

**ONTARIO COUNTY PLANNING BOARD**

Referrals for Review at the;

**Coordinated Review Committee Meeting – April 11th, 2017 at 3:30pm****County Planning Board Meeting – April 12th, 2017 at 7:30pm**

2nd Floor Conference Room, Room 200, 20 Ontario Street, Canandaigua, NY 14424 - Telephone: 585-396-4455

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37 - 2017	Village of Bloomfield Planning Board	Class: 2
Referral Type:	Site Plan	
Applicant:	Prestigiacomo, Joseph	
Representative:	Barry, John	
Tax Map No(s):	68.13-1-8.100 68.13-1-16.000	
Brief Description:	Site Plan and Special Use Permit request to construct 61 residential senior townhouse units on a 12 acre parcel. Project located on Elm St. in the Village of Bloomfield.	

**COMMENTS:**

Proposed Elms Townhouse project includes the construction of 61 age restricted senior townhouse units within 12 buildings. Each building will have 2-6 units. Development will occur in phases, disturbing approximately 12 acres. Phase 1 having up to 24 units.

Private road to be created, with concrete sidewalks connecting the individual driveways. Since the parcels are within the R-1-20 zoning district a special use permit is required for cluster development. Units will be for rent, with the potential of sale of individual units in the future. Applicant is proposing a privately owned sanitary sewer system, which will also allow for future dedication of the system to the Village.

Existing stormwater runoff patterns and runoff rates will be maintained. A stormwater retention and detention facility to be constructed on the north side of the property.

**According to ONCOR:**

- There are no State and Federal wetlands present on the property.
- The parcel is not located within a FEMA floodplain.
- The property is located within 500ft of Agricultural District #1. An Agricultural Data Statement should be submitted by the applicant and reviewed prior to action by the referring board.
- Soil Characteristics
  - Type: Lakemont silty clay loam
  - Slope: 0 to 3 percent
  - Soil permeability: Moderately Low
  - Erodibility: Very High
- Soil Characteristics
  - Type: Honeoye loam
  - Slope: 3 to 8 percent
  - Soil permeability: Moderately High
  - Erodibility: Medium

**OCSWCD Comments:**

- The stormwater management area sizing info is not listed on page S-4 of the design.
- Silt fence is running up the hill on the east side of the site which will cause channeling of water and cause erosion. See NYS Standards and Specs for Erosion and Sediment Control for details on silt fence.
- This project will most likely require a 5 acre waiver. Special stormwater permit conditions will be required.

37.1 - 2017	Village of Bloomfield Planning Board	Class: 2
Referral Type:	Special Use Permit	
Applicant:	Prestigiacomo, Joseph	
Representative:	Barry, John	
Tax Map No(s):	68.13-1-8.100 68.13-1-16.000	
Brief Description:	Site Plan and Special Use Permit request to construct 61 residential senior townhouse units. Project located on Elm St. in the Village of Bloomfield.	

Comments: See referral #37-2017 for project summary and comments.

39 - 2017	Village of Rushville Village Board	Class: Exempt
Referral Type:	Other	
Applicant:	Village of Rushville	
Representative:	Blair, Thomas	
Brief Description:	Village proposing improvements to existing Wastewater Treatment Plant and associated sewer collection system. Project located at 6 Warehouse Rd. in the Village of Rushville.	

40 - 2017	Village of Victor Planning Board	Class: AR-1
Referral Type:	Site Plan	
Applicant:	AT&T Wireless	
Representative:	Adam Wolfrey-Centerline Communications	
Tax Map No(s):	16.17-1-18.000	
Brief Description:	Site Plan approval to install a cellular phone antenna, two radio heads, and other associated equipment. Project located at 2 West Main St. in the Village of Victor.	

**Policy AR-8: Co-location of telecommunication equipment and accessory structures on existing towers and sites**

Co-location of telecommunication equipment and accessory structures on existing towers and sites have been determined by this Board to be a category of referrals with no potential countywide or inter-municipal impact. Proposals for specially permitted uses are not covered under this policy. Applications for new towers or increasing the height of an existing tower will require full Board review.

**Final classification** shall be Class 1.

**Findings:**

1. The application proposes co-location of telecommunication equipment and accessory structures on an existing tower and sites.
2. It does not include a proposal for a new tower or increasing the height of an existing tower.
3. The above described application presents little potential for countywide or intermunicipal impact.

**Final Recommendation** - The CPB will make no formal recommendation on applications proposing only co-location of telecommunication equipment and accessory structures on existing towers and sites (Class 1).

41 - 2017	Village of Manchester Village Board	Class: 2
Referral Type:	Map Amendment	
Applicant:	Village of Manchester	
Tax Map No(s):	32.17-2-35.120 32.17-2-49.2 32.17-2-46.000	
Brief Description:	Map Amendment to declare sections of the existing Railroad Ave in the Village of Manchester to be part of the public streets of the Village. Also to be renamed 'Merrick Circle'.	

