

ONTARIO COUNTY PLANNING BOARD

Referrals for Review at the: **Coordinated Review Committee Meeting –March 12, 2019 at 3:30pm**
County Planning Board Meeting –March 13, 2019 at 7:00pm

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

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 reviewed by the CPB. It can also be viewed at the Ontario County Planning Department Website <http://www.co.ontario.ny.us/index.aspx?nid=516>

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Results Key - Recommended referring body action: A = approve, A-M = Approve with Modification, D = disapproval	

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53 - 2019	Town of Richmond	Zoning Board of Appeals	Rogers, Douglas	Area Variance	AR 2	6
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59 - 2019	Village of Clifton Springs	Planning Board	Scott Harter, PE	Site Plan	1	13
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Cities	Member name in bold if on local legislative, planning, or zoning board	P-Present, E – Excused Absence, A – Absent, V – Vacant		
Canandaigua	Thomas Lyon	P		
Geneva	Paul Passavant	P		
Towns				
Bristol	Sandy Riker		E	
Canadice	Stephen Groet	P		
Canandaigua	David Wink	P		
East Bloomfield	Mike Woodruff		E	
Farmington	Patti Wirth	P		
Geneva	Steven High	P		
Gorham	Jack Dailey		E	
Hopewell	Vacant			V
Manchester	Ruby Morrison	P		
Naples	Carol O'Brien		E	
Phelps	Glen Wilkes	P		
Richmond	Leonard Wildman	P		
Seneca	Timothy Marks	P		
South Bristol	Albert Crofton	P		
Victor	Marty Avila		E	
West Bloomfield	Sue Boardman	P		

Guests: Alex Amering– Costich Engineering/CY Plastics; Andy Moloditz/CY Plastics; Mike Montalto – Costich Engineering/Farmington Market Center

Staff: Linda Phillips – OCPD, Linda Frasca – OCPD

Call to Order/Roll Call: Chair Wildman called the 3-13-19 CPB meeting to order at 7:05 pm and requested Ms. Frasca to do roll call. Ms. Frasca presented roll call and reported that there were twelve (12) members present, meeting the quorum requirement.

Minutes: *Motion made by Patti Wirth to approve the February 13, 2019 minutes as revised to identify referral 29-2019 as subject to Administrative Review policy 5A seconded Steve Groet. Motion carried.*

46 - 2019	Town of West Bloomfield Town Board	Class: 2
Referral Type:	Moratorium	
Applicant:	Town of West Bloomfield	
Brief Description:	Six month moratorium on accepting applications for or the permitting of new solar energy systems generating electricity for off-site use in the Town of West Bloomfield.	

Comments Town to be commended for ensuring appropriate large scale energy system regulations are incorporated in the code. Existing regulations are limited to allowing roof mounted system that exceeds district height limit and location of solar infrastructure in yard areas.

Board Motion: A motion to block vote referrals 46-2019, 47-2019, 48-2019, and 49-2019.
Motion made by: Len Wildman
Seconded by: Tom Lyon Vote: 12 in favor, 0 opposed, 0 abstentions. Motion Carried
Board Motion: A block motion to retain referrals 46-2019, 47-2019, 48-2019, 49-2019 as Class 2s and return them to their respective local boards with a recommendation of approval with comments.
Motion made by: Ruby Morrison
Seconded by: Glen Wilkes Vote: 12 in favor, 0 opposed, 0 abstentions. Motion Carried.

47 - 2019	Village of Naples Village Board	Class: 2
Referral Type:	Text Amendment	
Applicant:	Village of Naples	
Brief Description:	Text amendment to add mini storage facility as a definition and as a specially permitted use in the C-3 Winery district to allow development of a mini-storage facility on Toby Street in the Village of Naples.	

Comment

The village should consider whether any additional editing is needed to differentiate the use from a warehouse and to clarify whether commercial storage and/or commercial transactions are allowed. Also consider whether the definition is overly restrictive with regard to height, when any other use may be 35', maximum unit size of 300 square footage, or prohibition on facilities with interior entrances.

Board Motion: A block motion to retain referrals 46-2019, 47-2019, 48-2019, 49-2019 as Class 2s and return them to their respective local boards with a recommendation of approval with comments.

Motion made by: Ruby Morrison

Seconded by: Glen Wilkes Vote: 12 in favor, 0 opposed, 0 abstentions. Motion Carried.

48 - 2019	Town of Hopewell Town Board	Class: 2
Referral Type:	Text Amendment	
Applicant:	Town of Hopewell	
Brief Description:	Text amendment to edit provisions related to duties of CEO, making ZBA referrals to PB optional, who to serve in instances of unsafe buildings and structures, keeping of animals, sign maintenance, allow accessory uses in Small Business Multiple Use District, and addition of minimum standards for trimming of grass, weeds, shrubs, & trees on improved lots in the Town of Hopewell.	

The change in the duties of the CEO relate to authorization to issue Compliance Orders.

Comments

1. Consider revised title of Section 721 to Grass, Brush, Weeds, Shrubs, and Trees
2. The Town may want to consider consistency regarding counting of correction period. The amendments regarding notification of violation of the sign permit regulations specifies the date of service of notification as the date of sending by certified or personal mail. Violation of sign permit correction period starts with the delivery of certified mail and is unspecified for first class mail.
3. Five days is a short period of time if the assistance of an electrician, contractor, or sign company is necessary for correction of an offending sign. Is personal delivery/short timeframe applicable only if violation involves imminent threat to public safety?

CRC Comments Brush, shrub and tree maintenance standards are not well defined and subjective enforcement could prove problematic.

Board Motion: A block motion to retain referrals 46-2019, 47-2019, 48-2019, 49-2019 as Class 2s and return them to their respective local boards with a recommendation of approval with comments.

Motion made by: Ruby Morrison

Seconded by: Glen Wilkes Vote: 12 in favor, 0 opposed, 0 abstentions. Motion Carried.

49 - 2019	Town of Hopewell Town Board	Class: 2
Referral Type:	Text Amendment	
Applicant:	Town of Hopewell	
Brief Description:	Text amendment related to inspection intervals and service of notices regarding the NYS Uniform Fire Prevention and Building Code in the Town of Hopewell.	

Board Motion: A block motion to retain referrals 46-2019, 47-2019, 48-2019, 49-2019 as Class 2s and return them to their respective local boards with a recommendation of approval with comments.

Motion made by: Ruby Morrison

Seconded by: Glen Wilkes Vote: 12 in favor, 0 opposed, 0 abstentions. Motion Carried.

50 - 2019	Town of Hopewell Planning Board	Class: 1
Referral Type:	Site Plan	
Applicant:	Krapf, Richard	
Property Owner:	Glieco, Martin	
Tax Map No(s):	99.00-1-54.000	
Brief Description:	Site plan modification for new exterior lighting at 4316 Finger Lakes College Suites Drive in the Town of Hopewell.	

