

ONTARIO COUNTY PLANNING BOARD

Referrals for Review at the:

Coordinated Review Committee Meeting –November 12, 2019 at 3:30pm
County Planning Board Meeting –November 13, 2019 at 7:00pm

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

In Attendance: Dave Wink, Len Wildman, Stephen Groet, Steven High, Martin Avila, Bert Crofton

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211 - 2019	Town of Canandaigua Town Board	Class: 2
Referral Type:	Text Amendment	
Applicant:	Town of Canandaigua	
Brief Description:	Text amendment to reconcile district dimensional requirements and allowable uses with the walkable convenience commercial purpose of the district in the Hamlet of Cheshire, SR 21@ Goodale Road, in the Town of Canandaigua. https://www.co.ontario.ny.us/DocumentCenter/View/20206/211-2019-01_Neighborhood-Commercial-2019-09-09_redline	

The Neighborhood Commercial zoning district is currently only mapped in the hamlet of Cheshire. The existing dimensional requirements include 1 acre lots with 175 feet of road frontage and 60'/75'/100' setbacks to local, county, and state roads. These requirements are at odds with the dimensions of existing uses which typically have 5' to 15' front setbacks, lot size of less than .5 acre and variable lot widths rendering all such uses non-conforming. The district purpose statement and other planning documents call for maintaining and strengthening the character of the hamlet area.

The proposed regulations call for 50’ lot width, lot size of 10,000 to 20,000 SF based on use, 10’ front setbacks, and side setbacks reduced from 20’ to 15’ for commercial uses and to 10’ for residential uses. The new regulations reduce lot coverage for residential uses from 60 % to 40%. The proposed changes would make 10 of 14 lots in the district conforming lots/uses and encourage investments in these buildings/businesses

Comment

1. What is allowable lot coverage when there is a mix of residential and commercial uses/buildings?
2. Off-street parking is no longer a permitted accessory use. Is there available on-street/off-site parking? Have parking regulations been amended to exclude applicability to NC district?
3. Consider whether this revised zoning district is appropriate to implement any of the zoning recommendations of the Uptown Plan.

212 - 2019	Town of Bristol Zoning Board of Appeals	Class: 2
Referral Type:	Use Variance	
Applicant:	Pratt, Harry	
Tax Map No(s):	124.00-2-41.230	
Brief Description:	Use variance to construct a 1,800 accessory structure with water, wastewater, and electric service on Day Road in the Town of Bristol. Use variance needed because there is no principal single-family or two-family use. https://www.co.ontario.ny.us/DocumentCenter/View/20208/212-19-Aerial	

The project site is a 7.8 acre lot created in April 2019.

According to On Cor, the lot and all adjacent land are in an agricultural district. The site is not constrained by floodplains or wetlands. There are areas of 16 to 30 and 31-60 % slope along the CR 32 frontage and the western half of the Day Road frontage.

Comments

1. The applicant should be advised that any accessory building used for a home occupation may not exceed 750 SF.
2. Referring body to remember that when granting permission to establish a use of property not otherwise permitted in the zoning district, the applicant must prove “unnecessary hardship”.
 To prove this, NYS law requires the applicant to show all of the following:
 1. That the property is incapable of earning a reasonable return on initial investment if used for any of the allowed uses in the district (actual “dollars and centers” proof must be submitted);
 2. That the property is being affected by unique, or at least highly uncommon circumstances;
 3. That the variance, if granted, will not alter the essential character of the neighborhood;
 4. That the hardship is not self-created.
 If *any one or more* of the above factors is not proven, State law requires that the ZBA must deny the variance.

213 - 2019	Town of Farmington Planning Board	Class: 1
Referral Type:	Special Use Permit	
Applicant:	MIII Enterprises LLC	
Representative:	DiMarco Group	
Tax Map No(s):	41.00-1-36.210	

The facility owner wishes to accommodate storage customers who need to rent a vehicle to move items to or from storage. Up to 4 vehicles may be parked near the climate controlled storage building office upon return before being moved to the storage area for up to 6 vehicles along the rear lot line.