**COMMENTS:**

The Village, using eminent domain, is seeking legal title to all lands forming the public streets and rights of way known as "Merrick Circle" and "Railroad Ave". Specifically two parcels of land on Railroad Ave. The Village is considering improving the public streets of "Merrick Circle" and "Railroad Ave".

42 - 2017	Town of Victor Town Board	Class: 2
Referral Type:	Text Amendment	
Applicant:	Town of Victor	
Brief Description:	Text Amendment to amend Town Code Chapter 83 in regards to building permits and Chapter 211 in regards to site plan review of demolitions for historic significance.	

Comments will be provided at the CRC Meeting.

43 - 2017	Town of Canandaigua Zoning Board of Appeals	Class: Exempt
Referral Type:	Area Variance	
Applicant:	Fallone, Robert	
Property Owner:	Pierce, Timothy	
Tax Map No(s):	126.20-1-1.112	
Brief Description:	Area Variance to construct a residential building with height of 39.68 ft when 35 ft allowed by code. Project was previously granted site plan approval by the Town in 2012. Project is located at 4475 C R 16 in the Town of Canandaigua.	

44 - 2017	Town of Canandaigua Zoning Board of Appeals	Class: AR-2
Referral Type:	Area Variance	
Applicant:	Jan Rte. 332 Realty Corp.	
Tax Map No(s):	56.00-2-25.21 56.00-2-25.71	
Brief Description:	Area Variance and Special Use Permit request to install 4 additional building signs on new Honda Dealership. Project located at 2311 SR 332 in the Town of Canandaigua.	

**Policy AR-7: Signs**

The County Planning Board has long taken an interest in supporting local efforts to limit excessive signage. The Board has identified State Route 332 as a primary travel corridor for tourists visiting Ontario County: The intent is to protect the character of development along these corridors by encouraging local boards to adhere to their adopted laws as much as possible.

**A. All applications for signs located on property adjoining primary travel corridors that do not comply with local limits on size and or number.**

**Final classification:** Class 2

**Findings:**

1. The proposed sign is on land along a corridor identified by the Board as being a primary travel corridor for tourists visiting Ontario County.
2. Protection of the community character along these corridors is an issue of countywide importance.
3. Local legislators have standards for signage that allows for business identification sufficient to safely direct customers onto the specified site.
4. It is the position of this Board that the proposed signage is excessive.
5. Excessive signage has a *negative impact on community character*.

**Final Recommendation** – Denial

44.1 - 2017	Town of Canandaigua Planning Board	Class: AR-2
Referral Type:	Special Use Permit	
Applicant:	Jan Rte. 332 Realty Corp.	
Tax Map No(s):	56.00-2-25.21 56.00-2-25.71	
Brief Description:	Area Variance and Special Use Permit request to install 4 additional building signs on new Honda Dealership. Project located at 2311 SR 332 in the Town of Canandaigua.	

Comments: See referral #44-2017 for project summary and comments.

45 - 2017	Town of Canandaigua Planning Board	Class: 2
Referral Type:	Site Plan	
Applicant:	Murray Law Firm	
Property Owner:	Rochester Gas & Electric	
Tax Map No(s):	153.00-1-35.000	
Brief Description:	Site Plan and Special Use Permit approval request to construct a 100ft tall mono-pole communications tower on a 1.06 acre parcel. Project is located at 5850 Monks Rd. in the Town of Canandaigua.	

**COMMENTS:**

Proposed 100 ft mono-pole communications tower at an existing RG&E electric substation site. The proposed project does not meet required minimum parcel size, and property line setbacks. It is unclear whether the applicant will be required to seek variances for these code standards. The Town has not decided whether they will enact their right to waive provisions related to communication facility projects. If Town does not waive the code standards the applicant will need to refer the project back to the CPB for variance approval, in regards to parcel size and setbacks.

Additional comments will be provided at the CRC meeting.

**According to ONCOR:**

- There are no State and Federal wetlands present on the property.
- The parcel is not located within a FEMA floodplain.
- The property is located within 500ft of Agricultural District #1. An Agricultural Data Statement should be submitted by the applicant and reviewed prior to action by the referring board.
- Soil Characteristics
  - Type: Howard gravelly loam (49%)
  - Slope: 8 to 15 percent
  - Soil permeability: High
  - Erodibility: Medium
- Soil Characteristics
  - Type: Pits, gravel and sand (51%)
  - Slope: Unknown
  - Soil permeability: Unknown
  - Erodibility: Unknown

45.1 - 2017	Town of Canandaigua Planning Board	Class: 2
Referral Type:	Special Use Permit	
Applicant:	Murray Law Firm	
Property Owner:	Rochester Gas & Electric	
Tax Map No(s):	153.00-1-35.000	
Brief Description:	Site Plan and Special Use Permit approval request to construct a 100ft tall mono-pole communications tower on a 1.06 acre parcel. Project is located at 5850 Monks Rd. in the Town of Canandaigua.	