Proposed lighting is on the west side of the building in the direction of stormwater management facility. Maximum light level proposed is 3.4 foot candle.

Board Motion: A block motion to retain referrals #50-2019, 55-2019, 55.1-2019, 59-2019, 59.1-2019, 59.2-2019, 61-2019, 63-2019, 63.2-2019 as Class 1s and return them to their respective local boards with comments.

Motion made by: David Wink

Seconded by: Tom Lyon Vote: 12 in favor, 0 opposed, 0 abstentions. Motion Carried.

51 - 2019	Town of Hopewell Planning Board	Class: 2
Referral Type:	Subdivision	
Applicant:	Jay Ladue LLC	
Representative:	Marks Engineering P.C>	
Tax Map No(s):	99.00-1-61.111 & 99.00-1-42.100	
Brief Description:	Subdivision to combine two lots and than subdivide 29 acre property into 7 building lots on CR 18 near Lincoln Hill Road in the Town of Hopewell. The proposed subdivision is adjacent to the Town of Canandaigua and close to the Town of Gorham. https://www.co.ontario.ny.us/DocumentCenter/View/17278/51-2019-Aerial https://www.co.ontario.ny.us/DocumentCenter/View/17279/51-2019-C100	

The 7 proposed lots in the R-1 district range in size from .9 acres to 9.3 acres. No information on driveway sight distances is provided. Driveway 3 appears to be offset less than 125' from Lincoln Hill Road. Driveways to lots 4 and 5 are only 59' apart. Driveways to Lots 6 and 7 are directly adjacent. There are areas of 16 to 30 % slopes along the intermittent drainage between Lots 6 and 7. The detailed plan sheets show grading to locate 3 bedroom home, driveway, topsoil stock pile, raised fill on-site waste water treatment system, 1 or 2 raingardens and other drainage features as well as limits of disturbance and silt fence locations . Public water service is proposed via individual 1" water lines in a 35' utility easement from a public water line at the intersection of Lincoln Hill Road.

Comments

1. The applicant should document adequate sight distances and ensure driveway space is acceptable to OCDPW.
2. No calculations are provided to determine the sufficiency of proposed rain gardens to handle increased stormwater flows.
3. Municipal engineer should review raingarden design and plan notes or other method of educating homeowners on their proper maintenance.
4. No septic system expansion area is shown on lot 1.
5. Perc and deep hole test locations are not shown on the site plan and no test results are provided.
6. On sheet c103, 2 lots are labeled lot 6
7. Lot 4 appears to be disturbing more than 1 acre including the long driveway with fire truck pull off.
8. Lots 2, 4, and 6 appear to be removing woods from areas with 8 to 10 percent slope.
9. Detailed plans do not show location of stabilized construction entrances.
10. Design details for driveway culverts and private waterlines are not provided.

OCDPW Comment

1. A highway work permit will be needed for any disturbance in the ROW including utility work and driveway culvert installation. Plans for these improvements should be sent to OC Highway Engineering for review prior to permit request.
2. Based on review of preliminary plans with the applicant and their engineer, OCDPW

- a. will require adequate sight distances at all proposed driveways based on AASHTO standards and the measured 85th percentile speed of 60 MPH on CR 18
- b. will require minimum spacing of 75' between driveways and a 75' separation of any driveway from the nearest edge of pavement of Lincoln Hill Road;
- c. views the proposed combined access point for lots 5 and 6 as preferable over a separate driveway that would require an opening in the existing guide rail.
- d. requests a drainage easement for the outlet end of a highway drainage culvert that was upsized in 2017 after a flood event.

T. Canandaigua Comments

Proposed development will increase impervious areas. Limited stormwater infrastructure is proposed and no documentation is provided regarding changes to stormwater flows. This area of the Canandaigua Lake watershed has experienced significant flooding. Any required stormwater infrastructure installed to mitigate stormwater impacts should include provisions for long term maintenance and emergency municipal access.

Canandaigua Lake Watershed Manager Comments

This area has experienced several flooding events in both the upland area and down by the Lake. The preliminary subdivision plan does not adequately address whether there is space on each property to manage stormwater impacts to not increase downstream peak flows. Generic raingardens are shown, but no related documentation is provided to document whether they are adequate to mitigate likely impacts. Since the development is likely to involve disturbance of more than 5 acres, the disturbance will be subject to Phase 2 erosion and sediment control and post construction monitoring to protect water quality. Lots should not be approved without detailed review of stormwater impacts and mitigation.

CPB Comments Will the applicant develop the homes or sell the lots?

Board Motion: A motion to return referrals #51-to the local board as incomplete.
Motion made by: Ruby Morrison
Seconded by: Tom Lyon **Vote: 9 in favor, 3 opposed, 0 abstentions. Motion Not Carried.**

Board Motion: A motion to return referral 51 to the local board with a recommendation to deny.
Motion made by: Glen Wilkes
Seconded by: Motion not seconded.

Board Motion: A motion to retain referrals #51-2019 as a Class 2 and return to the local board with a recommendation for approval with comments and the following modifications:

Modification #1: The referring Board should take no action on granting subdivision approval until the Ontario County Department of Public Works has provided correspondence documenting review of proposed driveway locations and sight distances.

Modification #2: The referring Board should take no action on granting subdivision approval until the Canandaigua Lake Watershed Manager has provided correspondence documenting review of stormwater calculations and proposed mitigation.

Motion made by: David Wink
Seconded by: Tom Lyon **Vote: 11 in favor, 1 opposed, 0 abstentions. Motion Carried.**

52 - 2019	Town of Hopewell Planning Board	Class: AR 1
Referral Type:	Site Plan	
Applicant:	Reid Stores Inc.	
Property Owner:	GBR Limited Liability Co. & Coble Land L	
Tax Map No(s):	85.03-1-9.0000	
Brief Description:	Site plan and area variance for a 7'2" high, 34.5 SF ground mounted sign that exceed 7' height limit, 3 building signs with 14.3 to 16 SF plus one allowable 23 SF sign, three 40 SF canopy signs and four 23 SF pump signs which are not allowed at 3211 CR 10 at 5 & 20 in the Town of Hopewell	

See information at 52.1-2019.

52.1 - 2019	Town of Hopewell Zoning Board of Appeals	Class: AR 2
Referral Type:	Area Variance	
Applicant:	Reid Stores Inc.	
Property Owner:	GBR Limited Liability Co. & Coble Land L	
Tax Map No(s):	85.03-1-9.000	
Brief Description:	Site plan and area variance for a 7'2" high, 34.5 SF ground mounted sign that exceed 7' height limit, 3 building signs with 14.3 to 16 SF plus one allowable 23 SF sign, three 40 SF canopy signs and four 23 SF pump signs which are not allowed at 3211 CR 10 at 5 & 20 in the Town of Hopewell.	