214 - 2019	Town of Canandaigua Planning Board	Class: 1
Referral Type:	Minor Subdivision	
Applicant:	Venezia Associates	
Property Owner:	Moriah Farms	
Tax Map No(s):	97.00-1-49.100	
Brief Description:	Minor subdivision to create 4 large lots from a 173 acre property with frontage on SR 21, Hickox Road, and Bliss Road in the Town of Canandaigua. https://www.co.ontario.ny.us/DocumentCenter/View/20209/214-2019-site-plan-Bliss-Road-5431-2019-10-22-	

Lot 1 is a 43 acre corner lot with 1,754’ of frontage on Hickox Road and 1,266’ of frontage on Bliss Road. Lot 2 is 62 acres and includes the house and barns located on 1266’ of Bliss Road frontage, 394’ of frontage on Hickox Road near NYS 21, and a 58 acre wetland extending to 440’ of rear frontage on NYS 21. Lot 3 is 49 acres and includes 1,264’ of frontage on Bliss Road and lands with 1,087’ of frontage on the west side of NYS 21 and 640’ of frontage on the east side of SR 21. Lot 4 includes 19 acres with 272’ of frontage on NYS 21.

Portions of the property are zoned SCR-1 and AR-2 with 1 and 2 acre minimum lot sizes respectively. The Canandaigua Planning Review Committee determined that the application does not meet the requirements for a Conservation Subdivision in Town Code 174-16 as only 4 lots are being created.

According to OnCOR the property is in the Canandaigua Lake watershed and an agricultural district. The property has 2 small areas with slopes of 16 to 30% primarily in the corner by Hickox Road and NYS 21 and a 58 acre wooded NYSDEC wetland. Most of the land is cropland.

Comment

1. The zoning district lines should be amended, as necessary, to avoid mapping of two districts on a single parcel.
2. Even if the Town is not requiring set aside of natural resources in accordance the conservation subdivision regulations of 174-16 at this time, the subdivision process should identify the approximate location of constrained lands including land with slope over 15 % and woodlots.

215 - 2019	Town of Canandaigua Planning Board	Technical Review
Referral Type:	Technical Review	
Applicant:	Venezia Group LLC	
Property Owner:	Dekouski, Terry	
Tax Map No(s):	70.00-1-2.111	
Brief Description:	Skektch Plan review of 30 lot duplex development at the southeast corner of Thomas Road and Brickyard Road in the Town of Canandaigua. https://www.co.ontario.ny.us/DocumentCenter/View/20210/215-2019-sketch-plan-Thomas-Road-0000-2019-10-22-	

The 28.9 acre lot is zoned R-1-30 which requires minimum lot frontage of 125’ and minimum lot size of 30,000 SF. The clustered subdivision shows 30 lots of 6,500 to 16,400 SF with 41 to 85’ of frontage developed with attached duplex units. The sketch plan indicates the allowable base density is 39 units. This appears to be based on adjusting the developable acreage for the 1.79 acres in the gas corridor but not adjusting for any internal roads or constrained land. The sketch plan shows an estimated 9 acres south of the single family homes on Thomas Road and north of the gas/trail corridor reserved for future development.

The remaining 11.5 acres is allocated for a stormwater management facility (2.1 acres) and for 7 conservation easement areas (9.35 acres). Conservation areas include 3 areas with 1.79 acres for a corridor along the gas easement to be developed with a walking trail; lands along all road frontage not occupied by road, trail or stormwater facilities and providing a buffer to industrial zoned lands to the south; and a buffer along the rear property lines of single family homes along Thomas Road.

Adjacent land uses include townhouse across Thomas Road to the north, undeveloped residentially zoned land to the east, and industrially zoned land to the west and south with the Canandaigua Central School District bus depot south off Airport Road. The applicant owns an adjacent 24 acre property to the east. Review of the Airport Airspace Plan indicates there are no airspace restrictions for this area.

According to OnCOR, the property is not constrained by steep slopes, wetlands, or floodplains and is not in or adjacent to lands in an agricultural district.