Comments: See referral #45-2017 for project summary and comments.

46 - 2017	Town of Canandaigua Zoning Board of Appeals	Class: AR-2
Referral Type:	Area Variance	
Applicant:	Marathon Engineering	
Property Owner:	Smith, John & Joanne	
Tax Map No(s):	126.20-1-15.200	
Brief Description:	Area Variance request to demolish existing residence and construct a new single family residence. Proposed construction does not meet lot coverage and setback requirements. Project is located at 4519 Davidson Landing Dr. in the Town of Canandaigua.	

**Policy AR-5: Applications involving one single family residential site, including home occupations.**

The intent of this policy is to:

- Address residential development that may infringe on County ROW's or easements for roads and other infrastructure.
- Address traffic safety along intermunicipal corridors by encouraging proper placement of residential driveways along County roads.
- Address impacts to ground and surface waters

B. The following applies to all development on parcels with lake frontage that require;

- variances pertaining to lot coverage or,

- variances pertaining to side yard setbacks or,
- variance pertaining to lake shore setbacks

The CPB’s role of reviewing and making recommendations on county wide development has provided a unique perspective on the trend of more intensive development and use of lakefront lots. Of particular concern are the incremental negative impacts to water quality and the character of our lakefront neighborhoods. The following policy is a result of discussion and debate spanning 18 months as well as consultation with outside agencies directly involved with water quality issues in Ontario County. The intent is to address over development of lakefront lots and support the clearly stated interest by local decision makers to do the same.

**Final Classification: 2**

**Findings:**

1. Protection of water features is a stated goal of the CPB.
2. The Finger Lakes are an indispensable part of the quality of life in Ontario County.
3. Increases in impervious surface lead to increased runoff and pollution.
4. Runoff from lakefront development is more likely to impact water quality.
5. It is the position of this Board that the legislative bodies of lakefront communities have enacted setbacks and limits on lot coverage that allow reasonable use of lakefront properties.
6. Protection of community character, as it relates to tourism, is a goal of the CPB.
7. It is the position of this Board that numerous variances can allow over development of properties in a way that negatively affects public enjoyment of the Finger Lakes and overall community character.
8. It is the position of this Board that such incremental impacts have a cumulative impact that is of countywide and intermunicipal significance.

**Final Recommendation: Denial**

47 - 2017	Town of Farmington Planning Board	Class: AR-2
Referral Type:	Site Plan	
Applicant:	Victor Association of Cultural & Perform	
Tax Map No(s):	41.00-1-38.100	
Brief Description:	Site Plan and Area Variance Request to install a 225.75 sq ft digital commercial speech sign. The sign will digitally flip through multiple advertisements, not only for the direct business associated. The sign does not meet Town code size requirements. Project located at 1622 SR 332 in the Town of Farmington.	

**Policy AR-7: Signs**

The County Planning Board has long taken an interest in supporting local efforts to limit excessive signage. The Board has identified State Route 332 as a primary travel corridor for tourists visiting Ontario County: The intent is to protect the character of development along these corridors by encouraging local boards to adhere to their adopted laws as much as possible.

- B. **All applications for signs located on property adjoining primary travel corridors that do not comply with local limits on size and or number.**

**Final classification:** Class 2

**Findings:**

6. The proposed sign is on land along a corridor identified by the Board as being a primary travel corridor for tourists visiting Ontario County.
7. Protection of the community character along these corridors is an issue of countywide importance.
8. Local legislators have standards for signage that allows for business identification sufficient to safely direct customers onto the specified site.
9. It is the position of this Board that the proposed signage is excessive.
10. Excessive signage has a *negative impact on community character*.

**Final Recommendation – Denial**

47.1 - 2017	Town of Farmington Zoning Board of Appeals	Class: AR-2
Referral Type:	Area Variance	
Applicant:	Victor Association of Cultural & Perform	
Tax Map No(s):	41.00-1-38.100	

Brief Description:	Site Plan and Area Variance Request to install a 225.75 sq ft digital commercial speech sign. The sign will digitally flip through multiple advertisements, not only for the direct business associated. The sign does not meet Town code size requirements. Project located at 1622 SR 332 in the Town of Farmington.
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Comments: See referral #47-2017 for project summary and comments.

