

ONTARIO COUNTY PLANNING BOARD

Referrals for Review at the: **Coordinated Review Committee Meeting –July 7, 2020 at 3:30pm – Cancelled**
County Planning Board Meeting –July 8 at 7:00pm Virtual Meeting Click Join Meeting hyperlink below
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Wednesday, July 8, 2020

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96 - 2020	Town of Richmond Planning Board	Class: 1
Referral Type:	Subdivision	
Applicant:	Abundant Solar Power LLC	
Property Owner:	Chris Development LLC	
Tax Map No(s):	135.00-2-43.111 135.15-1-2.000	
Brief Description:	Subdivision to combine 77 acre and .76 acre parcels under common ownership and then re-subdivide into a 45 acre parcel for a 5 MW solar project and a 32 acre remainder parcel. Project located at northeast of SR 20A/CR 37 in the Town of Richmond. https://www.co.ontario.ny.us/DocumentCenter/View/24492/96-2020-site-plan-and-aerial	

The Town of Richmond ZBA referred a special use permit for this project to CPB as referral 242-2019 in December 2019. The current referral is for expedited technical review of subdivision plan prior to PB review on June 18, 2020 and referral of the subdivision plan to CPB for placement on the July agenda.

It appears the applicant has completed a lot line adjustment to combine the project parcel with the access parcel resulting in a 45 acre project parcel. Otherwise, the proposed subdivision appears unchanged from information available at the time of the special use permit referral. The project description and previous comments are provided below.

December 2019 Project Description

The 77 acre parent parcel has access off CR 37 in 2 places and access off SR 20A opposite an equipment storage use, however these access points will all be on the 32 acre remainder parcel, not the project site. Access to the project site will be via a 60' easement from tax parcel 135.15-1-2.000, 8894 SR 20A which is owned by the same person as the project site. This access point will require crossing a Class C stream whose banks appear to have slopes of 16 to 30 %. The parent parcel is mostly zoned G Commercial/Light Industrial. The proposed access easement and an adjacent portion of the project site are zoned A Residential-Agricultural.

The 42 acre project site will house approximately 228 tracking solar tables supported by H-piles. Solar tables will each be 6.5' long, vary in height from 5.5' to 6.5 feet depending on the angle, varying in length. The area enclosed with a black PVC coated chain link fence will be approximately 40 acres. The area under the solar tables will be approximately 30 acres or 67 % of the lot when 80% is allowed. The 20' wide gravel access road will cover approximately 5,416 SF. Impervious areas will also include a 1,122 SF concrete pad for electric equipment and 2,736 SF covered by support posts. A double staggered row of 7-8' white spruce planted 10' on center is shown outside the southern fence line. The area under the solar tables will be planted with low-growth pollinator friendly seed mix.

According to OnCor, the project site is not in the agricultural district (though it appears to be in agricultural production) and is not constrained by floodplains or wetlands.

December 2019 Comments

1. Does the project require a variance and county planning board referral for the 7' fence?
2. The site plan should show the G Commercial/ Light Industrial and A Agricultural –Residential zoning district boundary to confirm the 100' setback of project to A district is maintained.
3. The EAF anticipates a pilot agreement with Ontario County IDA. The policy of the Ontario County IDA is to not grant tax abatements to large scale solar energy facilities.

4. The grading plan notes indicate all site vegetation will be cleared follow installation of landscaping along the northern property boundary. Landscaping is only shown along the southern property boundary. Please also indicate the degree of soil disturbance anticipated during removal of vegetation.
5. The grading plan notes indicate the portion of the site disturbed for the access road and the top soil stock pile will be reseeded within 14 days. Other disturbed areas of the site won't be seeded until project completion and no seed mix is specified. Low growth pollinator-friendly seed mix should be used and, if soil disturbance includes more than 5 acres, all such areas should be reseeded within 7 days.
6. The construction details include access road when slope is greater than 10%. What segments(s) of the access road have slopes greater than 10%?
7. Calculations should be provided regarding the sizing of the storm pipe to carry the stream under the access road.
8. No landscaping is provided along the easement portion of the access road and the construction staging area is outside the fence line. The referring body should consider whether any temporary or permanent screening is necessary to minimize project impacts to adjacent homeowners.
9. Any agricultural drainage tiles impacted during project development should be repaired.
10. The decommissioning plan should require the solar project owner to confer with the Town and site owner regarding whether to remove screening landscaping and the preferred seed mix used to re-vegetate the site.

