



Planning Board

Draft Minutes for January 13, 2010

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- Introduction -

This document will serve as both the draft minutes for the Ontario County Planning Board and as the **Official Notice of Findings and Decision** for the applications heard by the CPB. It can also be viewed at the Ontario County Planning Department Website:

<http://www.co.ontario.ny.us/planning/cpbsch.htm>

- 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 1's are applications that the CPB has formally decided have little potential intermunicipal or countywide impact. The CPB will identify such an impact for Class 2 applications 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 I, 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 \(c\)](#)

- 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.](#)

County Planning Board Members:

Cities:

Canandaigua - John Thompson*

Geneva - Mary Bogin

Towns:

Bristol - Thomas Neary

Canadice - **Stephen Groet***

Canandaigua - Mary Prince

East Bloomfield - **Arthur Babcock**

Farmington - Mary Neale*

Geneva - Alan Deuel*

Gorham - **George McCadden***

Hopewell - Kirk Locus

Manchester - **Jaylene Folkins, Chair***

Naples - Terrence Hopper*

Phelps - **Glen Wilkes***

Richmond - Bruce Campbell

Seneca - **Clifford Kunes***

South Bristol - Peter Osborne*

Victor - **John Palomaki***

West Bloomfield - **Richard DelVecchio, Vice Chair***

* Indicates attendance at the meeting. Names in bold are members that currently serve on a local Legislative body, Planning Board or ZBA.

County Staff Present:

Maria Rudzinski, Sr. Planner, Ontario County Department of Planning

Linda Frasca, Administrative Assistant, Ontario County Department of Planning

Guests:

Ashley Baker, Nixon Peabody LLP

Lou Terragnoli

Joe Palumbo

Lincoln Swedrock, BME Associates

Randy Bebout, FRA Engineering

Call To Order/Roll Call: Glen Wilkes called the January 13, 2010 County Planning Board meeting to order at 7:34; with Ms. Frasca doing roll call and reporting that 11 members were present. The actions described below are not necessarily listed in order of occurrence.

Let the record show that at 7:45 p.m. CPB member Alan Deuel arrived at the meeting making the total number of voting member present fourteen (14).

Out of Order Agenda:

OLD BUSINESS:

2010 Board of Officers Nominations – Before the meeting began, the Chair of the nominating committee, Glen Wilkes, called for the election of the 2010 CPB officers. Mr. Wilkes offered the nominations of Jaylene Folkins for Chair and Richard DelVecchio for Vice Chair and called for any additional nominations from the floor. There being none, he then called for a motion.

Clifford Kunes made a motion that was seconded by John Thompson to have the above nominees continue in their current positions as Chair and Vice Chair respectively for 2010.

The motion passed by a unanimous vote (11).

NEW BUSINESS:

REFERRALS

Class 1 Referrals

13 -2010 Town of Canandaigua Zoning Board of Appeals Class: 1
Type: *Area Variance*

Related Referrals: *14-2010 Site Plan*

Applicant: *Thomas Crawford*

Property Owner: *TLMJ Ventures LLC*

Representative:

Tax Map Parcel #: *70.11-1-32.000*

Brief Description: In regard to the Site Plan application to construct a mini storage facility, three Area Variances are required by the current site plan: 1) Reduction of right side setback from 25' to 15'; 2) Reduction of left side setback from 25' to 15'; and 3) Allow development on a .875 acre lot when a one acre lot is the minimum required for this type of use.

Board Action: Terrence Hopper made motion seconded by Richard DelVecchio to approve application #13-2010 as a Class 1 with comment(s) to the referring agency for their review.

Comments:

It appears that the need for the two side setback variances can be eliminated by redesign of the project.

Motion unanimously carried by a vote of 12.

14 -2010 Town of Canandaigua Planning Board Class: 1
Type: *Site Plan*

Related Referrals: *13-2010 Area Variances*

Applicant: *Thomas Crawford*

Property Owner: *TLMJ Ventures LLC*

Representative:

Tax Map Parcel #: *70.11-1-32.000*

Brief Description: Demolition of a single family residence and a barn to be replaced by a 4,200 sq. ft. commercial mini storage building in phase 1, to which 2,250 sq. ft. commercial mini storage building will be added in a later second phase. A total of 50 storage units are planned on a 0.875 acre parcel located at 2484 County Road 28 (on the west side of County Road 28 between the Cowan Rd and Parkside Dr. intersections). The mini storage units will be available for rental to the public.

Board Action: Terrence Hopper made motion seconded by Richard DelVecchio to approve application #14-2010 as a Class 1 with the following board comments sent to the referring agency for their review.

Motion unanimously carried by a vote of 12.