48 - 2017	Town of Farmington Planning Board	Class: AR-2
Referral Type:	Site Plan	
Applicant:	Burger King	
Property Owner:	Stathopoulos, Demetrios	
Tax Map No(s):	29.00-1-20.110	
Brief Description:	Site Plan to install a static message center to an existing monument sign located at the Burger King, 1298 SR 332 in the Town of Farmington.	

#### Policy AR-7: Signs

The County Planning Board has long taken an interest in supporting local efforts to limit excessive signage. The Board has identified State Route 332 as a primary travel corridor for tourists visiting Ontario County: The intent is to protect the character of development along these corridors by encouraging local boards to adhere to their adopted laws as much as possible.

#### C. All applications for signs located on property adjoining primary travel corridors that do not comply with local limits on size and or number.

**Final classification:** Class 2

#### Findings:

11. The proposed sign is on land along a corridor identified by the Board as being a primary travel corridor for tourists visiting Ontario County.
12. Protection of the community character along these corridors is an issue of countywide importance.
13. Local legislators have standards for signage that allows for business identification sufficient to safely direct customers onto the specified site.
14. It is the position of this Board that the proposed signage is excessive.
15. Excessive signage has a *negative impact on community character*.

**Final Recommendation – Denial**

49 - 2017	Town of Victor Planning Board	Class: 2
Referral Type:	Site Plan	
Applicant:	D.O.B. Engineers	
Property Owner:	Morgan McMahan Rd., LLC	
Tax Map No(s):	28.36-2-1.000	
Brief Description:	Site Plan to construct 47 residential ranch style apartments in 10 buildings on a 6.4 arce parcel. Project located on McMahan Rd. in the Town of Victor.	

#### COMMENTS:

Site Plan to construct 47 apartments in four 6 unit buildings and six 4 unit buildings.

Access to development will be from the Ballerina Court Subdivision, located directly north, via 60 ft wide parcel as a private road named Banjo Run.

Private storm sewers, private water service, and public sanitary sewer.

Updated Traffic Study was provided, which analyzes the impact of both the proposed project and the Ballerina Court Subdivision.

**Additional comments will be provided at the CRC meeting.**

#### According to ONCOR:

- There are no State and Federal wetlands present on the property.
- The parcel is not located within a FEMA floodplain.
- The property is not located within 500ft of an Agricultural District.
- Soil Characteristics

- Type: Palmyra gravelly loam
- Slope: 0 to 3 percent
- Soil permeability: High
- Erodibility: Medium
- Soil Characteristics
  - Type: Farmington loam
  - Slope: 3 to 8 percent
  - Soil permeability: Moderately High
  - Erodibility: Medium

**OCSWCD Comments:**

- The stormwater permit number is not correct on page 3-8 of the design
- Note # 6 on page 3-8 of the design needs to be clarified. The project engineer is required to determine areas to be mulched, not the Towns representative.
- On page 3-8 of the design note # 7 needs to be changed to be consistent with the current stormwater permit requirements, and the requirements of the 5 acre waiver.
- How will the steep slope areas be protected? The design references protection, but provides no details.
- Some erosion and sediment controls practices are listed on the details page but are not clearly shown on the design.
- Will any existing vegetation be preserved? If so, how? If so, it needs to be clearly shown on the plans and marked in the field prior to construction.
- Page 8 of 8 of the design note 5 on the infiltration garden needs to be more specific and include proper information. Also, a planting detail should be included listing species for the rain gardens. Also, the rim and pipe elevation of the structure should be included on the design and the details page.
- This project will require a 5 acre waiver which will have special permit conditions associated with it. These permit conditions should be listed on the plans also.

50 - 2017	City of Canandaigua City Council	Class: 2
Referral Type:	Map Amendment	
Applicant:	Capstone	
Representative:	Thorton Engineering	
Tax Map No(s):	84.06-2-46.11	
Brief Description:	Map Amendment to rezone a M-1: Light Manufacturing parcel to PUD, for the purpose of rehabilitating existing industrial buildings into one and two-bedroom apartments. Project located at 243-299 Gorham St. in the City of Canandaigua.	

**COMMENTS:**

Applicant seeking a map amendment to rezone the old Lisk Manufacturing Company property from Light Manufacturing to PUD. Proposed development includes the redevelopment of the western portion of the property by rehabilitating several of the former industrial buildings and converting them to one or two bedroom apartments, for middle income renters. Potential redevelopment of the eastern portion of the property for a mix of residential and commercial space in rehabilitated buildings or light manufacturing in a new building.

51 - 2017	Town of Canandaigua Town Board	Class: 2
Referral Type:	Map Amendment	
Applicant:	Necci, Michael	
Property Owner:	2635 County Rd. 22 Properties, LLC	
Tax Map No(s):	71.00-1-21.151	
Brief Description:	Map Amendment to rezone a 1.94 acre parcel from AR-1: Agricultural Rural to MUO: Mixed Use Overlay for a fire and water restoration clean-up company in the existing buildings. Project located at 2635 CR 22 in the Town of Canandaigua.	