The canopies are 30' to 75' from CR 10 and the building and canopy are 90' to 110' from NYS5/US 20 edge of pavement.

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

Comment The referring board should consider the precedent setting impact of their decision and grant the minimum variance necessary to achieve the applicant's objectives while protecting the character of this key community corridor.

53 - 2019	Town of Richmond Zoning Board of Appeals	Class: AR 2
Referral Type:	Area Variance	
Applicant:	Rogers, Douglas	
Tax Map No(s):	149.15-1-25.000	
Brief Description:	Area variance to place two 144 SF deck platforms with setbacks of 15' from shoreline when 50' is required at 5237 CR 36 in the Town of Richmond. Also variance for 460 SF workshop on west side of building that would have a 5' setback when 20' is required.	

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 storm water and erosion control measures.
3. If the ZBA is allowing applicant drawn maps when code requires a stamped plan, a formal waiver should be approved.

54 - 2019	Town of Richmond Zoning Board of Appeals	Class: AR 2
Referral Type:	Area Variance	
Applicant:	Riorden, Jean	
Tax Map No(s):	150.05-1-42.000	
Brief Description:	Area variance related to 532 SF addition to house at 8575 Northshore Drive in the Town of Richmond. With the addition the lot coverage will increase from 25 % as allowed to 30.6%.	

Policy AR 5 Applications involving one single family residential site, including home occupations. Part B Development of Lakefront Parcels.

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 storm water and erosion control measures.
3. If the ZBA is allowing applicant drawn maps when code requires a stamped plan, a formal waiver should be approved.

55 - 2019	Town of East Bloomfield Planning Board	Class: 1
Referral Type:	Special Use Permit	
Applicant:	Means, Jerome	
Property Owner:	Rasmussen, John	
Tax Map No(s):	67.03-1-11.100	
Brief Description:	Application for a special use permit and area variance for a 3,215 SF 6-bed Individualized Residential Alternative residence on 1.6 acres at 2655 Rabbit Run off NYS 5/US 20 west of SR 64 in the Town of East Bloomfield. The variance is for a 23.4' side setback when 50' is required. https://www.co.ontario.ny.us/DocumentCenter/View/17291/55-2019-Aerial https://www.co.ontario.ny.us/DocumentCenter/View/17294/55-2019-Site-Plan	

The Individualized Residential Alternative residence is allowed by special use permit in the AR-2 district. The lot is in a partially developed subdivision with lot sizes ranging from .8 to 3 acres and homes ranging in size from 1,698 to 3,600 SF and built between 1984 and 2014.

The applicant indicates the variance is needed based on site topography which directs location of the septic system to the south side of the lot. The site has some areas of 10 to 15 % slope. The presence of areas of 15 to 30 and 31 to 60 percent slope on the lots to the north and west as shown on OnCOR may contribute sheet flow to the subject site and preclude location of the septic system to the rear of the building. According to OnCOR, surrounding lands outside the subdivision are in an agricultural district. There are no identified floodplain or wetland areas on the lot. Soil characteristics are as follows:

Arkport fine sandy loam 3 - 8 % slope .43 acres
Prime Farmland
Permeability: high **Erodibility:** high
Hydrological Group A **Not Hydric**
Schoharie silty clay loam 8 to 15 % slope 1 acre
Farmland of Statewide Importance
Permeability: high **Erodibility:** medium
Hydrological Group B **Not Hydric**
Sand and Gravel pits .12 acres soil characteristics not identified

Comments

1. Site plan should show existing tree line as well as new tree line.
2. What provisions are made to mitigate off-site stormwater impacts?

OCSWCD Comments

1. Dosing is required (as noted in plan) with > 500' total leach.
2. Will there be a high level alarm on the dosing pump?
3. Concrete pump stations are recommended (NYSDOH).
4. Will there be an access riser (locking) for the pump station?
5. Deep hole and percolation data not provided.
6. Will there be a settling box prior to the first concrete drop box?
7. Will there be a curtain drain around the leach area?

Board Motion: A block motion to retain referrals #50-2019, 55-2019, 55.1-2019, 59-2019, 59.1-2019, 59.2-2019, 61-2019, 63-2019, 63.2-2019 as Class 1s and return them to their respective local boards with comments.

Motion made by: David Wink

Seconded by: Tom Lyon **Vote:** 12 in favor, 0 opposed, 0 abstentions. **Motion Carried.**

55.1 - 2019	Town of East Bloomfield Zoning Board of Appeals	Class: 1
Referral Type:	Area Variance	
Applicant:	Means, Jerome	
Property Owner:	Rasmussen, John	
Tax Map No(s):	67.03-1-11.100	
Brief Description:	Application for a special use permit and area variance for a 3,215 SF 6-bed Individualized Residential Alternative residence on 1.6 acres at 2655 Rabbit Run off NYS 5/US 20 west of SR 64 in the Town of East Bloomfield. The variance is for a 23.4' side setback when 50' is required.	

See information at 55-2019.

56 - 2019	Town of East Bloomfield Planning Board	Class: 1
Referral Type:	Site Plan	
Applicant:	Costich Engineering/CY Plastics Works In	
Property Owner:	Max M. Farash Declaration of Trust	
Tax Map No(s):	80.00-1-5.002 & 80.00-1-5.003	
Brief Description:	Site plan and subdivision plan for development of 11.7 acre lot with a 54,200 SF building, 79 parking spaces, three stormwater management facilities and 2 bio-retention areas @ West Park Drive south of NYS 5/US 20 near SR 64 in the Town of East Bloomfield. https://www.co.ontario.ny.us/DocumentCenter/View/17280/56-2019-Aerial https://www.co.ontario.ny.us/DocumentCenter/View/17281/56-2019-CA120 https://www.co.ontario.ny.us/DocumentCenter/View/17282/56-2019-subdivision-plat	

The building is intended to house CY Plastics injection molding facility which is relocating from Honeoye. The Engineer's Report identified the area of disturbance as 4.9 acres. Existing adjacent uses include agricultural use to the east, a single family home fronting on NYS 5/US 20 opposite SR 64 to the north, vacant industrial park lots to the north and west, and Terphane, which manufactures specialty polyester films, to the south west.

According to OnCOR, there are no identified floodplains, wetlands, or steep slopes on the site. Dominant soils characteristics are Schoharie silty clay loam, prime farmland with 0 to 3 and 3 to 8 % slopes, medium high permeability and very high erodibility. The soils are not hydric and the hydrologic group is D.

It appear the subdivision of the Max M. Farash Declaration of Trust Lands remaining after the subdivision of the lots on the west side of West Park Drive for Terphane was improperly filed; although there are 9 lots shown on the real property tax map, there is no filed subdivision plat. At this time, the proposed subdivision plat includes 3 lots; a 4.89 acres lot with frontage on NYS 5/US 20, the 11.7 acre lot for CY Plastics and a remainder lot. The road shown on the subdivision plat exists. Fire vehicle turnaround space is available via the Terphane driveway.