Much of this property is discussed in Priority Area 5 of the February 2019 Uptown Canandaigua study. Priority Area 5 is envisioned to provide locations for expanded residential options within walking distance to employment centers, trails, and retail/services. The Uptown study envisions a Mixed Residential zoning district in this area to foster a neighborhood with a variety of living opportunities and public spaces that contribute to the social interaction, recreation, and visual enjoyment of residents.

The sketch plan shows an existing gas line running from northwest to southeast through this property. The Uptown study identified this ROW for a multi-use greenway trail. The Uptown study raises the possibility that the gas line easement could extend 150' on either side of the gas line. The sketch plan shows a second parallel gas line easement through the applicant's adjacent property.

Comments

1. The sketch plan should include a scale to judge the width of the trail corridor, buffer areas, and other development features.
2. The sketch plan shows a future road connection to the property to the south. A road in this location may or may not be desirable given the industrial zoning of the adjacent property, but a bike/pedestrian easement should definitely be required.
3. The Uniform Code requires secondary vehicle access for development of more than 30 unsprinklered residential units. The sketch plan should show a road layout for phase 2 development (potential for 9 units) on the subject property and a second access via the applicant's property to the east or a second access from Brickyard Road.

216 - 2019	Town of Canandaigua Planning Board	Class: Exempt
Referral Type:	Minor Subdivision	
Applicant:	Kessler, Dennis	
Tax Map No(s):	126.20-1-1.200	
Brief Description:	2 lot subdivision of 3.9 acre parcel at 4443 CR 16 south of Foster Road in the Town of Canandaigua.	

The created lots are non-buildable lots, as no percolation tests have been conducted. The Town requires Conservation Subdivision as more than 10 % of parent parcel contains priority natural resources as identified in the Town's Natural Resource Inventory.

Comments Reviewing Board should identify provisions for future road access such as sole access to main portion of lot 1 to be aligned with driveway to western portion and Lot 2 to have access off Davidson Landing with no right of access off CR 16.

217 - 2019	Town of Canandaigua Planning Board	Exempt
Referral Type:	Site Plan	
Applicant:	Costich Engineering	
Property Owner:	Nancy Hyman, Joel Reiser	
Tax Map No(s):	140-11.1-25.000	
Brief Description:	Site plan and area variances to remove an existing home and construct a new home with a stream setback of 25.4' when 100' is required and a rear (lake) setback of 50.7' when 60' is required at 5265 Menteth Drive off CR 16 south of Wells Curtis Road in the Town of Canandaigua.	

217.1 - 2019	Town of Canandaigua Zoning Board of Appeals	Exempt, previously granted
Referral Type:	Area Variance	
Applicant:	Costich Engineering	
Property Owner:	Nancy Hyman, Joel Reiser	
Tax Map No(s):	140-11.1-25.000	
Brief Description:	Site plan and area variances to remove an existing home and construct a new home with a stream setback of 25.4' when 100' is required and a rear (lake) setback of 50.7' when 60' is required at 5265 Me nteth Drive off CR 16 south of Wells Curtis Road in the Town of Canandaigua.	

218 - 2019	Town of Farmington Zoning Board of Appeals	Class: 1
Referral Type:	Temporary Use Permit	
Applicant:	Nardozzi, Steve	
Property Owner:	Krischner, Alice	
Tax Map No(s):	30.00-1-79.111	
Brief Description:	Temporary use permit for outdoor storage of construction, excavation, and demolition equipment at 5409 SR 96 between CR 8 and Payne Road in the Town of Farmington. https://www.co.ontario.ny.us/DocumentCenter/View/20211/218-19-Aerial	

The 7 acre project site is currently developed with a 3,910 SF residence built in 1900, a 4,000 SF dairy barn built in 1960, 2 silos, and 6 other accessory buildings ranging in size from 480 to 3,920 SF with a combined area of 10,310 SF. The applicant has indicated an intention to demolish deteriorated buildings.