**COMMENTS:**



Map amendment to rezone a parcel from Agricultural Rural to Mixed Use Overlay for an existing non-conforming use.
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52 - 2017	Town of Richmond Zoning Board of Appeals	Class: AR-2
Referral Type:	Area Variance	
Applicant:	Pfeiffer, Diane	
Tax Map No(s):	149.19-1-10.112	
Brief Description:	Area Variance request to construct a deck on the lake side of a single-family residence. The deck does not meet the lake setback requirements. Project located at 5337 CR 36 in the Town of Richmond.	

**Policy AR-5: Applications involving one single family residential site, including home occupations.**

The intent of this policy is to:

- Address residential development that may infringe on County ROW's or easements for roads and other infrastructure.
- Address traffic safety along intermunicipal corridors by encouraging proper placement of residential driveways along County roads.
- Address impacts to ground and surface waters

B. The following applies to all development on parcels with lake frontage that require;

- variances pertaining to lot coverage or,
- variances pertaining to side yard setbacks or,
- variance pertaining to lake shore setbacks

The CPB's role of reviewing and making recommendations on county wide development has provided a unique perspective on the trend of more intensive development and use of lakefront lots. Of particular concern are the incremental negative impacts to water quality and the character of our lakefront neighborhoods. The following policy is a result of discussion and debate spanning 18 months as well as consultation with outside agencies directly involved with water quality issues in Ontario County. The intent is to address over development of lakefront lots and support the clearly stated interest by local decision makers to do the same.

**Final Classification: 2**

**Findings:**

1. Protection of water features is a stated goal of the CPB.
2. The Finger Lakes are an indispensable part of the quality of life in Ontario County.
3. Increases in impervious surface lead to increased runoff and pollution.
4. Runoff from lakefront development is more likely to impact water quality.
5. It is the position of this Board that the legislative bodies of lakefront communities have enacted setbacks and limits on lot coverage that allow reasonable use of lakefront properties.
6. Protection of community character, as it relates to tourism, is a goal of the CPB.
7. It is the position of this Board that numerous variances can allow over development of properties in a way that negatively affects public enjoyment of the Finger Lakes and overall community character.
8. It is the position of this Board that such incremental impacts have a cumulative impact that is of countywide and intermunicipal significance.

**Final Recommendation: Denial**

53 - 2017	Town of Geneva Planning Board	Class: 1
Referral Type:	Site Plan	
Applicant:	Strauss Solar, LLC	
Tax Map No(s):	90.00-2-69.110	
Brief Description:	Site Plan approval to install a 2,000 kw solar system on 25 acres of a 53.7 acre parcel. Project is located at 335 Carter Rd. in the Town of Geneva.	

**COMMENTS:**

Site Plan for a 2 MW shared solar system. Of the 53 total acres, 19.6 will be disturbed.

**According to ONCOR:**

- There are no State and Federal wetlands present on the property.
- The parcel is not located within a FEMA floodplain.
- The property is not located within 500ft of an Agricultural District.
- Soil Characteristics
  - Type: Pits, gravel and sand
  - Slope: Unknown
  - Soil permeability: Unknown
  - Erodibility: Unknown
- Soil Characteristics
  - Type: Schoharie silt loam
  - Slope: 0 to 3 percent
  - Soil permeability: Moderately High
  - Erodibility: Very High
- Soil Characteristics
  - Type: Schoharie silty clay loam
  - Slope: 8 to 15 percent
  - Soil permeability: Moderately High
  - Erodibility: Very High

**OCSWCD Comments:**

Will the existing tree line be preserved during construction? Will this be properly marked in the field prior to construction?

<b>54 - 2017</b>	<b>Town of Farmington Planning Board</b>	<b>Class: AR-1</b>
Referral Type:	Site Plan	
Applicant:	Best, Michael	
Tax Map No(s):	17.00-1-11.200	
Brief Description:	Site Plan and Special Use Permit approval to have a home occupation of photography for special events, such as senior pictures, weddings, engagements, etc. No additional buildings are proposed. Project located at 6165 Brownsville Rd.	

**Policy AR-5: Applications involving one single family residential site, including home occupations.**

The intent of this policy is to:

- Address residential development that may infringe on County ROW's or easements for roads and other infrastructure.
- Address traffic safety along intermunicipal corridors by encouraging proper placement of residential driveways along County roads.
- Address impacts to ground and surface waters

C. All other applications subject to policy AR-5.

**Final Classification:** Class 1

**Findings:**

1. As of 2005 69% of the parcels in Ontario County were classified as one or two family residential. Between 2000 and 2005, 2,018 residential parcels were added to the County's tax rolls (Ontario Co. RPTS Annual Report)
2. Collectively individual residential developments have significant impacts on surface and ground water.
3. Proper design off onsite sewage disposal is needed to protect ground and surface waters.
4. Proper storm water and erosion control is also needed to achieve that same end.
5. Proper sight distance at access points along County roads is an important public safety issue of county wide significance.
6. Standards related to protecting water quality and traffic safety have been established by agencies such as the American Association of State Highway and Transportation Officials (AASHTO), and NYSEDC.
7. These issues can be addressed by consulting appropriate agencies during local review and ensuring that those standards are met.