December 2019 OCSWCD Comments

1. Detail is required indicating Class C stream crossing.
2. Silt fence should not cross Class C stream, but should be placed to prevent any runoff to waterbody.
3. Silt fence should follow contours and should not be placed perpendicular to slope which may concentrate flow.
4. Removal of vegetation is indicated in plans, but does not specify whether grading or grubbing is occurring. Any soil disturbance requires stabilization within 7 days and erosion and sediment control measures should be ongoing throughout project.
5. Areas with a slope greater than 3:1 should have additional stabilization such as rolled erosion control materials to provide adequate stabilization.

97 - 2020	Town of Geneva Town Board	Class: 2
Referral Type:	Text Amendment	
Applicant:	Town of Geneva	
Brief Description:	Text amendment to Town of Geneva code section 165-39 Short-Term Rentals to change regulations related to permit fees and application and inspection procedures. https://www.co.ontario.ny.us/DocumentCenter/View/24461/97-2020-existing-t-geneva-Short-term-rental-regulations https://www.co.ontario.ny.us/DocumentCenter/View/24462/97-2020-t-geneva-amendment-to-section-165-39	

Chapter 165-39 of the Town of Geneva code outlines regulation of short term rentals with regard to permit application requirements, health and safety standards, permit review procedures, and complaint resolution procedures. The proposed text amendments include:

1. Requirement for annual short term rental permit fee due in January of each year.
2. All future short term rental permits are non-transferable in the event of change of ownership.
3. Any permit application shall require a signed statement of compliance with health and safety standards not a notarized affidavit. Upon receipt of a complete application, the Code Enforcement Officer will inspect the unit for compliance with health and safety standards.
4. All fires to be in approved location and container.

98 - 2020	Town of Farmington Planning Board	Technical Review
Referral Type:	Technical Review	
Applicant:	Howland, Carol	
Representative:	Steblein, Mary	
Tax Map No(s):	43.00-1-49.220	

Brief Description:	<p>Technical review of site plan and lot line adjustment at electric substation 168. The applicant intends to combine two RG&E owned properties south of State Street in the Town of Farmington, add a 2,100 SF control house; add two batteries and chargers; relocate Old Castle access drive off site; update existing transformers, circuit breakers disconnect switches; and complete related changes to site drainage, fencing, and lighting. A portion of the project is on property in the Village of Manchester.</p> <p>https://www.co.ontario.ny.us/DocumentCenter/View/24505/98-2020-Manchester-Yard-aerial-Phase-1-Study-Area-tabloid</p> <p>https://www.co.ontario.ny.us/DocumentCenter/View/24463/98-2020-rail-plan</p> <p>See page 51 and 53 for graphic of Manchester Yard Development Plan Options.</p> <p>https://www.co.ontario.ny.us/DocumentCenter/View/24464/98-2020-site-plan</p>
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The overall project is a modernization and sectionalization project to allow remote monitoring of switches and manage circuits between substation switches to improve the reliability and resilience of the electrical grid. The substation modifications are part of a Service Area Reinforcement project to add trunk lines between this station (RGE 168) and NYSEG Border City substation (18.2 miles away) and Elbridge substation (45.5 miles away).

The lot line adjustment to combine the 1.94 acre and .77 acre parcels is needed to meet the setback requirements of the proposed control house building. The larger parcel is bisected by a Niagara Mohawk parcel. The related Non-Article VII Electric Transmission Facilities power line modifications will be the subject of a Public Service Commission certification. The substation includes a third parcel with 1.97 acres extending to the RIG property in the Village of Manchester. The substation entrance will remain off State Street approximately 730' west of Bennet Avenue and on the Village parcel.

Comments

1. Comprehensive re-development plans for the Manchester Yard as outlined preliminarily in the Ontario County Freight Rail Corridor Development Plan and FEIS indicates the existing/proposed access to Old Castle property from State Street as the western endpoint of a through road from Main Street/Merrick Circle. Ontario County is currently completing a more detailed infrastructure planning study. The location and design of the re-located access road should accommodate heavy truck traffic and be suitable for dedication as a public road. The road alignment should also be added to the Town of Farmington and the Village of Manchester official maps.
2. It appears the proposed 35' access road will be in an existing storage area on the Old Castle site not the RGE property. What formal agreement has been executed to authorize this change?
3. The grading and erosion control plan does not include a key. Is the area south of the silt fence a wetland?
4. How much impervious surface area will be added by relocating the Old Castle access drive? Will the existing access road alignment be removed and planted? What stormwater management facilities are proposed?
5. Site plan for RGE activities in Village of Manchester and design of relocated Old Castle access also need to be reviewed.