The Town of Farmington Code section 165-91 allows the ZBA to issue a temporary use permit for uses in harmony with the general purposes and intent of this chapter and use's impact on adjacent properties. The initial term of the special use permit may not exceed 2 years; subsequent terms may be 5 years. All Temporary Use Permits are subject to site plan approval by the Planning Board.

According to OnCor, the property is in an agricultural district. The property is not constrained by wetlands, or floodplains and has only limited areas with slopes of 16 to 30 percent. Surrounding land use is primarily agricultural, including horse farms.

Comments

1. Is a demolition permit required?
2. What is the term of the temporary use permit? What is the size and location of the outdoor storage area? What type of materials and/or equipment will be stored on-site? Will outdoor storage of materials and/or equipment be moved indoors once the buildings are stabilized? What uses are anticipated to occur in the remaining buildings?

219 - 2019	Town of Manchester Planning Board	Class: 1
Referral Type:	Site Plan	
Applicant:	Mitchell, Donald	
Tax Map No(s):	2.01-1-36.000	
Brief Description:	Site plan for truck, car and RV repair and retail sales from existing building at 298 SR 21 north of Armington Road in the Town of Manchester. https://www.co.ontario.ny.us/DocumentCenter/View/20212/219-19-Aerial https://www.co.ontario.ny.us/DocumentCenter/View/20213/219-2019-site-plan	

The 2.3 acre site includes an existing 2,880 commercial building built in 1950. According to NYSDEC two 3,000 SF underground storage tank built in 1960 where removed in 1994. The site plan indicates display of automobiles for sale along the SF 21 frontage

and RVs for sale along the north and south property lines. The site plan does not indicate the location of the access off Armington Road.

Adjacent land uses include a single family home to the west, agricultural field to the north, wooded wetlands south of Armington Road, and large lot single family homes on the south and small residential lots north of Armington Road east of SR 21. The lot is in the Hathaway Brook watershed.

According to OnCor the property includes .67 acres identified as potential wetland on the National Wetland Inventory; there are no identified NYS wetlands, floodplains, or steep slopes on the property. The property is in an agricultural district.

Comment

1. No vehicle sales display is allowed in the SR 21 ROW or clear vision area.
2. If the referring body accepts this application without a stamped site plan, the requirement should be formally waived and entered in the minutes.
3. Any approving resolution should specify no outdoor repair, details on location and size of allowable outdoor storage, and include locally defined requirements to avoid storage of junk vehicles.
4. The access off Armington should be located at least 125' from the edge of pavement of the intersection with SR 21, further if necessary to locate driveway outside of the functional area of the intersection.
5. Used vehicles on display should be checked for any leaking fluids. All repair activities should be conducted within the enclosed building. Does the existing building have a floor drain? Proper precautions should be taken to contain any accidental spill of toxic materials and all toxic materials should be disposed of in accordance with state and federal regulations.

220 - 2019	Town of Victor Planning Board	Class: 1
Referral Type:	Site Plan	
Applicant:	RainBros Associates LLC	
Tax Map No(s):	1.07-1-1.100	
Brief Description:	Amended site plan and final subdivison approval for lot 4, building 300, a 150,000 SF office building at High Point Business Park on High Point Drive in the Town of Victor. https://www.co.ontario.ny.us/DocumentCenter/View/20214/220-19-Aerial https://www.co.ontario.ny.us/DocumentCenter/View/20215/220-19-site-plan	

A previous site plan received final approval and preliminary subdivision approval from the Planning Board on December 20, 2005. The property is located approximately 550' south of the Monroe County Line. The proposed 4 story building will be located just north of previously developed lot 3, Building 200 and will be similar in footprint, layout and orientation to the building previously proposed. The orientation has been adjusted slightly to be consistent with Buildings 100 and 200. Parking will remain on the western side of the building. The proposed underground parking will be accessed at the north side of the building not the west. A portion of the land-banked parking on Lot 3 will be constructed at this time.