Review Area	Description	County Planning Board Comments
Zoning	Parcel was the subject of a referral in November 2009 to rezone the property from RB-1 to MUO to allow development of the mini storage project.	
Agriculture	The parcel is located approximately 1,500 ft. due west of Agricultural District ONT01.	
Water Resources	The parcel is in the Canandaigua Outlet watershed.	Future development of this parcel will require extreme care due to its location in the watershed.
Infrastructure	Existing water service on-site to be abandoned. The property is not on public sewers. No on-site sewage disposal facilities are required.	
Traffic/Access Mgt.	The parcel adjoins one public road (County Road 28). County Road 28 is a busy primary road with a high amount of car and truck traffic. There are two existing gravel driveways (one to be rebuilt, one to abandon).	Curb cut permits may be needed. Reduction in number of driveways may allow for improved access management.
Drainage	Grading will slope away from buildings. Stormwater will flow to existing on-site swales and Town drainage swales. Gravel drive will provide permeable surface for drainage.	Depending on its configuration, the open swale between the two proposed buildings may interfere with parking and accessibility. The swale along County Road 28 is noted on the site plan as a Town swale, but it is owned by the County of Ontario.
Land Cover and Buffering	Deciduous trees around perimeter to remain. Existing scrub trees and dead trees to be removed. New crab apple trees and shrubs to be planted	

	as buffer along County Road 28.	
Lighting	Lighting will conform with “dark sky” compliance.	
Aesthetics	Proposed buildings will be set back 75 feet from the road and will have a height of 12-14’ to minimize visual impact.	
<p>Additional Comments:</p> <ol style="list-style-type: none"> 1. The entry drive from County Road 28 should be paved to ensure traffic safety. 2. The committee is concerned that the design does not identify sufficient nor convenient areas for snow storage. 3. Security fencing is not shown on the site plan but should be provided. 4. A landscaping plan should be required to address the appearance of the property. 5. A considerable portion of the property is not proposed to be developed, yet the development proposed is squeezed into the southern portion of the property. The town should require the applicant to address the design for full build out of the property. 6. The plan submitted does not address site lighting. Dark sky principals should be used in developing security lighting. 7. The town should require annual re-grading of the crushed stone/gravel areas to restore the drainage and working vehicular circulation surfaces disturbed by snow plowing. 		

8 -2010

Town of Hopewell Planning Board

Class: 1

Type: *Site Plan*

Related Referrals: *n/a*

Applicant: *J.D. Keiffer*

Property Owner:

Representative: *David Mathews*

Tax Map Parcel #: *99-2-59.2*

Brief Description: The applicant is proposing to construct a mini storage facility at 3682 Route 5 & 20. The project includes 8 buildings (total 38,000 Square Feet) with an outside storage area for recreational vehicles. Development will be staged (Phase 1 20,000 SF, Phase 2 18,000 square feet).

Board Action: *Glen Wilkes made motion seconded by Clifford Kunes to change referral classification from Class 1 to Class 2.*

Motion unanimously carried. (12)

Board Action: John Thompson made motion seconded by George McCadden to approve application #8-2010 as a Class 2 with comment(s) to the referring agency for their review.

Motion unanimously carried. (12)

Review Area	Description	County Planning Board Comments
Existing/ Nearby Land Uses	<ul style="list-style-type: none"> ▪ The 6.8 acre parcel is currently undeveloped. Located in Ag District 6. ▪ Surrounding land uses include residential (single family, apartments) commercial, agricultural, and wetlands. 	<ul style="list-style-type: none"> ▪ Need more vegetative screening to mitigate visual impact on 5 & 20 and between neighbors.
Land Cover	<ul style="list-style-type: none"> ▪ Undeveloped open meadow 	
Zoning	<ul style="list-style-type: none"> ▪ C-1 (Subject to §700) 	Mini-storage does not appear as an explicitly permitted use, but the Town has determined that if is similar enough to other allowed uses that it is a permitted use (allowed by §701.6. of the Town Zoning Law)
Water Resources	<ul style="list-style-type: none"> ▪ National Wetlands (PEM 1Eh) in northwest corner of site 	
Infrastructure	<ul style="list-style-type: none"> ▪ Private, on-site wastewater treatment. ▪ Municipal water ▪ No rental units will have electric or sanitary facilities. 	
Traffic/Access Mgt.	<ul style="list-style-type: none"> ▪ Single driveway onto Route 5 & 20 with gated access to facility ▪ 6' chain link fence surrounds property ▪ Engineer expects no more than 4-5 cars per day, mostly at off peak hours. 	<ul style="list-style-type: none"> ▪ Location of entrance/curb cut close to curb cut to the east.
Stormwater Drainage	<ul style="list-style-type: none"> ▪ Surface runoff to be directed to collection area, with controlled outlet before discharging to existing wetland areas shown on plans. ▪ Designed in accordance with NYSDEC regulations GP-08-01 	
Signage	<ul style="list-style-type: none"> ▪ One non-lighted sign proposed to be located near entrance, 25' from ROW~4'w X 3' h 	<ul style="list-style-type: none"> ▪ 5 & 20 is a primary County corridor. Signage must comply with town standards.