OCSWCD Comments

1. SWPPP not provided.
2. Reference New York State Standards for Erosion and Sediment Control handbook for seeding and mulching requirements.
3. Consider soil testing before applying any fertilizer and/or consider phosphorus free fertilizer.
4. Concrete washout location not identified
5. Topsoil stockpile location not identified
6. Will existing driveway remain or be replaced by proposed new driveway? If to be replaced what are remediation techniques to be used?

99 - 2020	Town of Farmington Planning Board	NA
Referral Type:	Technical Review	
Applicant:	LeFrois, John	
Representative:	Destro, Ryan	
Tax Map No(s):	29.00-1-18.1	
Brief Description:	<p>Site plan for 182,750 SF of office/flex and retail space on the south side of SR 96 east of Tops Market in the Town of Farmington.</p> <p>https://www.co.ontario.ny.us/DocumentCenter/View/24465/99-2020-Aerial</p> <p>https://www.co.ontario.ny.us/DocumentCenter/View/24466/99-2020-site-plan</p>	

The site plan shows 182,750 SF of development and 1,077 parking spaces and disturbance of 25.2 acres of the 27.2 site. The undisturbed area includes land on the far side of Beaver Creek, a class C stream, the .26 acre federal wetland associated with Beaver Creek, and the strip of land connecting the development site to SR 332. Site development will replace 25 acres of woods with 8 acres of lawn and developed uses. Following development, there will be 16.3 acres of impervious surface. The remaining 40 percent of the lot will be lawn areas around the buildings and for snow storage, in parking lot planting areas, and lands associated with stormwater management facilities. The development includes extension of Mercier Boulevard as a public road through the site to connect with a proposed public road off SR 96 on the adjacent Tops property to the west.

There are three general business buildings of 5,000, 12,750, and 15,000 SF facing SR 96 and with one vehicle access off Mercier Boulevard. There is one 30,000 SF and three 40,000 SF office/industrial buildings located south and west of Mercier Boulevard. This area has 3 access points off Mercier Boulevard, 2 facing the general business development area and 1 near the southern property line. Loading areas for these buildings are located internal to the site minimizing visibility from public roadways.

The site plan also shows interconnection of the general business parking area with the access point off SR 96 for the Auto Zone development at the southwest corner of SR 96 and SR 332. This access point will also be used as the construction entrance for the initial phase of construction including the extension of Mercier Boulevard and site utilities and stormwater management facilities. The site plan includes sidewalks along the south side of SR 96 and Mercier Boulevard; streetscape treatment including landscaping, lighting and furnishings in accordance with the draft Farmington Main Street Design Guidelines along SR 96; and street trees at 75' interval along the south/west side of Mercier Boulevard and along the north side between the general business and office/industrial development areas.

The stormwater management facility is variously identified as .75 and 1.1 acres and capable of impounding 1.7 million gallons of water behind an earthen dam 6' high and 400' long. The EAF indicates a permit required from US Army Corps of Engineers for relocation of a tributary to the creek. According to OnCor the site is not in an agricultural district and site development is not constrained by floodplains or steep slopes.

A variance will be required to allow a front setback of 50' rather than 100' from SR 96.