According to the Engineer's Report, The site stormwater management system reduces peak flows to the existing drainage swale along the eastern property boundary by 40 to 50 % and the peak flows to the West Park Drive storm sewer by \pm 20 %. The system also provides adequate water quality treatment, runoff reduction, and channel protection. Green infrastructure practices are

included to treat run-off from approximately .79 acres of impervious area. The lighting plan indicates .5 to 2.0 foot-candles within developed area of site and no excessive light spill over the property lines.

Comments

1. How are overhead doors usable given location adjacent to parking area?
2. The site plan should show the limit of disturbance.
3. Clarify why the SWPPP covers 6.7 acres, more than the 4.9 acre area of disturbance and less than the 11.7 acre full site.
4. Based on the code, the parking lot should be sized to accommodate leaving and arriving employees on the 2 largest shifts. With 65 total employees on 3 shifts, it seems unlikely 79 parking spaces are required. Consider land banking additional parking spaces. Would parking beyond the proposed land banked spaces be required if the future building addition was constructed?
5. Could the SWMFs proposed handle the run off from future building addition and any additional required parking?

NYS DOT Comment Referring body should specify that any future access to Lot 1 be from West Park Drive not from NYS 5/US 20.

CPB Comments

1. Excess construction materials and packaging should be reclaimed or recycled where feasible with the remainder disposed of in a licensed disposal facility.
2. In accordance with New York State Law and Ontario County public health priorities, private space for breastfeeding not in bathroom area should be provided at all workplaces.

Board Motion: A motion to retain referrals #56-2019 and 56.1-2019 as Class 1s and return them to the local board with comments.

Motion made by: David Wink

Seconded by: Ruby Morrison

Vote: 12 in favor, 0 opposed, 0 abstentions. **Motion Carried.**

56.1 - 2019	Town of East Bloomfield Planning Board	Class: 1
Referral Type:	Major Subdivision	
Applicant:	Costich Engineering/CY Plastics Works In	
Property Owner:	Max M. Farash Declaration of Trust	
Tax Map No(s):	80.00-1-5.002 & 80.00-1-5.003	
Brief Description:	Site plan and subdivision plan for development of 11.7 acre lot with a 54,200 SF building, 79 parking spaces, three stormwater management facilities and 2 bio-retention areas @ West Park Drive off NYS 5/US 20 near SR 64 in the Town of East Bloomfield.	

See information at 56-2019.

57 - 2019	Town of Farmington Town Board	Class: 2
Referral Type:	Map Amendment	
Applicant:	Ingrassia, Angelo	
Representative:	Montalto, Michael	
Tax Map No(s):	29.00-01-39 29.00-01-40 29.00-01-41.1	
Brief Description:	Map amendment to rezone 18.3 acres from General Business to Incentive Zoning to accommodate 37,500 SF of permitted and specially permitted uses including a bank and a restaurant with drive-thru, fuel pumps, an 8 bay tire service store, a sit-down restaurant, and an office building along the SR 96 frontage at Tops Plaza 6179 SR 96 in the Town of Farmington. https://www.co.ontario.ny.us/DocumentCenter/View/17283/57-2019-Overall-Site-plan	

The three properties are currently zoned General Business and developed with a Tops grocery store and extensive parking. There is no stormwater management pond connected to the existing stormwater system. In the General Business district, office, service and retail uses excluding fast-food and drive-in restaurants are permitted uses. Shopping plazas, fast-food restaurants and those with drive-in, and motor vehicle gasoline stations, sales and service are allowed in the General Business District with a special use permit. The proposed development/redevelopment activities will disturb 15.7 acres of the 18.3 acre site. The proposed building coverage is 11 percent, less than the 34 percent allowed by code. The project area, and other lands to the south and west of SR 96/SR 332 and

north of Mercier Boulevard and wests of Mertensia Road are within the Community Center/Mixed use category on the 2011 Comprehensive Plan Future Land Use Map. The project area is also in the Major Thoroughfare Overlay Districts.

Dominant soils are Ovid silt loam with the following soil characteristics:

Prime Farmland if drained	
Permeability: moderately high	Erodibility: high
Hydrological Group C/D	Partially Hydric
Somewhat poorly drained	Depth to Water Table 36"

Amenities proposed include:

1. Dedication of 1.04 acres of land and construction for dedication to the Town of some portion of the new road providing access to the along the east property boundary and eventually connecting to Mercier Boulevard and SR 332.
2. Providing off site sidewalks along the east side of Mertensia Road south of the existing site access driveway.
3. Cash contribution toward a relief sewer between the pump station at Finger Lake Racetrack and the interceptor sewer just north of SR 41.
4. The benefit of a unified development plan for the 3 parcels.

Some outlined amenities such as resurfacing, restriping, and signalization of SR 96 at the proposed new road and sidewalks along SR 96 and crosswalks at SR 96 and Mertensia Road may or may not be above and beyond what would be required as part of site plan review and mitigation of site traffic impacts.

Incentives requested include:

1. Not required to obtain special use permits for auto oriented uses.
2. Setback to SR 96 reduced from 100' to 30' (addition of 1.5 acres), setback from access road reduced from 50' to 30'.
3. Front setback along Mertensia Road and new road/ extension of Mercier Boulevard reduced from 75' to 50'.
4. Multi-use development sign.

Comments

1. As the Planning Board report indicates, the Town Board should carefully consider the dollar value of proposed amenities and offered incentives. In particular, only those portions of the pedestrian signal/crosswalk and sidewalk costs not identified as necessary in the November 6, 2018 letter from NYSDOT should be considered amenities.
2. The incentive zoning plan does not allocate land to accommodate stormwater from additional impervious lot coverage. The Town Board should ensure any building and parking coverage allowed reserves sufficient space for stormwater management and landscaping. The Town Board may also want to identify green infrastructure practices, necessary to minimize impacts of stormwater quality and quantity to nearby Beaver Creek.
3. The incentive zoning plan proposes 636 parking spaces (6.8/1,000 SF) when 531 parking spaces (5.7 /1,000 SF) would be required by Town code. More typical parking requirements are 4/1,000 SF or even 3/1,000 in walkable areas for general retail, with shared parking or additional parking for restaurant uses. In recognition of the Town's higher than necessary parking standards, the PB often requests applicants to land bank parking. The Town Board should consider identifying minimum open space requirements or maximum parking or impervious surface coverages.
4. As identified in Plans and zoning for "Town Center" locations in other communities, to create a walkable pedestrian character it is desirable to encourage multi-story buildings, 4-6' of landscaped area between the road and sidewalk, and to locate parking to the rear or side of buildings and screen parking from the sidewalk. To create a desirable pedestrian environment it is also important to provide pedestrian scale lighting (12'-14' poles) and features of visual interest such as 30 to 60 % window transparency of adjacent buildings or pedestrian routes with landscaping on both sides. Pedestrian oriented development should provide not only pedestrian circulation along edge roadways, but also along site driveways and through parking areas to connect individual building entrances to the public sidewalk through landscaped parking medians and islands or along drainage swales. Typical pedestrian friendly design guidelines require landscaped islands or medians for every 20 to 40 spaces. See T.