**Final Recommendation** – The CPB will make no formal recommendation to deny or approve applications involving one single family residential site, including home occupations.

<b>54.1 - 2017</b>	<b>Town of Farmington Planning Board</b>	<b>Class: AR-1</b>
Referral Type:	Special Use Permit	

Applicant:	Best, Michael
Tax Map No(s):	17.00-1-11.200
Brief Description:	Site Plan and Special Use Permit approval to have a home occupation of photography for special events, such as senior pictures, weddings, engagements, etc. No additional buildings are proposed. Project located at 6165 Brownsville Rd.

Comments: See referral #54-2017 for project summary and comments.

55 - 2017	Town of Gorham Zoning Board of Appeals	Class: AR-2
Referral Type:	Area Variance	
Applicant:	Lanning, David & Karen	
Tax Map No(s):	154.08-1-30.000	
Brief Description:	Area Variance request to demolish existing single-family residence and construct a new single-family residence. Proposed construction does not meet required side yard setbacks. Project located at 5102 CR11 in the Town of Gorham.	

**Policy AR-5: Applications involving one single family residential site, including home occupations.**

The intent of this policy is to:

- Address residential development that may infringe on County ROW's or easements for roads and other infrastructure.
- Address traffic safety along intermunicipal corridors by encouraging proper placement of residential driveways along County roads.
- Address impacts to ground and surface waters

B. The following applies to all development on parcels with lake frontage that require;

- variances pertaining to lot coverage or,
- variances pertaining to side yard setbacks or,
- variance pertaining to lake shore setbacks

The CPB's role of reviewing and making recommendations on county wide development has provided a unique perspective on the trend of more intensive development and use of lakefront lots. Of particular concern are the incremental negative impacts to water quality and the character of our lakefront neighborhoods. The following policy is a result of discussion and debate spanning 18 months as well as consultation with outside agencies directly involved with water quality issues in Ontario County. The intent is to address over development of lakefront lots and support the clearly stated interest by local decision makers to do the same.

**Final Classification: 2**

**Findings:**

1. Protection of water features is a stated goal of the CPB.
2. The Finger Lakes are an indispensable part of the quality of life in Ontario County.
3. Increases in impervious surface lead to increased runoff and pollution.
4. Runoff from lakefront development is more likely to impact water quality.
5. It is the position of this Board that the legislative bodies of lakefront communities have enacted setbacks and limits on lot coverage that allow reasonable use of lakefront properties.
6. Protection of community character, as it relates to tourism, is a goal of the CPB.
7. It is the position of this Board that numerous variances can allow over development of properties in a way that negatively affects public enjoyment of the Finger Lakes and overall community character.
8. It is the position of this Board that such incremental impacts have a cumulative impact that is of countywide and intermunicipal significance.

**Final Recommendation: Denial**

56 - 2017	Town of South Bristol Planning Board	Class: AR-2
Referral Type:	Site Plan	
Applicant:	Hiller, Michael	
Property Owner:	Canandaigua Marina LLC	

Tax Map No(s):	195.05-1-18.000
Brief Description:	Site Plan and Area Variance request to demolish a two-story customer service facility and build a one-story facility. Variances needed for front yard, side yard, and lake side setbacks. Project located at 7099 SR 21 in the Town of South Bristol.

**Policy AR-5: Applications involving one single family residential site, including home occupations.**

The intent of this policy is to:

- Address residential development that may infringe on County ROW's or easements for roads and other infrastructure.
- Address traffic safety along intermunicipal corridors by encouraging proper placement of residential driveways along County roads.
- Address impacts to ground and surface waters

B. The following applies to all development on parcels with lake frontage that require;

- variances pertaining to lot coverage or,
- variances pertaining to side yard setbacks or,
- variance pertaining to lake shore setbacks

The CPB's role of reviewing and making recommendations on county wide development has provided a unique perspective on the trend of more intensive development and use of lakefront lots. Of particular concern are the incremental negative impacts to water quality and the character of our lakefront neighborhoods. The following policy is a result of discussion and debate spanning 18 months as well as consultation with outside agencies directly involved with water quality issues in Ontario County. The intent is to address over development of lakefront lots and support the clearly stated interest by local decision makers to do the same.