Comments

1. The location of accessible parking spaces indicates the front entrances to buildings #2 and #3 will appropriately face SR 96. The site plan should provide pedestrian connections to the buildings from SR 96.
2. The Mercier Boulevard access points to the general business and the office/industrial uses should be aligned or appropriately off-set to avoid turning movement conflicts and provide appropriate sight distance with respect to the curved section of Mercier Boulevard.
3. It might be desirable to provide a horizontal curve in the southeast to northwest section of Mercier Boulevard to encourage vehicles to travel at the posted speed limit.
4. Street trees should be required along the east side of Mercier Boulevard landscaping as well as alignment are important elements in designing the road to limit speeding.
5. If the Mercier Boulevard extension is completed prior to construction of the public road access from SR 96, a temporary hammerhead turnaround will be required.
6. What connection will be made with cross operating easement to Aldi's property? Will this be a vehicle connection? A bicycle/pedestrian only connection?
7. The proposed alignment of Mercier Boulevard does not provide a workable alignment of the existing apartment access drive, a future public road in the North Creek Way ROW, and the parking area access near the property's southern boundary. Will the apartment building access be relocated to North Creek Way when built? Will the site leg connecting to SR 332 remain permanently unimproved? Will parcel 29.00-1-23.113 only have access to Mercier Boulevard opposite the proposed endpoint of Hathaway Drive?

8. The referring body should review the traffic study and identify appropriate development phasing in conjunction with required availability of access points, any access restrictions or off-site improvements needed to safely accommodate site traffic, and construction and future heavy/large vehicle access to the site.
9. Consider moving the shared dumpster pad location for buildings #1 and #2 adjacent to the building to minimize visibility from Mercier Boulevard at the development entrance.
10. Are the proposed 50 land banked parking spaces included in the impervious surface coverage?
11. Additional undisturbed area should be provided along the east side of Beaver Creek to filter runoff before it enters the creek.
12. The referring body should require soil testing to confirm need for phosphorus to promote adequate germination and growth of seed mix required for temporary site stabilization to avoid unnecessary application of fertilizer with phosphorus and associated water quality degradation.
13. Without referral of SWPPP and construction sequencing, unable to comment on whether best management practices will be used to minimize water quality impacts of site disturbance, especially grading associated with construction of stormwater management facility in close proximity to Beaver Creek.
14. What pedestrian facilities will be provided to allow enjoyment of Beaver Creek and associated wetland, to link the site to adjacent residential and commercial areas to the south and east, and to provide a walking loop for site employees?
15. Has the Town considered an appropriate location for a bridge over Beaver Creek to allow a desirable bicycle/pedestrian connection from the Deerfield neighborhood and Auburn Trail to the Town Center? Selecting a bridge site now will allow planning for bicycle and pedestrian movement through this site.
16. What is the mature height of proposed street trees?

OCSWCD Comments

1. SWPPP not provided.
2. Additional wetland protections such as signage and fencing may be necessary.
3. Consider additional setback from Beaver Creek to allow for treatment of overflow as well as additional wetland protection.
4. Soil testing should be done to determine if fertilizer is necessary. Phosphorus free fertilizer should be considered.
5. Additional information needed for bio retention area. Detail notes state that a forebay is necessary however plans do not show a forebay.
6. Consider having bio retention area enter forebay of stormwater management facility.
7. Difficult to make comments on additional stormwater infrastructure without site final plans showing infrastructure locations.

100 - 2020	Town of Farmington Planning Board	Class: 1
Referral Type:	Site Plan	
Applicant:	New Energy Works	
Property Owner:	Ontario County IDA	
Tax Map No(s):	29.11-3-7.000	
Brief Description:	Site plan for 9,600 SF storage building for New Energy Works at 1180 Commercial Drive in the Town of Farmington. https://www.co.ontario.ny.us/DocumentCenter/View/24467/100-2020-222-2019-Aerial https://www.co.ontario.ny.us/DocumentCenter/View/24468/100-2020-site-plan	

This project was previously reviewed as referral 222-2019 in November 2019. The orientation of the proposed storage building has been changed from the long side north-south to the long side east-west, the size of the building has been increased from 6,000 SF to 9,600 SF, no roof canopy will be added to the building to the north, and the area of disturbance has been increased to .43 acres. The referred materials still do not provide a concrete wash out detail or the location of land banked employee parking required by the future new penalization building. The previous description and comments follow.

November 2019 Project Description New Energy Works intends to close their existing wall panel manufacturing facility on CR 8 and relocate this business line to the existing finishing building at the 12 acre Commercial Drive facility. This relocation will displace warehouse space and create the need for the proposed 6,000 SF storage building and parking for 4 relocated employees. The storage building will be built on an existing stoned pavement area and will not result in an increase in site impervious surface. The new building will store materials currently stored in a tent which will be removed following construction. The proposed site disturbance is estimated at .24 acres and post-construction stormwater management would typically not be required.