Canandaigua Feb. 15, 2019 draft Uptown Study and recently adopted comprehensive zoning code updates in the Town of Geneva and the Villages of Shortsville and Clifton Springs.

5. The Town Board may want to consider inclusion of an amenity line item to fund site features such as light pole banners; enhanced internal signs; and enhanced bike racks, bus shelter, and other furnishings to help brand the area.
6. The Town Board should explore opportunities for a direct pedestrian and bicycle only connection across Beaver Creek to the townhouses to the south of the site and ultimately to the residential subdivision further south.
7. In accordance with the MTOD Site Design Guidelines, the Town Board should consider provision of a public pedestrian access corridor along Beaver Creek.
8. In accordance with the MTOD Site Design Guidelines, the Town Board may want to consider defining appropriate facade materials, massing, articulation, and roof forms to create a pedestrian friendly environment.
9. What provisions will be made for winter clearing of public sidewalks and on-site pedestrian walkways?
10. Are queuing areas for drive-throughs and driveways adequate?
11. Is the fuel kiosk staffed? If not, how are cash transactions or service to individuals needing assistance handled?

OCSWCD Comments

No volume calculations are provided regarding increased runoff due to increased impervious surface coverage and no best management practices for stormwater treatment. It is likely additional area will be required to mitigate stormwater impacts.

CRC Comments

1. The Town Board should consider inclusion of bike infrastructure, including grade separated bike lanes to make the Town Center area safer for young people and others traveling by bicycle.
2. Connectivity of the pedestrian system is of prime importance to link this commercial area to surrounding residential areas and create a Town Center.
3. Is there sufficient land area available/set aside for stormwater management and snow storage? Such lands should be designated with an eye to supporting year round connectivity and site circulation.
4. Does water from existing pond discharge to Beaver Creek?

CPB Comment the referring body should consider requesting amenity contributions of land or funds to advance agricultural preservation priorities when granting incentives that increase development densities.

Board Motion: A motion to retain referral 57-2019 as a Class 2 and return it to the local board with comments and recommendation for approval. .
Motion made by: David Wink
Seconded by: Ruby Morrison **Vote: 12 in favor, 0 opposed, 0 abstentions. Motion Carried**

58 - 2019	Town of Gorham Zoning Board of Appeals	Class: AR 2
Referral Type:	Area Variance	
Applicant:	Heroux, Pierre	
Representative:	Vineyard Homes LLC	
Tax Map No(s):	113.11-1-23.000	
Brief Description:	Area variances for side setbacks of 8' when 15' is required, lake setback of 19' when 30' is required and lot coverage of 51.4% when 25% is allowed at 3780 Meadow View Drive off SR 364 in the Town of Gorham.	

The existing house has nonconforming side setbacks of 7' and 11' and a 38' front setback. The detached garage and asphalt driveway on the far side of Meadow View Drive are to remain. The proposed plan includes an infiltration trench along the south side of the building and pervious pavers on the driveway to the new attached garage. The new drive requires removal of a large tree along Meadow View Drive.

**Policy AR 5 Applications involving one single family residential site, including home occupations.
 Part B Development of Lakefront Parcels.**

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 the 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.

59 - 2019	Village of Clifton Springs Planning Board	Class: 1
Referral Type:	Site Plan	
Applicant:	Scott Harter, PE	
Property Owner:	GW Lisk Corp.	
Tax Map No(s):	46.06-2-51.000	
Brief Description:	Site plan, special use permit and rear setback variance to accommodate 100,000 SF new building and 166 parking spaces at GW Lisk 2 South Street at Pearl Street in the Village of Clifton Springs. https://www.co.ontario.ny.us/DocumentCenter/View/17284/59-2019-GW-lisk-overall-plan-1-OF-2 https://www.co.ontario.ny.us/DocumentCenter/View/17285/59-2019-GW-lisk-site-plan-SHEET-2-OF-2 https://www.co.ontario.ny.us/DocumentCenter/View/17292/59-2019-Aerial	

GW Lisk designs and manufactures products for sale to transportation, defense, and oil and gas sector businesses. The company has 2 connected building developed in 1950 and 2014 with a total of 91,500 SF to the north of the proposed project site and along South Street. A conceptual plan for the entire 27 acre site including the 2014 addition and the proposed building was developed in 2005 when GW Lisk re-occupied the former school building. The previous SEQR and site plan approval allowed 9.99 acres of impervious coverage. Currently proposed impervious coverage is 9.4 acres.

The Village code requires a 150’ side and rear setback from accessory use to lands outside the Industrial district. The proposed building is 155’ from the side (south) lot line further from the read (east) lot line. A fire lane is located 121’ from the south property line and parking is located 114’ from the east property line. Land to the east is owned by the applicant and not proposed for residential development. Land to the south is owned by NYSEG and an active utility corridor.

The Village code requires a SUP when industrial wastes are discharged to the village sewer system to ensure wastewater characteristics and volumes can be effectively treated by the Village system.

According to OnCOR, lands to the south and east are in the agricultural district. The site is not constrained by floodplains, wetlands, or steep slopes. The property and most of the village of Clifton Springs drains to the Canandaigua Outlet. Soil characteristics are as follows:

Farmington Loam 0 to 3 % slope 24.1 acres
Farmland of statewide importance
Permeability: high **Erodibility:** med
Hydrological Group D **Not Hydric**
Arkport Fine sandy loam 3 to 8 % slope 3.5 acres
Prime Farmland
Permeability: high **Erodibility:** high
Hydrological Group A **Not Hydric**

Comments:

1. The site plan should identify internal pedestrian circulation connections from employee and visitor parking areas to appropriate building entrances and link to the village sidewalk system to provide safe walking opportunities for employees and accommodate those walking or biking to work.
2. No stormwater management or landscaping plans are provided. Referring body should require applicant to provide stormwater management facilities and foundation, parking area, driveway and street scape landscaping. Stormwater management and erosion and sediment control plans should be reviewed by the OCSWCD.
3. The site plan should identify any existing on-site agricultural drainage infrastructure and ensure construction activities will not impact continued agricultural use of adjacent properties.

Board Motion: A block motion to retain referrals #50-2019, 55-2019, 55.1-2019, 59-2019, 59.1-2019, 59.2-2019, 61-2019, 63-2019, 63.2-2019 as Class 1s and return them to their respective local boards with comments.

Motion made by: David Wink

Seconded by: Tom Lyon Vote: 12 in favor, 0 opposed, 0 abstentions. Motion Carried.