Lighting	<ol style="list-style-type: none"> 1. 24 hour security lighting on the structures. 2. Shoebox type, downcast to ground. 3. Outdoor storage area will be lit by lights on the northerly side of buildings from 5 to 8. 4. Application indicates compliance with dark sky standards. Lighting to be less than 1/10 of a foot candle 30 ft. from the buildings. 	
<p>Additional Comments:</p> <ol style="list-style-type: none"> 1. Landscaping, etc. should be added to buffer the Rt. 5 and 20 corridor and the neighbors. 2. The applicant should determine if subsurface agricultural drainage tiles are present and measures taken not to disturb any surface or subsurface agricultural drainage systems on adjoining agricultural parcels. 3. The applicant should consult with the Ontario County Soil and Water Conservation District regarding drainage, wetlands and minimizing off site impacts on agriculture. 4. Signage should comply with town law. 		

Class 2 Referrals

15 -2010

City of Canandaigua Planning Board

Class: 2

Type: *Special Use Permit*

Related Referrals: *16-2010 Site Plan*

Applicant: *Wood Memorial Library*

Property Owner:

Representative: *J. Lincoln Swedrock*

Tax Map Parcel #: *83.08-2-56*

Brief Description: Proposed two story 5,300 square foot building addition with parking lot and site improvements to west side of the existing Wood Library building located on the north west corner of North Main St. and Wilcox Lane. The library is considered a Public or Semi Public Use which is allowed in the RI-Residential Institutional Zoning District.

Board Action: George McCadden made motion seconded by John Palomaki to deny application #15-2010 with comments to the referring agency for their review for the following reasons:

REASONS:

1. The proposed architectural design presented is totally inconsistent with the present Greek Revival structure
2. The preservation of the historic architectural design of the library and Main St. is very important and needs to be preserved.

Motion unanimously carried by a vote of 12.

Review Area	Description	County Planning Board Comment
Stormwater/Drainage	No increase in impermeable surface is being proposed. Discharge is into the city storm sewer which discharges into Sucker Brook. Erosion control measures will be taken during construction.	While this project may not need to comply with Phase II stormwater regulations, it provides an opportunity to reduce surface water flow by incorporating design features such as a rain garden, infiltration bed/trench or bio-retention area. (The YMCA project incorporated such features.) Such a ‘green’ approach could be used as an interpretive/public education opportunity.
Historic Preservation	The Wood Library is included in the National Register of Historic Places - Canandaigua Historic District. It is also in the City’s Historic Overlay District.	<ul style="list-style-type: none"> • The applicant has consulted with the NYS OPRHP on this project, which has stated that the design meets their minimum requirements. • The proposed design does not appear to reflect the architectural style of the existing building and neighborhood. Efforts should be made to revise the plan to pick up the key architectural elements of the existing structure, especially as viewed from Main St. For example, the use of a pediment similar to the Greek revival architecture of the existing building, and vertically aligning the clear story windows on the addition with those on the existing structure.
Community Character	A private residence adjoins the library on the north side.	<ul style="list-style-type: none"> ▪ Attractive pole lighting is proposed for the project though it does not appear the fixture is fitted to reduce off sight light spillage. To maintain the residential character, any light fixtures associated with the project

		<p>should be fitted to minimize off-site light spillage.</p> <ul style="list-style-type: none"> ▪ Additional measures to buffer the residence from parking lot traffic or patron use of the north side of the parcel should be considered.
Parking and Traffic	<ul style="list-style-type: none"> ▪ The project does not meet applicable parking standards and is asking the planning commission for relief which does not require a variance. ▪ The traffic study completed for the Thompson Senior Apartment project included expansion of the Wood Library. 	<ul style="list-style-type: none"> ▪ A parking utilization study was completed in support of the request for relief. ▪ The planning commission accepted the traffic study for the apartment project and therefore no additional traffic study was done for this project.
<p>Additional Comment: The City boards should work with the applicant to develop a design for the addition that is more in harmony with the existing structure and neighborhood.</p>		

16 -2010

City of Canandaigua Planning Board

Class: 2

Type: *Site Plan*

Related Referrals: *15-2010 Special Use Permit*

Applicant: *Wood Memorial Library*

Property Owner:

Representative: *J. Lincoln Swedrock*

Tax Map Parcel #: *83.08-2-56*

Brief Description: Proposed two story 5,300 square foot building addition with parking lot and site improvements to west side of the existing Wood Library building located on the north west corner of North Main St. and Wilcox Lane.

Board Action: George McCadden made motion seconded by John Palomaki to deny application #16-2010 as a Class 2 with modifications and comments to the referring agency for their review for the following reasons as stated in referral # 15-2010.

Motion unanimously carried (12)

177 -2009 Town of Canandaigua Planning Board

Class: 2

Type: *Site Plan*

Related Referrals: 174-09, 175-09, 176-0, & 179-09

Applicant: *Tops Markets LLC*

Property Owner: *Canandaigua Station LLC*

Tax Map Parcel #: 70.16-4-48.100

Brief Description: *Construction of a 4 pump gas station and 2,800sf restaurant (Tops Supermarkets)*

Location: *Northwest corner of State Rt 332 and North Street*

INTRODUCTION: This application was referred back to the County Planning Board with new information and a new site plan.