The site plan also shows a potential future 12,000 SF panelization building in an area previously designated for land banked employee parking and two stormwater management bio-retention basins at the edge of the stoned area.

November 2019 Staff Comment The plan does not indicate a new area for land banked employee parking.

November 2019 OCSWCD Comments

1. Provide construction detail of concrete washout.
2. Provide detail for roof water management from proposed new roof canopy.

101 - 2020	Town of Canandaigua Planning Board	Class: AR 2
Referral Type:	Site Plan	
Applicant:	Miller, Jeremy	
Property Owner:	Marchenese, Bobby	
Tax Map No(s):	84.00-1-28.110	
Brief Description:	Site plan and area variance for sign at 3150 CR 10 Auto Wash in the Town of Canandaigua.	

The property was previously granted an area variance to allow 132 SF per side (40 SF allowed), 30' height (20' allowed), 10' front setback (15' allowed), 7' side setback (15' allowed), and for the time and temperature display. The variance requested is for replacing and expanding the Electronic Message Sign and to allow display of business and community messages .

The proposed sign will be in the existing sign cabinet and will include a business sign with 50 SF on each sign face and a 28.2 SF electronic message center. Electronic message signs should comply with NYSDOT guidelines regarding brightness and duration. <https://www.dot.ny.gov/divisions/engineering/real-estate/repository/cevms-criteria-for-website.pdf>

Policy AR-7B: Signage complying with local limits on size and number

The County Planning Board has long taken an interest in supporting local efforts to limit excessive signage. The Board has identified CR 10 as a primary travel corridor for tourists visiting Ontario County. The intent is to protect the character of development along primary travel corridors by encouraging local boards to adhere to their adopted laws as much as possible.

Final Classification: Class 1

Findings

1. Signs that comply with local dimensional requirements will have the minimal practical level of impact on community character.

Final Recommendation: The CPB will make no formal recommendation to deny or approve applications for signs that comply with local limits on size and or number.

101.1 - 2020	Town of Canandaigua Zoning Board of Appeals	Class: AR 2
Referral Type:	Area Variance	
Applicant:	Miller, Jeremy	
Property Owner:	Marchenese, Bobby	
Tax Map No(s):	84.00-1-28.110	
Brief Description:	Site plan and area variance for sign at 3150 CR 10 Auto Wash in the Town of Canandaigua.	

See information at 101-2020.

102 - 2020	Town of Canandaigua Planning Board	Class: 1
Referral Type:	Site Plan	
Applicant:	Venezia Associates	
Property Owner:	Dixon-Schwabl, Connor 7 Chelsea	
Tax Map No(s):	126.00-1-59.111	
Brief Description:	Site plan for single family home on 78 acre lot off Lake Hill Drive off CR 16 north of Foster Road in the Town of Canandaigua. https://www.co.ontario.ny.us/DocumentCenter/View/24469/102-2020-Aerial https://www.co.ontario.ny.us/DocumentCenter/View/24470/102-2020-Lake-Hill-Drive-0000-2020--06-24-Site-Plan	

According to OnCor there are areas of 31-60 percent and 60 plus percent slope in the gully along the southern property boundary. The site is not subject to development constraints related to wetlands or floodplains. This site adjoins lands in the agricultural district and **permanently protected agricultural lands**. The following summarizes site soil characteristics:

Honeoye Loam 3 - 8 % 26 acres

All areas are Prime Farmland

Permeability: moderately high **Erodibility:** medium

Hydrological Group C **Not Hydric**

Lima loam 3-8 % 21 acres

All areas are Prime Farmland

Permeability: moderately high **Erodibility:** high

Hydrological Group C/D **Not Hydric**

Rock outcrop-Arnot Complex 35 to 80 % slopes 18 acres

Not Prime Farmland

Permeability: not rated **Erodibility:** unknown

Hydrological Group unknown **Unknown Hydric**

Preliminary review by the local body resulted in addition of emergency vehicle stopping area along the proposed driveway. This review also identified that proposed detached pool house has living facilities and therefore a use variance is required to allow 2 single family dwellings on a lot.

Comments

1. What is the depth and location of any required stream setback?
2. If the applicant does not intend to develop additional homes on the property, has the applicant considered agricultural conservation easement for areas of prime agricultural land?