**Final Classification: 2**

**Findings:**

1. Protection of water features is a stated goal of the CPB.
2. The Finger Lakes are an indispensable part of the quality of life in Ontario County.
3. Increases in impervious surface lead to increased runoff and pollution.
4. Runoff from lakefront development is more likely to impact water quality.
5. It is the position of this Board that the legislative bodies of lakefront communities have enacted setbacks and limits on lot coverage that allow reasonable use of lakefront properties.
6. Protection of community character, as it relates to tourism, is a goal of the CPB.
7. It is the position of this Board that numerous variances can allow over development of properties in a way that negatively affects public enjoyment of the Finger Lakes and overall community character.
8. It is the position of this Board that such incremental impacts have a cumulative impact that is of countywide and intermunicipal significance.

**Final Recommendation: Denial**

56.1 - 2017	Town of South Bristol Zoning Board of Appeals	Class: AR-2
Referral Type:	Area Variance	
Applicant:	Hiller, Michael	
Property Owner:	Canandaigua Marina LLC	
Tax Map No(s):	195.05-1-18.000	
Brief Description:	Site Plan and Area Variance request to demolish a two-story customer service facility and build a one-story facility. Variances needed for front yard, side yard, and lake side setbacks. Project located at 7099 SR 21 in the Town of South Bristol.	

Comments: See referral #56-2017 for project summary and comments.

57 - 2017	Town of Hopewell Planning Board	Class: 1
Referral Type:	Site Plan	
Applicant:	Johnson, Robert	
Representative:	Polimeni Esq, John	

Tax Map No(s):	73.18-1-11.000
Brief Description:	Site Plan to construct a 1428 sq ft addition to an existing general store for the sale of ice cream and related items. Project is located at 3421 CR 4 in the Town of Hopewell.

**COMMENTS:**

Site Plan to construct a 1428 sq ft one story addition to an existing general store, for the sale of ice cream.

58 - 2017	Town of Hopewell Planning Board	Class: 1
Referral Type:	Site Plan	
Applicant:	Fiorello, Dennis	
Property Owner:	Coble Land LP	
Representative:	Identity Design, PLLC	
Tax Map No(s):	85.03-1-10.100	
Brief Description:	Site Plan to renovate an existing beauty salon for a new hair salon including a 74 sq ft building mounted sign. Project is located at 3189 CR 10 in the Town of Hopewell.	

**COMMENTS:**

Site plan to renovate an old beauty supply store into a hair salon. No outside or building improvements proposed, except the addition of a new sign. Sign meets all Town code requirements.

59 - 2017	Town of East Bloomfield Town Board	Class: 2
Referral Type:	Text Amendment	
Applicant:	Town of East Bloomfield	
Brief Description:	Text Amendment to adopt zoning for solar energy.	

Comments will be provided at the CRC meeting.

60 - 2017	Town of Victor Planning Board	Class: 1
Referral Type:	Site Plan	
Applicant:	Village of Victor/Villager Construction	
Property Owner:	Antonelli Construction, LLC	
Tax Map No(s):	16.00-1-53.000	
Brief Description:	Site Plan request to allow the Village of Victor DPW and Villager Construction to use a 29 acre parcel for approximately 7,300 yards of clean fill. Project located at the corner of CR 9 and Gillis Rd. in the Town of Victor.	

**According to ONCOR:**

- There are is a Federal wetland present in the southeast corner of the property.
- The parcel is not located within a FEMA floodplain.
- The property is located within 500ft of Agricultural District #1.
- Soil Characteristics
  - Type: Kendaia loam
  - Slope: 0 to 3 percent
  - Soil permeability: Moderately High
  - Erodibility: Medium
- Soil Characteristics
  - Type: Rhinebeck silty clay loam
  - Slope: 0 to 3 percent
  - Soil permeability: Moderately High
  - Erodibility: Very High

## General Information

The Ontario County Planning Board was established by the Ontario County Board of Supervisors under the provision of NYS General Municipal Law Article 12-B Section 239-c. County Planning Boards. The state legislature determined in §239-c. 1. (a), (b), (g) & (f):

1. Legislative findings and intent. The legislature hereby finds and determines that:

(a) Significant decisions and actions affecting the immediate and long-range protection, enhancement, growth and development of the state and its communities are made by county planning boards.

(b) County planning boards serve as an important resource to the state and its localities, helping to establish productive linkages between communities as well as with state and federal agencies.

(f) The great diversity of resources and conditions that exist within and among counties requires consideration of such factors by county planning boards.

(g) It is the intent of the legislature therefore, to provide a permissive and flexible framework within which county planning boards can perform their power and duties.

Note: l, (d), and (e) refer to the county comprehensive plan.