The proposed site plan indicates provision of 592 surface parking spaces, 90 parking spaces in the underground garage, and 47 land banked parking spaces or a rate of 4.86 spaces per 1,000 SF when 5/1,000 is required. The lot retains 67 percent green space; the green space is largely undevelopable steeply sloped areas.

An updated traffic study was prepared by Bergman Associates in conjunction with the Woods at Valentown site plan. On Jan 5, 2019 the Town's traffic consultant issued a letter confirming agreement with the findings of the updated traffic study that the roadway infrastructure improvement required in the 2005 FEIS and previously completed are adequate to meet the needs of the proposed High Point PDD modifications.

The Engineer’s letter indicates that following development of Lot 4, and development of the Woods@Valentown, stormwater from Lots 3 and 4 will be conveyed to an existing stormwater facility north of High Point Drive and the temporary storm water facilities located on Lot 3 will be abandoned. The previously proposed stormwater management pond located below the power lines on Lot 4 will also no longer be required.

The currently proposed development will not disturb site wetlands and SHPO has previously reviewed the project and determined no impacts to any nearby historic properties. There are no floodplain areas on the project site.

The revised subdivision indicates combining parcel 1.07-1-1.100, which has access off Turk Hill Road, and parcel 1.07-1-3.11 which has land on both sides of High Point Drive.

Comments

1. The grading plan appears to show 4 areas of encroachment in the steeply sloped wooded areas. To prevent destabilization of the slope, the referring body may want to require a setback equal to the canopy/dripline of trees at the top of the slope, prohibit disturbance from October 15 to April 1, or require stabilization/seedling of any bare steep slope areas when not worked for 3 days.
2. The site plan does not show the limit of disturbance on Lot 4. The grading plan shows development activities between the limit of disturbance and the silt fence.
3. The site plan does not show the stormwater conveyance system so it is difficult to assess the sufficiency of the stormwater management system. What would happen if Lot 4 is developed before the Woods @ Valentown improvements are made?
4. The site plan does not show parking lot landscape islands in the northern parking area. Are landscape islands required by Town code section Article IV 211-32 A. (2) (c) [2] [b] for parking areas of more than 75 cars in commercial districts? If the power line easement prohibits even low trees, planting areas of shrubs and other vegetation should still be provided.
5. There appears to be a conservation easement on steeply sloped portions of parcel 1.07-1-3.110 to the north and east of High Point Drive. What mechanism is proposed to permanently protect from disturbance the portion of lot 1.07-1-1.100 west of the proposed parking with slopes of 31 to 60 % and 16 to 30 %?

OCSWCD Comment No phosphorus fertilizer is recommended for all seeding.

220.1 - 2019	Town of Victor Planning Board	Class: 1
Referral Type:	Subdivision	
Applicant:	RainBros Associates LLC	
Tax Map No(s):	1.07-1-1.100	
Brief Description:	Amended site plan and final subdivision approval for lot 4, building 300, a 150,000 SF office building at High Point Business Park on High Point Drive in the Town of Victor.	

See information at 220-2019.

221 - 2019	Village of Manchester Planning Board	Class: 1
Referral Type:	Site Plan	
Applicant:	Malcho, Ken	
Property Owner:	Malcho, Ken	
Representative:	Giraulo, Richard	
Tax Map No(s):	32.10-1-1.222	
Brief Description:	Site plan and special use permit for 1,936 SF 2 bay, self serve laser car wash and 6,750 SF mini-storage facility at 4099 SR 96 just east of the Malcho's Manchester Mart development in the Village of Manchester. https://www.co.ontario.ny.us/DocumentCenter/View/20216/221-19-Aerial https://www.co.ontario.ny.us/DocumentCenter/View/20217/221-19-site-plan	

The development site encompasses 8.6 acres. The development will share access with the Manchester Mart property; there will be no new entrances onto SR 96. Development activities will disturb about 3 acres. As required by the NYS DEC SPDES Stormwater Permit, runoff from new impervious areas will be treated through green infrastructure practices to improve water quality.