Summary: The plaza currently includes only a supermarket. Access to the site will remain unchanged. There is an existing right turn only drive along State Rt 332 and three other curb cuts along North Street one of which is signalized. The proposed gas station, on the north side along State Rt 332 will have no dedicated parking spaces. The restaurant, which appears to be designed with an option for a drive through lane, will be separated from the gas station by a raised walkway. There will be 68 parking spaces.

Updated information on traffic and drainage impacts was not submitted. Public water and sewer are available. The lot is zoned for commercial use. At the full Board meeting applicant's engineer

Board Comments from previous consideration:

1. Updated traffic information is needed to assess the added impact of a drive through restaurant.
2. The Town should take this opportunity to review existing landscaping to see if it has been installed and maintained in compliance with what was required in the original site plan approval.
3. The Town and applicant should explore options for installing salt tolerant landscaping to minimize die off.
4. The Town should fully understand the underlying intent of the requirement for separation of gas stations before deciding on waiver request. Is it public safety, community character, etc?

Board Findings from previous consideration:

1. The proposal describes full build out of a lot on the corner of North St & State Rt 332
2. The property is adjacent to the City of Canandaigua municipal boundary.
3. State Rt 332 has been identified by the CPB as a primary travel corridor for tourists and others visiting Ontario County.
4. It is the position of this Board that development along this corridor and on this site in particular has the potential for intermunicipal impact on community character and traffic.
5. Site access will be unchanged.
6. The proposal includes a restaurant with a drive through lane.
7. The traffic study done previously assessed the impacts from a sit down restaurant.
8. The number of vehicle trips generated as well as peak hours can differ significantly between sit down and drive through establishments.
9. The applicant has indicated that updated traffic information will be submitted to the Town

Board action from previous consideration: *Based upon the above findings, John Palomaki made motion seconded by Clifford Kunes to table application #177-09 till the December 9, 2009 CPB meeting. The motion passed by unanimous vote (13).*

Updated Traffic Information

As per request of this Board, the applicant has submitted additional information for consideration.

New information from applicant:

“The outparcel is anticipated to consist of a 2,800 square foot restaurant building with a drive through window service, with associated parking and landscaped areas. A dedicated single drive-through lane will be provided for the restaurant and will have sufficient overflow stacking space around the perimeter of the building. Additional vehicle stacking, if necessary, can be accommodated on-site beyond the dedicated stacking lane without affecting the internal traffic flow of the Tops Markets store and fuel customers.” (from correspondence Carmina, Wood, Morris PC Dec. 31, 2009)

The applicant used standard trip generation methodology to estimate trips:

	Type of Trip	Weekday Total		AM Peak Hour		PM Peak Hour		Saturday Peak Hour	
		Enter	Exit	Enter	Exit	Enter	Exit	Enter	Exit
“Fast Food Restaurant with Drive-Through Window” (ITE Land Use Code #934)	Primary (50%)	347	347	39	38	34	37	43	40
	Pass-By (50%)	347	347	39	37	34	31	42	40
	Total (100%)	694	694	78	75	68	68	85	80

Trips are estimated to be equally divided between those whose primary destination is the restaurant and those who are passing by and decide to stop. The assumption is that the actual net increase is the 50% who are going there as a primary destination. The others are passing through anyway and are part of the current traffic flow. Some customers will be going to the Tops or gas station and then to the restaurant. The increases would be distributed over the three access points to the parcel.

The Average Annual Daily Trips (AADT) for the intersection is 26, 600 +/- for 2005-2007 with the net increase associated with a fast food restaurant. The applicant states, “In comparison, the traffic volumes generated by the outparcel will be significantly less than the traffic volumes already generated by Tops Markets, and are negligible to the traffic volumes already present on NYS Rt. 332. ...It is expected that the ...outparcel would not have a negative impact on traffic operations with the Tops Markets property.”

1/13/2010 Board Action: Stephen Groet made motion seconded by Peter Osborne to make a recommendation of approval of application # 177-09 as a Class 2 with County Planning Board comments (below) submitted to the referring agency for their review:

COMMENTS:

1. The maximum size of the proposed fast food restaurant should be set during the site plan review of this application. The committee notes that many other such facilities located within the County are greater than the 2,800 sq. ft. proposed here; for example see referral 1, 2, & 3-2010.
2. The site plan is an improvement over the earlier submission in terms of vehicle flow and parking allocation.
3. Vehicle flow through the gas pump island should be south to north only.
4. Pavement markings and signage should be added to prevent a left hand turn by vehicles entering from State Rt 332 into the pump island.

Motion unanimously carried by a vote of 12.