The CPB membership consists of one representative from each of the 16 towns and 2 cities who are selected by the town board or city council and formally appointed by the Board of Supervisors for terms of 5 years. Members representing a town, also represent any village(s) located with the town.

### General Summary of CPB Review Responsibilities

This section provides a general summary of the CPB's roles and responsibilities. The specific responsibilities of a county planning board are found in §239 l, m, & n and the CPB Bylaws approved by the Ontario County Board of Supervisors. (Links: Complete §239 text Page151: [Guide to NYS Planning and Zoning Laws](#) and [Ontario County Planning Board Bylaws under "Quick Links"](#))

The Ontario County Planning Board reviews certain zoning and planning actions prior to the final decision made at the village, town, or city level and makes a recommendation to the municipality. Although CPB review is required, the action is advisory in nature and can be overridden at the local level (super majority if a Disapproval).

NYS law spells out the types of actions reviewed by the CPB:

- Adoption or amendment of zoning regulations (text and/or map)
- Comprehensive plans
- Site plan approvals
- Special use permits
- Variances
- Any special permit, exception, or other special authorization which a board of appeals, planning board or legislative body is authorized to issue under the provisions of any zoning ordinance
- Subdivisions

NYS law specifies that CPB is required for the above actions to occur on real property lying within a distance of 500 feet from any:

- Boundary of any city, village, or town boundary
- Existing or proposed county or state park or other recreation area,
- Right-of-way of any existing or proposed county or state parkway, thruway, expressway, road or highway, existing or proposed right-of-way,
- Stream or drainage channel owned by the county or for which the county has established channel lines, or
- Existing or proposed boundary of any county or state owned land on which a public building or institution is situated.

### General Procedures

The Ontario County Planning Board meets once each month to review referred local actions for intermunicipal and countywide impacts. They are separated into two categories: Class 1 & Class 2.

Class 1s are applications that the CPB has formally decided have little potential intermunicipal or countywide impact. For Class 2 applications, the CPB has determined that there will be potential impacts before voting to approve, modify or deny.

### Legal Obligations for Referring Agencies

**Class 1:** If an application has been returned to the referring agency as a Class 1, then the only requirement is that they consider any Board comments forwarded to them by the CPB. Referring agencies are asked to read any Board Comments into the minutes of a meeting or hearing held for the subject application.

**Class 2:** If the CPB has voted to deny or modify a referred application then the local board needs a majority plus one vote of their full board to act contrary to that decision. CPB approvals without modification require no extraordinary local action. However, in all cases, the referring agency is still required to consider CPB comments as they would for Class 1 applications.

### Incomplete Applications

Referrals need to meet the definition of “full statement of such proposed action” in NYS General Municipal Law. The CPB’s determination regarding the completeness of a particular application is supported by factual findings and is made, whenever practical, after consulting with the submitting official or the chairs of referring agencies. The CPB will not make a recommendation on an application that they have determined to be incomplete. NYS General Municipal Law, Article 12-b Section 239-m l

### Reporting back to the CPB

Report of final action – Within thirty days after final action, the referring body shall file a report of the final action it has taken with the county planning agency or regional planning council. A referring body which acts contrary to a recommendation of modification or disapproval of a proposed action shall set forth the reasons for the contrary action in such report.”

NYS General Municipal Law, Article 12-b Section 239-m, Part 6.

### Administrative Reviews

The Ontario County Planning Department prepares administrative reviews of referrals as authorized, in accordance with the CPB bylaws. The bylaws include criteria that identify applications that are to be reviewed administratively and specify the applicable recommendations that are to be made to the municipality. AR-1 is an administrative review that is a Class 1 and AR2 is a review as a Class 2 and require local board action if disapproved. The following table summarizes the administrative review policies specified in the bylaws.

Administrative Review (AR) Policies:– Ontario County Planning Board By-Laws Appendix D	
AR-1	Any submitted application clearly exempted from CPB review requirements by intermunicipal agreement
AR-2	Applications that are withdrawn by the referring agency
AR-3	Permit renewals with no proposed changes
AR-4	Use of existing facilities for a permitted use with no expansion of the building or paved area (Applications that include specially permitted uses or the addition of drive through service will require full Board review)
AR-5 A. Class 2 Disapproval	Applications involving one single-family residential site infringing on County owned property, easement or right-of-way.
AR-5 B.	Applications involving one single-family residential site adjoining a lake that requires an area variance
AR-5 C.	All other applications involving a site plan for one single-family residence.
AR-6	Single-family residential subdivisions under five lots.
AR-7 A. Class 2 Disapproval	Variations for signs along major designated travel corridors.
AR-7 B.	Applications involving conforming signs along major travel corridors.
AR-8	Co-location of telecommunications equipment and accessory structures on existing tower and sites (Applications for new towers or increasing the height of an existing tower will require full Board review)