The run-off from the car wash area will be managed by direct flow into 2 infiltration trenches located along the parking lot edge. Stormwater run-off from the storage building will be treated by collecting the runoff in a bio retention basin located along the edge of the pavement. During periods of heavy stormwater flow, water will spill over the infiltration trench berm into drainage swales that connect to the stormwater management facility. There is also a 1,000 gallon grit/oil separate and a stormwater detention facility to limit peak site stormwater discharge volumes to those of undeveloped conditions.

Comments

OCPD staff is in agreement with the comments made in the municipal engineers review letter including:

1. The site plan should show limit of disturbance.
2. The site plan as proposed encroaches on the side setback and the creek trail easement.
3. The applicant should submit a statement of operations and documentation that proposed outdoor lighting fixtures are dark sky compliant
4. The site plan should provide lot coverage, parking, and dimensional data for proposed use on proposed lot not data from previous submission on adjacent lot.
5. Will car wash water be recycled?
6. The site plan should identify construction staging area.
7. Infiltration testing is needed to confirm soil suitability for infiltration to meet state standards, also need forebay to pretreat water from existing impervious surfaces. The stormwater management facilities depth should be increased to 2' beyond a vegetation bench around the perimeter to avoid premature infill of the stormwater management facility with vegetation.
8. Storm water management facility and bio retention area require maintenance agreement with the Village of Manchester.

OCSWCD Comments

1. More detail is needed showing how roof water will be handled from both car wash and storage building.
2. More detail is needed regarding bio-retention basin. Underdrain installation is not shown in provided detail.
3. Silt fence is currently shown installed across concentrated flow. Recommend moving silt fence upslope and extending placement to incorporate more of the disturbed site.
4. Seed and mulch requirements for stabilization have not been identified.
5. Review sequence of Major Activities on grading plans for sequencing and typographical errors.
6. Identify topsoil stockpile and construction staging area.

221.1 - 2019	Village of Manchester Planning Board	Class: 1
Referral Type:	Special Use Permit	
Applicant:	Malcho, Ken	
Property Owner:	Malcho, Ken	
Representative:	Giraulo, Richard	
Tax Map No(s):	32.10-1-1.222	
Brief Description:	Site plan and special use permit for 1,936 SF 2 bay, self serve laser car wash and 6,750 SF mini-storage facility at 4099 SR 96 just east of the Malcho's Manchester Mart development in the Village of Manchester.	

See information at 221-2019.

222 - 2019	Town of Farmington Planning Board	Class: 1
Referral Type:	Site Plan	
Applicant:	New Energy works	
Property Owner:	Ontario County IDA	
Representative:	Thorton Engineering LLP	

Tax Map No(s):	21.11-3.700
Brief Description:	Site plan for 6,000 SF storage building at New Energy Works 1180 Commercial Drive off SR 96 east of SR 332 in the Town of Farmington. https://www.co.ontario.ny.us/DocumentCenter/View/20218/222-19-Aerial https://www.co.ontario.ny.us/DocumentCenter/View/20219/222-19-site-plan

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

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

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

OCSWCD Comments

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

223 - 2019	Village of Bloomfield Planning Board	Class: 1
Referral Type:	Special Use Permit	
Applicant:	Lane, David	
Property Owner:	Lane, David	
Tax Map No(s):	67.19-2-37.000	
Brief Description:	Site plan and special use permit to convert a commercial use at 114-118 Main Street in the Village of Bloomfield to a studio apartment	

A special use permit is required for conversion of properties in the Restricted Business district. The .12 acre property has a Main Street address but currently fronts on South Avenue and the triangle pocket park. The applicant owns adjacent properties totaling .52 acres. Required parking will be located on an adjacent property under common ownership.

The 2,735 SF 2-story building was built in 1900. The main portion of the building was previously converted to apartments. Now a single story addition is proposed for conversion from commercial use to apartment use.

Comment

1. A formal parking easement on the adjacent property should be executed to ensure permanent access to parking in the event property ownership is transferred. The Special Use Permit standards require 2 parking spaces per unit.