1 -2010 City of Geneva Planning Board Class: 2
Type: *Special Use Permit*

Related Referrals: 2-2010 Area Variances, 3-2010 Site Plan

Applicant: *FRA Engineering and Architecture, PC*

Property Owner: *F.M. Ferrari Investment*

Representative:

Tax Map Parcel #: 104.18-3-47.110

Brief Description: An internally illuminated sign is proposed in conjunction with the site plan application (3-2010) for a McDonalds Restaurant. A special use permit is required for internally illuminated signs in the B-1 Business Uses District.

George McCadden made motion seconded by John Thompson to deny application #1-2010 based on the on signage criteria as it exists with comment(s) to the referring agency for their review as follows:

COMMENT(S):

1. The proposed pole sign on the brick base is out of scale and could create visual confusion with the Plaza sign.
2. The City’s zoning ordinance states that no more than one internally illuminated sign shall be permitted for each business, and that the sign shall contain the name of the business only and that no product message or slogans shall be permitted.
3. Flashing signs are also prohibited.

Motion unanimously carried by a vote of 12.

2 -2010 City of Geneva Zoning Board of Appeals Class: 2
Type: *Area Variances*

Related Referrals: 1-2010 Special Use Permit, 3-2010 Site Plan

Applicant: *FRA Engineering and Architecture, PC*

Property Owner: *F.M. Ferrari Investment*

Representative:

Tax Map Parcel #: 104.18-3-47.110

Brief Description: A total of twenty-four area variances are requested for signage in conjunction with the site plan application 3-2010 for the propose McDonalds restaurant, as shown in the following table:

Area Variance	Number Allowed	Number Requested
<u>Internally</u>	1	11 -- 5 free-standing and 6 building mounted.

illuminated signs		
Signs	2	11 -- 5 free-standing and 6 building mounted
Sign w/ Product Message	None	1
Total Sign Square Footage Allowance	100 sq. ft	224.73sq. ft.
NOTE: Drive thru signage/components are NOT included in the signage totals as the applicant interprets these to be a requirement of the proposed use for proper operation and are not for the purpose of advertising.		

Board Action: George McCadden made motion seconded by John Thompson to deny application #2-2010 based on CPB Policy AR-7 “Sign” (included) with the following Board comments and findings sent to the referring agency for their review:

COMMENTS:

1. The proposed pole sign on the brick base is out of scale and could create visual confusion with the Plaza sign. The City’s zoning ordinance states that no more than one internally illuminated sign shall be permitted for each business, and that the sign shall contain the name of the business only and that no product message or slogans shall be permitted. Flashing signs are also prohibited.
2. The project sponsor is requesting additional square footage that is 2.25 times what is allowed.
3. The application does not include any statement that the City concurs with the applicant’s assertion that drive thru signage/component are not to be included in the signage allowances.
4. Cumulatively, three signs are allowed but 23 are being requested (excluding those deemed by the project sponsor to be for “proper operation”).
5. See <http://www.greenbeanchicago.com/leed-certified-permeable-pavers-led-lighting-recyclinggolden-arches-green-mcdonalds-leed-certified-restaurant/> regarding illumination.

Motion unanimously carried by a vote of 12.

CPB 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 the following roads as primary travel corridors for tourists visiting Ontario County: Route 5 and 20 (Hamilton St.) [remainder of the list omitted here]

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. Applications for signs located on property along the above listed roads 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.

3 -2010

City of Geneva Planning Board

Class: 2

Type: *Site Plan*

Related Referrals: *1-2010 Special Use Permit, 2-2010 Area Variances*

Applicant: *FRA Engineering and Architecture, PC*

Property Owner: *F.M. Ferrari Investmenst*

Representative:

Tax Map Parcel #: *104.18-3-47.110*

Brief Description: Proposed new construction of a 4,057 Sq. Ft. McDonald's Restaurant at the northeast corner of the Town and Country plaza. Approximately 7,260 sq. ft. of the former Eckhard Drug Store will be demolished.

Board Action: George McCadden made motion seconded by Glen Wilkes to approve application #3-2010 as a Class 2 with comments to the referring agency for their review.

Motion unanimously carried by a vote of 12.

Review Area	Description	County Planning Board Comments
Gateway Corridor	<p>Hamilton St. is a gateway to the City and is near the beginning of Hobart and William Smith College.</p> <p>The project adjoins approximately 300' of 'streetscape' along Hamilton St. There is a narrow strip of grass separating the project</p>	<p>The plaza was one of the first 'suburban style strip developments' that changed the residential character of the western gateway to the city. This project provides an opportunity to reestablish a pedestrian friendly streetscape.</p> <p>A buffer such as dense landscaping with a height at planting of at least 5', decorative fencing (i.e. wrought iron style fencing), or a low brick wall topped with decorative fencing, should be installed along the sidewalk. In addition to design benefits it will separate</p>

	<p>The face of the building faces the interior of the plaza. The drive-thru faces the street. It is a mostly unbroken brick wall with the drive through widows.</p> <p>The landscape plan shows 3 trees and one 4' bush. These appear to be existing plant material. No other buffer is indicated between the parking and the sidewalk.</p>	<p>cars from pedestrians.</p> <p>The street-facing façade should incorporate design elements to break up the expanse of brick and creates the impression that the building is actually facing the street.</p>
Water Resources & Storm water	This parcel is in the Castle Creek - Seneca Lake watershed.	The project sponsor should consider reducing surface water flow into the storm sewer system by incorporating design features such as a rain garden, infiltration bed/trench or bio-retention area.
Infrastructure	Public water and sewer service is available.	
Traffic & Access Mgt.	The project will be served by existing signalized access points to the plaza.	There is potential for congestion at the cross access point with Advance Auto Parts and the project entrance. Traffic comes across from the Wegmans and could use the McDonald's as a cut-through to the plaza. Further analysis of both internal circulation and cross parcel conflicts should be done. Attention should be given to pedestrian safety.