59.1 - 2019	Village of Clifton Springs Planning Board	Class: 1
Referral Type:	Special Use Permit	
Applicant:	Scott Harter, PE	
Property Owner:	GW Lisk Corp.	
Tax Map No(s):	46.06-2-51.000	
Brief Description:	Site plan, special use permit and rear setback variance to accommodate 100,000 SF new building and 166 parking spaces at GW Lisk 2 South Street at Pearl Street in the Village of Clifton Springs.	

See information at 59-2019.

59.2 - 2019	Village of Clifton Springs Zoning Board of Appeals	Class: 1
Referral Type:	Area Variance	
Applicant:	Scott Harter, PE	
Property Owner:	GW Lisk Corp.	
Tax Map No(s):	46.06-2-51.000	
Brief Description:	Site plan, special use permit and rear setback variance to accommodate 100,000 SF new building and 166 parking spaces at GW Lisk 2 South Street at Pearl Street in the Village of Clifton Springs.	

See information at 59-2019.

60 - 2019	Town of Geneva Zoning Board of Appeals	Technical Review
Referral Type:	Use Variance	
Applicant:	Cardinale, Pat	
Tax Map No(s):	90.00-2-72.300	

Brief Description:	Use variance for storage building, topsoil screening, and outdoor storage of material at 2813 Carter Road north of Gambee Road in the Town of Geneva. https://www.co.ontario.ny.us/DocumentCenter/View/17286/60-2019-Aerial
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Applicant purchased 4.3 acre property in 2014 with the intention of using it for storage of materials and soil screen associated with a small landscaping business. At the time of the purchase, the property was zoned Agricultural and the proposed outdoor storage use was allowed by special use permit. In the fall of 2017 the applicant accepted 50 loads of spoils from a Geneva school project and began preparing the site for development, but did not secure a special use permit. In May of 2018 the Town of Geneva adopted comprehensive updates to their zoning code and map at which time the zoning of this property and all properties fronting on Carter Road north of Gambee was changes to R-2. Proposed activities are not allowed in the R-2 Districts. The applicant has lived in a home on a lot to the east of the subject property since before purchasing the land. To the east of the property is industrially zoned land owned by Seneca Foods.

The applicant would like to develop a new driveway and workshop at the south end of the site and a temporary building to hold topsoil during the winter to be dry for screening in the spring.

According to OnCor, the property is not in or adjacent to an agricultural district or constrained by floodplains or wetlands. There are several small areas of steep slopes, likely associated with drainage ditches noted by the applicant but not mapped. Soil characteristics are:

Schoharie silty clay loam, 8 to 18 percent slope

Farmland of Statewide Importance

Permeability: moderately high **Erodibility:** very high

Hydrological Group C/D **Not Hydric**

Comments The site plan should show the drainage ditches and how changed stormwater flows from fill, driveway, and buildings will be mitigated to avoid off-site impact.

61 - 2019	Town of South Bristol Planning Board	Class: 1
Referral Type:	Site Plan	
Applicant:	Grove, Bill	
Property Owner:	Kenneth Hayward	
Tax Map No(s):	185.14-1-18.311	
Brief Description:	Site plan application for 769 SF storage building, retaining wall, and gravel driveway to be constructed on a 1.96 acre residential lot at 6407 Old Post Road off Stemple Hill Road in the Town of South Bristol. https://www.co.ontario.ny.us/DocumentCenter/View/17294/55-2019-Site-Plan	

The disturbance is in a steeply sloped area on the lake side of the property.

According to OnCOR, the property is not in an agricultural district and not constrained by the presence of wetlands or floodplains. The proposed building site appears to be in an area of 31 to 60 % slope, while the surrounding area has slopes of 60% or more. Site soils are Howard Gravelly Loam with the following characteristics:

Not Prime Farmland **Permeability:** high **Erodibility:** med
Hydrological Group B **Not Hydric**

Comments

1. Daylighting the footer drain and the drainage tile to be added along the existing gravel driveway at the mean high water line does not provide any opportunity for filtering of run-off.
2. There is no scale bar on the site plan.

Board Motion: A block motion to retain referrals #50-2019, 55-2019, 55.1-2019, 59-2019, 59.1-2019, 59.2-2019, 61-2019, 63-2019, 63.2-2019 as Class 1s and return them to their respective local boards with comments.

Motion made by: David Wink

Seconded by: Tom Lyon **Vote:** 12 in favor, 0 opposed, 0 abstentions. **Motion Carried.**

62 - 2019	Town of East Bloomfield Planning Board	Class: 2
Referral Type:	Site Plan	
Applicant:	Marks, Brennen	
Property Owner:	Spencer, David	
Tax Map No(s):	80.00-1-31.000	
Brief Description:	Site plan, special use permit, and area variance to add two 4,000 SF commercial mini-storage buildings at 7203 NYS5/US 20 at the southwest corner of Oakmont Street in the Town of East Bloomfield. https://www.co.ontario.ny.us/DocumentCenter/View/17287/62-2019-Aerial https://www.co.ontario.ny.us/DocumentCenter/View/17288/62-2019-Final-Site-plan	

The 2.35 acres property is currently developed with a 7,900 SF one story commercial building that formerly housed a car dealer and currently is leased to a hair salon and a landscaping company with outdoor material storage to the rear of the building. The site plan for the proposed mini storage buildings indicates outdoor vehicle storage along the west property boundary, a retaining wall along the south property line, and steep slopes in the northeast corner. The disturbed area is labeled as 42,700 but no limit of disturbance is shown on the plan. The proposed stormwater management system uses underground pipes to collect stormwater which is then discharged to the existing drainage swale on west side of property which conveys water to the drainage ditch along NYS 5/US 20.

The existing building has a driveway in close proximity to NYS 5/US 20. The proposed site plan identifies a 2nd driveway off Oakmont with site distance of 300' NYS 5/NYS 20. The site plan includes a photometric plan indicating site light levels will range from 4.5 to 0.0 foot-candles. The site plan does not indicate fencing of the area or include design details for the retaining wall. The application materials indicate the site will be signed to encourage tenants to restrict use to between 7 am and 7 pm.

An area variance is required because the proposed buildings are setback 50' from Oakmont Road when 75' is required.

Across NYS 5/US 20 to the north are two apartment buildings with access off Oakmont Road. To the west with access off Oakmont Road south of the subject property is an RG&E substation. Other area land uses include 2 residences further south at 2836 and 2846 Oakmont Road which appears to be setback 40' and 45' from the ROW and 60' to 65' from the pavement edge. There is also a 19th century farmhouse south of the site east of Oakmont Road at 2845 Oakmont that appears to be 10' from the ROW. Directly east of the site is a vacant commercial lot currently used for storing cars.

According to OnCOR the property is not in or adjacent to an agricultural district and is not constrained by wetlands or floodplains. There is an area of 16 to 30 % slope that bisects the property. The property elevation is 1040' above sea level near NYS 5/US 20 and rises to 1060' to 1070' above sea level south of the band of steeply sloped land. The property drains to Hathaway Brook.