223.1 - 2019	Village of Bloomfield Planning Board	Class: 1
Referral Type:	Special Use Permit	
Applicant:	Lane, David	
Property Owner:	Lane, David	
Tax Map No(s):	67.19-2-37.000	
Brief Description:	Site plan and special use permit to convert a commercial use at 114-118 Main Street in the Village of Bloomfield to a studio apartment	

See information at 223-2019.

224 - 2019	Town of Gorham Zoning Board of Appeals	Class: AR 1
Referral Type:	Area Variance	
Applicant:	Johnson, Robert	
Tax Map No(s):	141.17-2-32.100	
Brief Description:	Area variance to construct a new single family home with a 20' front setback when 35' is required and a 51' setback from a class C stream when 100' is required at 4989 CR 11 at corner of Jones Road in the Town of Gorham.	

The 1.12 acre lot has a CR 11 address but previous and proposed homes will have access only from Jones Road. According to OnCOR the lot is not in an agricultural district and is not constrained by wetlands or floodplains. The areas of 16 to 30% slope appear to be the stream banks. The proposed site plan indicates removal of the five 8" to 24" trees in the central portion of the lot. The northwestern third of the site is characterized as rock outcrop with 35-80 % slope with no additional soil characteristics identified. The OnCor slope date indicates slopes are more moderate on this site, though much of the adjacent property on Jones Road with this soil classification does have slopes of 31 to 60 %. Soil characteristics of other soils mapped on the site are as follows:

<u>Cayuga Silt Loam</u> 8-15%	.27 acres	24% of site
Farmland of Statewide Importance		
Permeability: moderately high	Erodibility: very high	
Hydrological Group C/D	Not Hydric	
<u>Guyanoga Channery silt loam</u> 3 - 8 %	.47 acres	42 % of site
Prime Farmland		
Permeability: high	Erodibility: medium	
Hydrological Group B	Not Hydric	

The plan proposes installation of a 63' infiltration trench in the central area of the site downslope of the house. There is no proposed disturbance to the trees in the area of the stream and proposed planting of 5 trees along the environmental protection area 5' from the top of the bank.

The variance application indicates the need for the Jones Road front setback variance is to increase the stream setback.

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

The intent of this policy is to:

- Address residential development that may infringe on County ROW's or easements for roads and other infrastructure.
 - Address traffic safety along intermunicipal corridors by encouraging proper placement of residential driveways along County roads.
 - Address impacts to ground and surface waters
- C. Applications subject to policy AR-5 and not involving lakefront lots with coverage, or side or lakefront setback variances or with encroachments on County right-of-ways.

Final Classification: Class 1

Findings:

1. One-and two-family residential uses represent 63% of the 49,354 parcels on the 2017 Ontario County assessment roll. Between 2012 and 2017 1,067 single family residential parcels were added and 13 two-family were removed. These parcels represent 89% of all parcels added county-wide.
2. Collectively individual residential developments have significant impacts on surface and ground water.
3. Proper design off on-site sewage disposal is needed to protect ground and surface waters.

4. Proper storm water and erosion control is also needed to achieve that same end.
5. Proper sight distance at access points along County roads is an important public safety issue of county wide significance.
6. Standards related to protecting water quality and traffic safety have been established by agencies such as the American Association of State Highway and Transportation Officials (AASHTO), and NYSEDC.
7. These issues can be addressed by consulting appropriate agencies during local review and ensuring that those standards are met

Final Recommendation – With the exception of applications involving lakefront properties involving side, lake, or lot coverage variances or encroachments to County owned right-of-ways described in AR Policy 5 Parts A and B, the CPB will make no formal recommendation to deny or approve applications involving one single family residential site, including home occupations.

Comments

1. The Town is encouraged to grant only the minimum variance necessary to allow reasonable use of the lot.
2. A County highway permit will be required for work in the CR 16 ROW to connect to the sewer.
3. The applicant and referring agency should Consult with the Ontario County Highway Department and ensure that the sight distances for the proposed driveway comply with standards established by the American Association of State Highway and Transportation Officials (AASHTO).
4. The applicant and referring agency are strongly encouraged to involve Ontario County Soil and Water Conservation District or Watershed Manager as early in the review process as possible to ensure proper design and implementation of storm water and erosion control measures.