Additional Comments:

1. The existing site plan does not address snow storage on the leased parcel for the restaurant. Provision for snow removal and storage should be specified as part of any approval. The storage area should not infringe on the public sidewalk or public right of way along Hamilton St.
2. The site plan improves traffic safety at the east end of the existing plaza and the connection to adjacent property. The extension of the curb line along the east side of the entry drive from Hamilton St. across from Copeland Street will improve traffic safety. The city should consider requiring similar improvements on the west side of the entry drive.
3. The dimensions of the driveways from the Advance Auto Parts property to the east through the McDonald's leased lot should be reviewed by the city Fire Chief, as this entry has often be used for emergency vehicle access.
4. The site plan does not show where the fire hydrant currently located on the north end of the east wing of the plaza (former Eckhard store) will be relocated. This fire hydrant is important for public safety and needs to be properly and conveniently located for emergency service use.

10 - 2010 Town of Canandaigua Planning Board Class: 2
Type: *Special Use Permit*

Related Referrals: *11-2010 Site Plan*

Applicant: *RSM West Lake Road LLC*

Property Owner:

Representative:

Tax Map Parcel #: *112.00-1-24.100*

Brief Description: Special Use Permit for a Private Water Oriented Recreational Facilities (PWORF) The development of a 2,400'sq marine club with associated parking and 65 slip docking facility on a two acre portion of the parcel. One residence will be demolished and other renovated for the marine club. This application does not mention that the property is also subject to review under the Canandaigua Lake Uniform Dock and Mooring Local Law.

The applicant had received a Special Use Permit from the Town for a marine club and docking facility on the adjoining German Brothers Marina parcel located to the north at 3907 County Road 16. The applicant is proposing to relocate the marine club and docking facility to this property at 3950 County Road 16. The Town Zoning Officer has made a determination that:

“Because the Planning Board granted a Special Use Permit for the PWORF in December 2008 for the property at 3907 County Road 16, this is no longer considered a pending application and therefore the PWORF cannot be transferred to another parcel of land.” PWORF uses are no longer an allowed Special Use in the RLF Residential Lake Front Zoning District.

The applicant was advised by the Zoning Officer to seek a use variance. The project is scheduled for the January 26, 2010 town planning board meeting. The applicant has not contacted the Town about this determination or indicated any intention to apply for a use variance. The meeting schedule for the Town planning board would not make it possible for the applicant to obtain a use variance prior to Jan. 26, 2010.

Board Action: Glen Wilkes made motion seconded by Terrence Hopper to deny application #10-2010 based on the Town Zoning Officer determination with CPB concurring with the Officer's determination.

Motion unanimously carried.

4 - 2010 Town of Gorham Planning Board Class: 2
Type: *Special Use Permit*

Related Referrals: *n/a*

Applicant: *Jack Dekouski*

Property Owner: *George Vindigni*

Tax Map Parcel #: *113.00-1-3.130*

Brief Description: The applicant is seeking a special use permit for boat storage of approximately 20 vessels between October and April.

Board Action: Alan Deuel made motion seconded by Terrence Hopper that no action be taken on application #4-2010 due to insufficient information to make a recommendation.

Motion unanimously carried.

Let the record show that due to a conflict of interest G. McCadden removed himself from the room during final discussion of the matter and abstained on the vote.