Comments

1. The municipal engineer should review designs for the retaining walls proposed.
2. No information on handling of stormwater is provided
3. The referring body should consider the minimum variance necessary.

OCSWDC Comments

1. Will roof run-off be directed to drop inlets?
2. Rip-rap lined channel does not seem to be directed into any existing grassed swale. No volume calculations are provided regarding increased run-off due to increase in impervious surface.
3. Silt fence may be needed along the southern edge of disturbance during construction.
4. Further information required to adequately comment on erosion and sediment best management practices.

CRC Comments

1. Site redevelopment should balance minimizing disturbance to areas of steep slope and managing site access to provide the minimum number of access points necessary given site vehicle volume and considering possibility of relocating existing driveway outside the functional area of the intersection.
2. What are the dimensions or capacity of the outdoor storage area? How will the applicant minimize potential for site contamination of vehicles?
3. Will perimeter fencing be installed?
4. What landscaping is proposed?
5. What is necessary to minimize the visual impacts of the use from NYS 5/US20, a primary tourism corridor.

NYSDOT Comments NYSDOT requires no increase in drainage entering its drainage channels. With increased impervious surface, proposed piped drainage system that will concentrate discharge, and no detention pond, there is likely to be an adverse impact to the NYSDOT highway drainage infrastructure. NYSDOT would like to review the drainage report and applicant plans to mitigate such impacts.

CPB Comments The local board should ensure inclusion of best management practices to mitigate off-site stormwater impacts in accordance with NYSDOT policies.

Board Motion: motion to retain referral 62-2019, 62.1-2019, and 62.2-2019 as Class 2s and return them to the local boards with comments and a recommendation for approval.

Motion made by: Tim Marks

Seconded by: Steve High **Vote:** 12 in favor, 0 opposed, 0 abstentions. **Motion Carried**

62.1 - 2019	Town of East Bloomfield Planning Board	Class: 2
Referral Type:	Special Use Permit	
Applicant:	Marks, Brennen	
Property Owner:	Spencer, David	
Tax Map No(s):	80.00-1-31.000	
Brief Description:	Site plan, special use permit, and area variance to add two 4,000 SF commercial mini-storage buildings at 7203 NYS5/US 20 at the southwest corner of Oakmont Street in the Town of East Bloomfield.	

See information at 62-2019.

62.2 - 2019	Town of East Bloomfield Zoning Board of Appeals	Class: 2
Referral Type:	Area Variance	
Applicant:	Marks, Brennen	
Property Owner:	Spencer, David	
Tax Map No(s):	80.00-1-31.000	
Brief Description:	Site plan, special use permit, and area variance to add two 4,000 SF commercial mini-storage buildings at 7203 NYS5/US 20 at the corner of Oakmont Street in the Town of East Bloomfield.	

See information at 62-2019.

63 - 2019	Town of Canandaigua Planning Board	Class: 2
Referral Type:	Site Plan	
Applicant:	Bristol Hills Farm & Stables	
Tax Map No(s):	125.00-1-43.200	
Brief Description:	Site plan and special use permit for farm labor residence at 5933 Goodale Road near SR 21 in the Town of Canandaigua and lot line adjustment to include 3.33 acre house lot in 99.32 acre Bristol Hills Farm and Stables parcel. https://www.co.ontario.ny.us/DocumentCenter/View/17289/63-2019-site-Goodale-Road-5929-2019-01-31-Survey1	

This 3.3 acre parcel is surrounded on 3 sides by lot 125.00-1-43.100, a 99.3 acre horse farm at 5929 Goodale Road. The subject lot includes a house occupied by the farm manager. The farm property includes the owner's house and garage, two horse barns, a pole barn, and 2 sheds. The two properties share a driveway and farm operations use the pond on the small lot to provide water for nearby pasture areas. The farm owner is interested in combining the lots, which is allowable since the farm manager's house meets the conditions established for farm labor housing outlined in section 220-58 of the Town zoning code. The farm labor housing does require a special use permit.

According to OnCOR the house lot has a farm pond and significant areas of steep slopes.

CRC Comments

What happens to the house if it is no longer used as farm worker housing?

Board Motion: A block motion to retain referrals #50-2019, 55-2019, 55.1-2019, 59-2019, 59.1-2019, 59.2-2019, 61-2019, 63-2019, 63.2-2019 as Class 1s and return them to their respective local boards with comments.

Motion made by: David Wink

Seconded by: Tom Lyon **Vote:** 12 in favor, 0 opposed, 0 abstentions. **Motion Carried.**

63.1 - 2019	Town of Canandaigua Planning Board	Exempt
Referral Type:	Other – Lot Line Adjustment	
Applicant:	Bristol Hills Farm & Stables	
Tax Map No(s):	125.00-1-43.200	
Brief Description:	Site plan and special use permit for farm labor residence at 5933 Goodale Road near SR 21 in the Town of Canandaigua and lot line adjustment to include 3.33 acre house lot in 99.32 acre Bristol Hills Farm and Stables parcel.	

63.2 - 2019	Town of Canandaigua Planning Board	Class: 1
Referral Type:	Special Use Permit	
Applicant:	Bristol Hills Farm & Stables	
Tax Map No(s):	125.00-1-43.200	
Brief Description:	Site plan and special use permit for farm labor residence at 5933 Goodale Road near SR 21 in the Town of Canandaigua and lot line adjustment to include 3.33 acre house lot in 99.32 acre Bristol Hills Farm and Stables parcel. https://www.co.ontario.ny.us/DocumentCenter/View/17289/63-2019-site-Goodale-Road-5929-2019-01-31-Survey1	

See information at 63-2019.

64 - 2019	Town of Canandaigua Town Board	Class: 2 Late Referral
Referral Type:	Other, Uptown Plan	
Applicant:	Town of Canandaigua	
Brief Description:	Plan for improving connectivity and bicycle and pedestrian mobility in the Uptown area of the Town of Canandaigua from the north city line to Campus Drive/CR 8, west to the airport, and east to Blue Heron Park, North Road to Canandaigua Academy, and CR 28 east of Parkway Drive and related action steps to promote economic development. https://www.co.ontario.ny.us/DocumentCenter/View/17290/64-2019-FINAL-Uptown-Report_2-15-19 https://www.co.ontario.ny.us/DocumentCenter/View/17361/64-2019-uptown-plans-excerpts	

The Uptown Plan review previous planning studies in the Town of Canandaigua including:

- 2011 Comprehensive Plan and work of Citizen Implementation Committee project teams
- 2018 Parks and Recreation Master Plan
- 2015 Uptown Multimodal Transportation and Place making Study
- 2018 Complete Streets Policy
- 2016 Agricultural Enhancement Plan
- 2017 Transfer of Development Rights Demonstration Project
- 2016 Sewer Master Plan

The Plan reviews land use and development pattern trends, accesses suitability of regulations to achieve goals of plan, analyzes transportation network elements and existing natural resources and public realm elements. The plan also includes a market analysis projecting a strong demand for industrial manufacturing and warehouse space and demand for approximately 150 renter-occupied units in the T/C of Canandaigua and 550 units county wide and demand for 163,000 SF of office space county wide, by 2022.