103 - 2020	Town of Canandaigua Zoning Board of Appeals	Withdrawn
Referral Type:	Area Variance	
Applicant:	Johnson, Eric	
Property Owner:	Ortloff, Jeremy & Deborah	
Tax Map No(s):	97.20-1-10.000	
Brief Description:	Area variance for 1,500 SF barn with loft on 1.5 acres house lot at 5010 Butler Road in the Town of Canandaigua. Barn has 62' setback to top of streambank when ___ is required and 25' height when 22' is allowed. The project will also require a use variance to allow habitable space within an accessory building. https://www.co.ontario.ny.us/DocumentCenter/View/24471/103-2020-Aerial https://www.co.ontario.ny.us/DocumentCenter/View/24472/103-2020-Butler-Road-5010-2020-06-19-Site-Plan	

According to OnCor the site is not subject to development constraints related to steep slopes, wetlands, or floodplains.

104 - 2020	Town of Canandaigua Zoning Board of Appeals	Class: AR 1
Referral Type:	Area Variance	
Applicant:	Sigrist, Jack	
Property Owner:	Kessler, Dennis	
Tax Map No(s):	126.20-1-1.210	
Brief Description:	Area variance for a 24'x25' 600 SF garage on a 31'x 41' portion of lot on the west side of CR 16 south of Davidson Landing in the Town of Canandaigua.	

The total lot size is 1.93 acres. In the Residential Lake District, accessory uses require 15' rear setback and 8' side setbacks.

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. Applications subject to policy AR-5 and not involving lakefront lots with coverage, or side or lakefront setback variances or with encroachments on County right-of-ways.

Final Classification: Class 1

Findings:

1. One-and two-family residential uses represent 63% of the 49,354 parcels on the 2017 Ontario County assessment roll. Between 2012 and 2017 1,067 single family residential parcels were added and 13 two-family were removed. These parcels represent 89% of all parcels added county-wide.
2. Collectively individual residential developments have significant impacts on surface and ground water.
3. Proper design off on-site 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 – With the exception of applications involving lakefront properties involving side, lake, or lot coverage variances or encroachments to County owned right-of-ways described in AR Policy 5 Parts A and B, the CPB will make no formal recommendation to deny or approve applications involving one single family residential site, including home occupations.

Comments

1. The Town is encouraged to grant only the minimum variance necessary to allow reasonable use of the lot.
2. The applicant and referring agency are strongly encouraged to involve Ontario County Soil and Water Conservation District or Watershed Manager as early in the review process as possible to ensure proper design and implementation of storm water and erosion control measures.

105 - 2020	Town of Canandaigua Planning Board	Class: 1
Referral Type:	Site Plan	
Applicant:	Venezia Associates	
Property Owner:	J&T Properties	
Tax Map No(s):	70.00-1-52.110	
Brief Description:	Site plan and area variance for a 6,000 SF accessory storage building behind the existing 4,000 SF primary and accessory buildings at 5290 North Street in the Town of Canandaigua. Proposed building has an 8.4' side setback when 25' is required. https://www.co.ontario.ny.us/DocumentCenter/View/24473/105-2020-Aerial https://www.co.ontario.ny.us/DocumentCenter/View/24474/105-2020-North-Street-5290-2020-06-24-Site-Plan	

The proposed building location is west of the existing retention basin. The site plan indicates infiltration basins along the water draining edges of the building.

According to OnCor the property is in the agricultural district and not subject to development constraints related to wetlands or steep slopes. There is an area of 16 to 30 percent slope along the northeast property boundary.

OCSWCD Comments

SWPPP not provided

1. Catch basin detail shows connection to stormwater sewer however one is not located on the plans. Additional information needed regarding infiltration system and catch basin outlet.
2. Further information necessary to show infiltration rates in proposed treatment area.
3. Will catch basin outlet to existing stormwater retention pond?
4. Consider extending silt fence along southern property line.

105.1 - 2020	Town of Canandaigua Zoning Board of Appeals	Class: 1
Referral Type:	Area Variance	
Applicant:	Venezia Associates	
Property Owner:	J&T Properties	
Tax Map No(s):	70.00-1-52.110	
Brief Description:	Site plan and area variance for a 6,000 SF accessory storage building behind the existing 4,000 SF primary and accessory buildings at 5290 North Street in the Town of Canandaigua. Proposed building has an 8.4' side setback when 25' is required.	

See information at 105-2020.