Review Area	Description	County Planning Board Comment
Existing/ Neighboring Land Uses	<ul style="list-style-type: none"> ▪ 5 acres of vacant land w/improvements; 2,400 square foot pole barn ▪ Surrounded by rural residential, vacant ag 	<ul style="list-style-type: none"> ▪ Outdoor storage of equipment and materials is permitted, but requires adequate screening from public streets and neighboring properties. Consider visually appealing fencing, vegetation, or combination to buffer neighboring residential from visual and noise impacts. ▪ Consider provisions for hours of operation (i.e. when boats can be delivered)?
Land Cover		<ul style="list-style-type: none"> ▪ No information provided about surface on which boats will be stored (e.g grass, pavement). This may have an impact on drainage.
Zoning	<ul style="list-style-type: none"> ▪ Planned Development District (PDD) 	<ul style="list-style-type: none"> ▪ Boat storage is an allowed use as a Special Use pursuant to the Gorham code. (Applicable Sections §31.29; §31.85A).
Water Resources	<ul style="list-style-type: none"> ▪ No wetlands or water bodies on site 	
Infrastructure	<ul style="list-style-type: none"> ▪ Public water ▪ No sewer 	
Traffic/Access Mgt.	<ul style="list-style-type: none"> ▪ Proposed drive onto County Road 18 	<ul style="list-style-type: none"> ▪ What size and material will the access drive be? May affect drainage.
Stormwater Drainage	<ul style="list-style-type: none"> ▪ None indicated 	<ul style="list-style-type: none"> ▪ See land cover and traffic mgmt comments.
Signage	<ul style="list-style-type: none"> ▪ None indicated 	<ul style="list-style-type: none"> ▪ Need more information
Lighting	5. None indicated	6. Need more information
Additional Comments:		
<ul style="list-style-type: none"> ▪ The town should put explicit limits on the size of the operation and the length of the storage season. ▪ The site plan should be revised to include adequate landscape buffering of the storage area from the public right-of-way and adjacent properties. 		

Type: *Special Use Permit*

Related Referrals: *6-2010 Site Plan*

Applicant: *Bell Atlantic Mobile of Rochester*

Property Owner: *Peter Ducan*

Representative: *Nixon Peabody*

Tax Map Parcel #: *196.00-01-24.2, 196.00-01-24.1*

Brief Description: Construction of a wireless telecommunications facility consisting of a 195' self-supporting tower and wireless antennas, an 11'7" x 30' equipment shelter, an access road, and other site improvements on two parcels near 7860 Wash Out Lane (formerly known as Pulver Drive, which is on the north side of Garlinghouse Rd. approximately 1,735 ft. east of the County Boundary). The leased area for the development is .23 acres. Wireless telecommunications facilities are allowed by special use permit in the AG Agricultural District.

Board Action: *George McCadden made motion seconded by John Palomaki to make a recommendation of approval of application # 5-2010 as a Class 2 with comments to the referring agency for their review.*

Motion unanimously carried by a vote of 12.

Review Area	Description	County Planning Board Comment
Agriculture	Both parcels are located in Agricultural District ONT09. The current use of the property is a vacant agricultural field. The estimated project area of disturbance is 0.9 acres. Areas disturbed will be graded to a uniform slope, fertilized, seeded, and covered with mulch.	
Water Resources	The parcels are in the Upper Honeoye Creek and Naples Creek watersheds. A federal wetland is present on one parcel.	Future development of these parcels will require extreme care due to their location in the watersheds and the presence of a federal wetland.
Infrastructure	All existing active sewer, water, gas, electric, and other utilities will be protected at all times during construction.	
Traffic/Access Mgt.	The parcels adjoin one local road (Garlinghouse Road) and one private drive (Wash Out Lane). The length of the proposed access road is 1180' perpendicular to the steep slope.	Per Town code, new access ways solely for telecommunications facilities do not have to be improved to meet the Town road construction standards. Consider preparing a post-maintenance plan for access road. Consider specifying a paved access road or different road configuration along contours

		to minimize soil erosion and wash-outs.
Drainage	Elevation of facility is 1840.1' and there are steep slopes on the site, traversed by the new access road. The site shall be graded to cause surface water to flow away from equipment and tower. Drainage swale is proposed.	Because of steep slope of access road, consider additional swales, switchbacks, or appropriate grading to minimize soil erosion and wash-outs, and paving of the access road.
Land Cover	Clearing proposed for facility. Facility surrounded by woods.	
Aesthetics	Tower is located over 1000' from Wash Out Lane and 250' from nearest neighbor. Tower complies with the 199' height limit. Tower will be galvanized steel.	Per Town code, consider painting gray above tree line and green below tree line or camouflaging to blend in with natural surroundings.
Lighting	Tower has been designed to avoid application of FAA lighting.	
Co-location	No current co-location opportunities exist with other wireless carriers. Proposed tower will accommodate up to three additional wireless providers to further Town's preference for future co-location.	The County should investigate opportunities for co-location for the County's Emergency Communication System.

6 - 2010 Town of Naples Planning Board Class: 2
Type: *Site Plan*

Related Referrals: *5-2010 Special Use Permit*

Applicant: *Bell Atlantic Mobile of Rochester*

Property Owner: *Peter Ducan*

Representative: *Nixon Peabody*

Tax Map Parcel #: *196.00-01-24.2, 196.00-01-24.1*

Brief Description: *Site Plan for a wireless telecommunications facility as described in referral 5-2010.*

Board Action: George McCadden made motion seconded by John Palomaki to make a recommendation of approval of application # 6-2010 as a Class 2 with no comments.

Motion unanimously carried by a vote of 12.

Administrative Referrals (no board action required)

11 -2010 Town of Canandaigua Planning Board

Class: 2

Type: *Site Plan*

Related Referrals: *10-2010 Special Use Permit*

Applicant: *RSM West Lake Road LLC*

Property Owner:

Representative:

Tax Map Parcel #: *112.00-1-24.100*

Brief Description: Site Plan Review associated with the Special Use Permit Application 10-2010 for a Private Water Oriented Recreational Facilities (PWORF). See description for Referral 10-2010.