The Plan also provides a plan for future land use including detailed recommendations for priority actions and character recommendations for corridor improvements, area marketing, and industrial, office, commercial, mixed use, residential, and parks and open space uses. Significant recommendations include:

1. plans for grade separated bicycle lanes, crosswalk enhancements, and intersection improvements including roundabouts,
2. converting the Town Fire Hall to a community center,

3. multi-story mixed use commercial buildings along SR 332 and commercial and residential mixed use buildings along Fire Hall Road ,
4. regulatory changes to replace the mixed use overlay with a mixed use base zoning district, add a mixed residential districts, and amend commercial district regulations to encourage pedestrian and bicycle accommodations; parking designs; façade materials, details, and window transparency ; roof forms; and entry treatments to create a desirable pedestrian environment.

Comments

1. Consider connecting office employment and industrial areas to the pedestrian circulation system to provide live work pedestrian connectivity and employee access to healthy walking and errand running opportunities.
2. Given emphasis on short blocks, consider a pedestrian and/or vehicle connection from industrial area to SR 332
3. Consider designating frontage of SR 332 in the office employment area for multi-story mixed commercial buildings like in commercial area rather than single story buildings.
4. Consider feasibility and desirability of a vehicle connection from the Thomas Road dead end back to Sommers Drive in addition to the trail connection.
5. Though outside the defined study area, long term connectivity of the study area would be enhanced by extension of Aroline Road to CR 28 and Airport Road through to CR 30. Such connections would accommodate many local trips without taxing the capacity of the SR 332/North St./North Rd/CR 28 intersection. If such connections are not desirable due to agricultural preservation and paddleford greenway priorities, the study could document the consideration.

Board Motion: A motion to accept referral 64-2019 as a late referral **Motion made by: Sue Boardman**

Seconded by: Dave Wink Vote: 12 in favor, 0 opposed, 0 abstentions. Motion Carried

Board Motion: A motion to retain referral 64-2019 as a class 2 and return it to the local board with comments and a recommendation for approval.

Motion made by: Ruby Morrison

Seconded by: Tim Marks Vote: 12 in favor, 0 opposed, 0 abstentions. Motion Carried

General Information

The Ontario County Planning Board (CPB) 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 recommendation for Denial).

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 1

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 denial 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 AR 2 is a review that is a Class 2. An AR 2 requires a majority plus one for the local board to act contrary to the recommendation for disapproved just like Class-2 referrals reviewed by the full Board. The following table summarizes the policies under which administrative review is allowed and guidance regarding class designation and recommendation based on the CPB bylaws.

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

Other Agenda Item

- Mary Beer, Director of Public Health shared an upcoming opportunity to provide input on public health priorities in Ontario County

Friday May 10, from 8:30 to 10:30 am in the conference room at 3019 CR 46, Hopewell County Complex

- Clearing House Reviews
 1. \$6 million in federal and \$2 million in state funds for Hazardous Waste Program Management Support.
 2. \$600,000 in federal aid for NYSDEC to administrate Restoration Initiative Great Lake
 3. \$1.3 million in federal aid for NYSDEC to fund Ambient Air Monitoring Network
- Recap of Feb. 26 Training with Visit Finger Lakes –
 - Tourism sales are \$213 million annually and support over 4,700 jobs in Ontario County
 - Launching Visitor Experience Fund W. \$2,500-\$5,000 grants to local NFP to update exhibits/improve visitor experience
 - Visit Finger Lakes is source of info for tourism/hospitality entrepreneurs
 - Target markets include empty nesters and meetings to grow weekday and Nov. to April visits
 - Targeted experiences – wellness seekers, outdoor adventures, foodies, cultural aficionados
 - Area attractions host 1.5 million visits/year
 - Tourism wish list for planners: protect water resources, don't pave all roads, add bike facilities, visitor crafting studios, behind the scenes tours, visitor transportation options, county-wide cohesive signage, update museum/historical society exhibits,
- Upcoming Training
April 9, 23, 30, May 7, 14, 21 from 6 to 9 pm 2019 Ontario County Citizen's Academy
 Registration/Details: <http://www.co.ontario.ny.us/Activities/Activity/Detail/Citizens-Academy-3>

April 4, 2019 Updates to SEQRA & Adaptive Re-Use, Southern Tier Central Regional Leadership Council

<https://www.dos.ny.gov/lg/pdf/LGTrainingSchedule.pdf>

April 10, 24, and 29 training sessions at the Monroe Community College - Brighton Location, Flynn Campus Center, Building 3

Cost: Each session costs \$40 per workshop and includes 4 hours of training, dinner at 6:00 p.m., and free parking in lot M.

Time: Check in begins at 4:00 p.m. Workshops begin at 4:30 and end at 9:00 p.m.

Wednesday April 10, 2019: *Preventing Flood Damage Through Intermunicipal Project Review & Floodplain Overlay Districts: What is it, and could it be a tool for your community's resilience toolbox?*

Wednesday April 24, 2019: Introduction to Planning & Zoning

Monday April 29, 2019: The New SEQR Basics: 2019 Changes to the State Environmental Quality Review Act

The 2019 Monroe County Training Registration form is available at:

https://www2.monroecounty.gov/files/planning/Training%20program/Spring2019_LandUseDecisionMakingTraining_Brochure.pdf

April 25 to 27, 2019, Preservation NYS conference, Hilton Garden Inn, Rochester, NY <http://landmarksociety.org/conference/>

April 28 to 30, 2019, NY Planning Federation Conference, Sagamore Resort on Lake George, Bolton Landing. Conference schedule, cost, and registration at <http://www.nypf.org>

May 17. 2019 Spring Workshop: PB/ZBA overview, case law update, signs, drinking water source protection, small cell/5G communication networks, 2020 Census, solar, stormwater, erosion and flood control, – Genesee-Finger Lakes Regional Planning Council- Burgundy Basin 9 am to 5 pm, 1361 Marsh Road Pittsford, NY 14534. <http://www.gflrpc.org/spring-workshop.html>

- Adoption of CBP By-Laws **Motion to adopt made by Patti Wirth, seconded by Steve Groet. Motion carried**
- **Adjournment:** Being no further business for discussion, Chair Wildman requested a motion to adjourn. **Motion to adjourn made by Ruby Morrison, seconded by Tom Lyon. Motion carried.** The March 13, 2019 CPB meeting adjourned at 9:12 PM.

Respectfully submitted,

Linda R. Frasca