225 - 2019	Town of East Bloomfield Town Board	Class: 2
Referral Type:	Other	
Applicant:	Town of East Bloomfield	
Brief Description:	Moratorium on large scale solar energy systems in the Town of East Bloomfield. https://www.co.ontario.ny.us/DocumentCenter/View/20220/225-2019	

The intent of this temporary 12 month moratorium is to halt further development of large-scale solar energy systems while the Town considers changes to Chapter 135 Article X section 135-83.3 to address topics not addressed by the current Code, particularly the impact of such development on agriculture.

226 - 2019	Town of Farmington Planning Board	Class: 1 Late Referral
Referral Type:	Site Plan	
Applicant:	Delaware River Solar	
Property Owner:	Smith, Roger & Carol	
Representative:	Schultz Associates	
Tax Map No(s):	10.00-1-58.000	
Brief Description:	Revised site plan showing 3 independent interconnection points and additional loop access road to provide RG&E access to all 3 interconnection points at 7 MW solar project at 4790 Fox Road in the To wn of Farmington. https://www.co.ontario.ny.us/DocumentCenter/View/20221/226-2019-site-plan-1 https://www.co.ontario.ny.us/DocumentCenter/View/20222/226-2019-site-plan02_S1_Yellow-Mills_Revised-11-01-19	

This project was most recently reviewed at referral 207-2019 and 207.1-2019 in October 2019. This revised site plan reflects minor changes in the vicinity of the access road from Fox Road to provide a 3,015 SF of additional looped roadway to allow RG&E easy access to all 3 interconnection points.

In October 2019 the Ontario County Planning Board retained the referral as a class 1 referral without county-wide or intermunicipal impacts and sent the referral back to the referring body affirming the following previous comments.

Relevant 2018 Comments

1. There should be cross access easements and financial provisions made to maintain the shared access road.
2. A site SWPPP should be prepared and reviewed by the Town Engineer and the OCSWCD.

2018 Farmington PRC Comments

1. Applicant indicates the subdivision is required by RGE’s interconnection agreement; however the applicant intends to enclose the 3 projects in a single fence and to have 1 decommissioning plan/account.

2018 OCSWCD Comments

1. Tile drainage may be present and any disturbance to subsurface infrastructure would require maintenance/drainage improvements to maintain structures. (as per Construction Notes).
2. While solar panels do not change impervious coverage, they do have the potential to concentrate stormwater flows. Depending on the soil and slope characteristics of the parcel, the referring body may want OCSWCD or their town engineer to examine potential for stormwater impacts from the solar panels.

227 - 2019	Town of Phelps Planning Board	Class: AR-1 Late Referral
Referral Type:	Site Plan	
Applicant:	Lahr, Gordan	
Property Owner:	Four Leaf Clover Properties LLC	
Tax Map No(s):	49.00-1-26.000	
Brief Description:	Site plan and sign permit for a 10'x20' commercial electronic variable message sign on property on the east side of SR 14 between the Thurway and the access point/ SR 318 in the Town of Phelps.	

The electronic sign will be owned and operated by I Heart Finger Lakes to advertise area businesses. Minimum message duration will be 8 seconds and the maximum day and night time brightness will be 5,000 cd/m² (candelas /square meter) and 280 cd/m² respectively in line with NYSDOT standards. The proposed sign location appears to meet the requirement that it is more than 500’ from toll plazas. No information is provided regarding whether the sign meets NYSDOT spacing standards of 300’ from any other commercial electronic variable message sign.

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

The County Planning Board has long taken an interest in supporting local efforts to limit excessive signage. The Board has identified SR 96 as a primary travel corridor for tourists visiting Ontario County. The intent is to protect the character of development along primary travel corridors by encouraging local boards to adhere to their adopted laws as much as possible.

Final Classification: Class 1

Findings

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

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