Action: At the request of the applicant, the town has withdrawn this referral.

12 -2010 Town of Canandaigua Planning Board

Class: *1A*

Type: *Special Use Permit*

Related Referrals: *n/a*

Applicant: *Custom Sign Center Inc.*

Property Owner: *Inland WNY Portfolio LLC*

Representative:

Tax Map Parcel #: *70.16-4-44.100*

Brief Description: The applicant is proposing to replace three existing signs: one ground sign, which is located in the City of Canandaigua, and two building mounted signs, which are located in the Town of Canandaigua. This application refers to the latter two signs only. Town Code (§ 105-906.A.2) requires that

“a second commercial speech sign may be erected only if a special use permit is approved. The maximum size allowed for a second commercial speech sign shall not exceed fifty percent of the total sign area allowed for the first sign on the property.”

The applicant is seeking a special use permit for the replacement of the signs. The proposed signs, which integrate the name of a new, additional tenant (i.e. Cold Stone Creamery), comply with dimensional restrictions.

County Planning Board 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 the following roads as primary travel corridors for tourists visiting Ontario County: County Road 12, Lakeshore Dr (City & Town of Canandaigua), Route 5 and 20, State Rt 14, State Rt 21, State Rt 64, State Rt 96, State Rt 245, State Rt 332, US Route 20A. 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. Applications for signs complying with local limits on size and number.

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.

9 -2010 Town of Farmington Zoning Board of Appeals Class: 2A
Type: *Area Variances*

Related Referrals: *n/a*

Applicant: *Thompson Health*

Property Owner:

Representative:

Tax Map Parcel #: *29.00-1-84.310*

Brief Description: Thompson Health proposes to remove its existing free standing (ground) sign and erect new monument with two signs identifying its facility located on the north east corner of the State Rt 332 and Corporate Drive Intersection. An area variance is sought as the Town's zoning local law only allows one ground sign identifying a business on the property. One of the signs is proposed to be 51 square feet in area, and the other 81 square feet on a side. The second variance is because the Town's zoning allows a maximum of 64 square feet for a ground sign. The applicant claims that clients travelling on State Rt 332 cannot see the existing signage or one that complies with zoning in time to make the turn onto Corporate Drive.

Findings:

1. The proposed signs are on land along a corridor identified by the Board as being a primary travel corridor for tourists visiting Ontario County (State Rt 332).
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.

Recommendation for OCPB referral 9-2010 – Denial (OCPB Policy AR-7)

Board Comments:

1. The County Planning Board has long taken an interest in supporting local efforts to limit excessive signage. The Board has identified the following roads as primary travel corridors for

tourists visiting Ontario County: County Road 12, Lakeshore Dr (City & Town of Canandaigua), Route 5 and 20, State Rt 14, State Rt 21, State Rt 64, State Rt 96, State Rt 245, State Rt 332, US Route 20A. 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.

7-2010

Town of Naples

Planning Board

Class: n/a

Type: *Zoning Map Amendment*

Related Referrals: n/a

Applicant: n/a

Property Owner:

Tax Map Parcel #:

Brief Description: Withdrawn by the Town per Frank Muller, Town Code Enforcement Officer, on 1/5/2010.

Other Business:

Minutes: Linda Frasca reviewed the two (2) revision requested by Terrence Hopper. John Palomaki made a motion that was seconded by Stephen Groet to accept the December 9, 2009 draft minutes with revisions incorporated as correct and final. ***Motion carried with 10 aye votes with Mary Neale and Alan Deuel abstaining.***

CPB Member Update: Ms. Frasca briefly shared information she had obtained regarding CPB Member A. Deuel and the appointment of a new Town of Geneva CPB representative. ***Peter Osborne made motion recognizing Alan Deuels dedication and professionalism as a member of the County Planning Board. Motion seconded by John Palomaki. Motion carried.***

Water Resource Council Update: John Palomaki reported that the WRC had met on 1/8/2010 and discussed the gas drilling/Marcellus Shale matter. Mr. Palomaki shared that WRC Vice-Chair P.J. Emerick will be presenting findings/information on the matter to the Board of Supervisors and will request a task force be created to further look into the matter.

Historic Resources Committee Presentation: John Palomaki reported that he Historic Resources committee is scheduled to present to the many Town of Victor boards on 1/25/2010.

Victor Swap Shop Update: John Palomaki reported that he will be making a presentation at the Association of Towns meeting on the Victor Swap Shop.

Adjournment: Being no further business for discussion Ms. Folkin's requested a motion to adjourn. ***Motion to adjourn made by John Thompson. Motion seconded by George McCadden. Motion unanimously carried.*** The 1/13/2010 CPB meeting adjourned 9:45 p.m.

Respectfully submitted,

Linda R. Frasca

Administrative Assistant