106 - 2020	Town of Canandaigua Planning Board	Class: 1
Referral Type:	Site Plan	
Applicant:	Fredericks, Jeri	
Tax Map No(s):	69.00-1-9.510	
Brief Description:	Site plan and area variance for 2,880 SF garage on 5.9 acre residential lot at 2300 Brickyard Road opposite Center Pointe Townhouses in the Town of Canandaigua. https://www.co.ontario.ny.us/DocumentCenter/View/24475/106-2020-Aerial https://www.co.ontario.ny.us/DocumentCenter/View/24476/106-2020-Brickyard-Road-2300-2020-06-18-Sketch	

The property was granted a special use permit to operate a Tourist Home providing 3-5 rooms for overnight guests at an owner occupied property in 2008. The proposed garage requires an area variance for 12' south side setback when 20' is required

106.1 - 2020	Town of Canandaigua Zoning Board of Appeals	Class: 1
Referral Type:	Area Variance	
Applicant:	Fredericks, Jeri	
Tax Map No(s):	69.00-1-9.510	
Brief Description:	Site plan and area variance for 2,880 SF garage on 5.9 acre residential lot at 2300 Brickyard Road opposite Center Pointe Townhouses in the Town of Canandaigua. Project has 12' south side setback when 20' is required.	

See information at 106-2020.

107 - 2020	Town of Canandaigua Planning Board	Class: AR 2
Referral Type:	Site Plan	
Applicant:	Venezia Associates	
Property Owner:	Kieran, Susan	
Brief Description:	Site plan and four area variances for residential use at 4691 Menteth Drive. Proposed house has 15.8' front setback when 60' is required, 33.4' rear setback for new dwelling when 60' is required, and a 20' rear setback for patio when 25' is required. Area variance also required for 18 percent lot coverage when 15 percent is allowed.	

This project was referred for placement on June 13 CPB agenda as referral 82-2020 and subsequently withdrawn. In addition to the site plan approval and 4 area variances, this project also requires a lot line adjustment. The project re-purposes an existing building as a detached garage. The project disturbs more than 500 SF within 2000' of Canandaigua Lake.

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

Part B Development of Lakefront Parcels.

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

Comments

1. The referring board is encouraged to grant only the minimum variance necessary to allow reasonable use of the lot.
2. The applicant and referring agency are strongly encouraged to involve Ontario County Soil and Water Conservation district as early in the review process as possible to ensure proper design and implementation of on-site septic system.
3. The applicant and referring agency are strongly encouraged to involve Canandaigua Lake Watershed Manager as early in the review process as possible to ensure proper design and implementation of storm water and erosion control measures.
4. There is no proposed mitigation of the stormwater quality and quantity impacts of proposed increase in building and lot coverage. No landscaping is proposed or plan provided to review compliance with the Town of Canandaigua shoreline development regulations.
5. Demolition debris should be recycled if facilities exist and remaining debris should be disposed of in a licensed facility.

107.1 - 2020	Town of Canandaigua Zoning Board of Appeals	Class: AR 2
Referral Type:	Area variance	
Applicant:	Venezia Associates	
Property Owner:	Kieran, Susan	
Brief Description:	Site plan and four area variance for residential use at 4691 Menteth Drive. Proposed house has 15.8' front setback when 60' is required and 33.4' rear setback when 60' is required. Project also has 2 0' rear setback when 25' is required for patio and 18 percent lot coverage when 15 percent is allowed.	

See in at 107-2020.

108 - 2020	Town of Victor Zoning Board of Appeals	Class: AR 2
Referral Type:	Area Variance	
Applicant:	Baranes, Laura	
Property Owner:	United Refining Holdings Inc	
Tax Map No(s):	15.00-1-27.100	
Brief Description:	Area variance for replacing one illuminated sign with 3 non-illuminated signs, a greater number of signs than allowed by code, at KwikFill at 7188 SR 96 in the Town of Victor.	

The Town of Victor code section 165-5 Business Signs allows a single business sign on each lot and one square foot of sign for each foot of building frontage. The site plan does not provide dimensions of the building, however, based on the proposed size of the canopy as 24'x50', it can be estimated that the proposed 71.7 SF of signage is allowed by code. The variance is required to allow signs on 3 sides of the canopy.

