

This is a Type II SEQR action and requires no further review.

A motion was made by Tim Gulick to grant Appeal No. 867, allowing 3 feet of relief for the height of the proposed sign. The motion was seconded by Chuck Monsees. All voted in favor of the motion.

#### **Agenda Items:**

Appeal No. 868: Lagoner Farms of 6954 Tuckahoe Rd, Williamson, NY. Applicant is requesting an area variance to install a sign. Property is owned by 4090 Pearsall St Ventures, LLC and is located at 4090 Pearsall St, Williamson. Zoned C-1 (Commercial).

Public Hearing opened at 7:04 PM

Mark Lagoner is present for Lagoner Farms, who is leasing the center storefront in the Breen’s Plaza on Pearsall St for their florist shop; this space is pre-existing and has a very narrow façade. One sign, 36” x 144” has been installed on the façade west of the entry canopy. They would like to install a second sign on the façade east of the entry canopy for visibility. The signs will have no lighting.

Town Zoning code §178-75 L(2)(a) limits the amount of sign face to 5% of the total square footage of the façade of the leased space. Two signs of 36 square feet (72 square feet total) exceed the limits (having only one sign does not). Mr. Lagoner submitted a letter from the property manager in support of the proposal.

There have been no comments from the neighbors.

Public Hearing closed at 7:18 PM.

Discussion followed regarding the definition of façade (the Zoning Code has none) and the 5% calculation. The Wayne County Planning Board reviewed this item at their August 30, 2017 meeting, and determined “it to have no intermunicipal or countywide impact.”

This is a Type II SEQR action and requires no further review.

A motion was made by Dan DeCracker to grant Appeal No. 868, allowing a second sign on the front façade of the building for the tenant located at the space known as 4102 Pearsall St, not to exceed 36” x 144”. The motion was seconded by Tim Gulick. All voted in favor of the motion.

Appeal No. 869: Baldwin Richardson Foods Co of 3268 Blue Heron Vw, Macedon, NY. Applicant is requesting area variance for expanding the existing structure. Property is owned by applicant and is located at 4949 Route 104, Williamson. Zoned I-1 (Industrial).

Todd Macko was present to represent Baldwin Richardson. The company proposes to expand its facility at the northwest corner of Route 104 and East Townline Rd, increasing their existing building by 40,000 square feet, to add a new beverage syrup line which creates over 30 new jobs. The project includes manufacturing line(s), bulk storage silos and rail delivery area.

Truck traffic on East Townline Rd will increase temporarily during construction, which is expected to last about six months. Once the project is completed, only outbound trucks will use East Townline Rd. All incoming trucks are to enter via Route 104. Railroad will be used to deliver dry, granular product. A traffic study has been completed, which Tom Alexander has a copy of.

Area relief is needed for the height of the building for the enclosed bulk storage silos. The allowed building height in the I-1 zone is 45’, and Baldwin Richardson requests 20’ of relief. In addition, the company requests area relief regarding impervious surface coverage.

In reviewing the drawings at this time, it became apparent that they are no longer current, as they show a “Phase I” and “Phase II,” which, combined, reflect a gross floor area of more than 40,000 square feet. Mr. Marko explained that the project will be done now in a single phase, the addition will have different dimensions, and it is limited to 40,000 square feet. The SEQR form also refers to “Phase I” and “Phase 2” and so must be updated as well.

John Cody, who lives across East Townline Rd from the facility, expressed his concerns of significant negative impact to his family due to increased noise and truck traffic, and decreased property values. He is opposed to this project.

Public Hearing closed at 8:15 PM.

Chuck Monsees requested that Baldwin Richardson submit a plan for reducing noise affecting the residences.

The Wayne County Planning Board reviewed this item at their meeting on Wednesday, September 27, 2017; the Town had not received their findings as of the start of tonight’s meeting. The Zoning Board questioned whether these “Phase I/Phase II” plans were the same ones reviewed by the County and asks if the actual site layout will make a difference for this approval.

Updated/corrected plans are required before any further review and determination can be made. Items required include, but are not limited to: the total square footage of the building, the total square footage of the pavement, the total lot size.

Dan DeCracker requests that the Town Planning Board look closely at pages D2j, E1, and E1a of the Full Environmental Assessment Form, Part I.

A motion was made by Chuck Monsees to postpone further public hearing for Appeal No. 869 until all the needed information is received from the applicant including, but not limited to:

- Accurate site plan
- Accurate building plan
- Noise reduction proposal
- Corrected SEQR statement.

The motion was seconded by Ernie Norton. All voted in favor of the motion.

Following review of November and December 2017 calendars, a motion was made by Dan DeCracker to hold the November meeting on November 30, 2017 (application deadline: November 16, 2017) and the December meeting on December 28, 2017 (application deadline: December 14, 2017).

There being no further business, a motion to adjourn was made by Tim Gulick, and seconded by Chuck Monsees. All voted in favor.

Respectfully submitted,

Christine Nagel, Secretary