The previous sign was granted an area variance to allow a height of 13.5' when a height of 7' is allowed and a front setback of 4.3' when 15' is required. The replacement sign that has already been installed has a height of 18' above ground level and has a front setback of 10.2'. The impact of the higher sign height may be somewhat mitigated by its location further from the ROW on ground at a lower elevation.

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 SR 96 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

109 - 2020	Village of Manchester Planning Board	Class: 1
Referral Type:	Site Plan	
Applicant:	Gullace, Matt	
Representative:	Ann Kristen Hansen	
Tax Map No(s):	32.10-1-7.10	
Brief Description:	Site plan for renovation of former Steakout Restaurant at 4123 SR 96 ST SR 21 in the Village of Manchester. https://www.co.ontario.ny.us/DocumentCenter/View/24477/109-2020-Aerial https://www.co.ontario.ny.us/DocumentCenter/View/24478/109-2020-site-plan	

The site plan shows 78 parking spaces. Based on the Village code 100-68 Schedule II this amount of parking is sufficient for 1,950 SF of patron area or 156 patron seats. It is likely the code requires additional parking for the 4,850 SF restaurant.

Comments

1. Is the restaurant a pre-existing non-confirming use or does it have an existing parking variance?
2. The site plan does not show a dumpster enclosure.
3. How does the parking and circulation layout accommodate truck driver patrons?

110 - 2020	Village of Manchester Planning Board	Class: 1
Referral Type:	Site Plan	
Applicant:	Pinewood Property Development	
Property Owner:	Martin Marianetti et.al.	
Representative:	Lonneville, Roger	
Tax Map No(s):	32.14-1-50	
Brief Description:	Site plan for development of three apartments in the rear building at 9 S. Main Street, former location of Double EE Grill and Bar, in the Village of Manchester. https://www.co.ontario.ny.us/DocumentCenter/View/24479/110-2020-Aerial https://www.co.ontario.ny.us/DocumentCenter/View/24480/110-2020-survey	

The property is located adjacent to a municipal parking lot. The applicant proposes 7 parking spaces in the wooded area to east of the existing building.

Comments

1. What is the size of the dumpster? When the seven proposed parking spaces are occupied, there does not appear to be access to the dumpster area.
2. It appears the tenant parking involves double parking with no drive aisle for the northern three space.
3. The referring body may want to encourage the applicant to explore alternatives to developing paved parking to the rear of the building. Alternatives may include reserved spots along the south side of the building or open parking in the municipal lot. If the referring body decides to allow an alternative parking arrangement, the proposed parking should be land banked. If required parking spaces are land banked, the site plan approval should clearly spell out conditions, such as need for the parking by patrons of village businesses, which would require development of the on-site parking spaces. Prior to approving any alternative parking arrangement, the referring body should review the license agreement between the property owner and the village regarding the space to the south of the building and whether overnight parking is currently allowed in village municipal parking lots.

111 - 2020	Town of Geneva Zoning Board of Appeals	Class: 1 late referral
Referral Type:	Area Variance	
Applicant:	Somers, James	
Tax Map No(s):	133.12-1-10.000	
Brief Description:	Area and use variance for 24'x30' storage building at 4217 Glass Factory Bay Road in the Town of Geneva. https://www.co.ontario.ny.us/DocumentCenter/View/24232/78-2020-4217-Glass-Factory-Bay-Aerial	

See information at 78.1-2020.

111.1 - 2020	Town of Geneva Zoning Board of Appeals	Class: 2 late referral
Referral Type:	Use Variance	
Applicant:	Somers, James	
Tax Map No(s):	133.12-1-10.000	
Brief Description:	Area and use variance for 24'x'30' storage building at 4217 Glass Factory Bay Road in the Town of Geneva. https://www.co.ontario.ny.us/DocumentCenter/View/24493/111-2020 https://www.co.ontario.ny.us/DocumentCenter/View/24232/78-2020-4217-Glass-Factory-Bay-Aerial	

This 720 SF garage was submitted without documentation regarding the 4 items that must be proven for the ZBA to grant a use variance. The applicant has now submitted additional information including relative costs of meeting their storage needs by building in different locations. The dollars and cents documentation doesn't address whether the residential property is marketable without additional storage and whether the lot is unique. Previous documentation indicated there are other smaller storage sheds and that have been allowed on the rail side of Glass Factory Bay Road.