

ONTARIO COUNTY PLANNING BOARD

Referrals for Review at the: **Coordinated Review Committee Meeting –Tuesday August 8, 2023, at 3:30pm**
County Planning Board Meeting –August 9, 2023 at 7:00pm 20 Ontario St., Canandaigua
 Telephone: 585-396-4455

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144 - 2023 Town of Canandaigua Zoning Board of Appeals Class: 1
Type: *Area Variance*

Related Referrals: 165-2023

Applicant: *Rocco Venezia*

Property Owner: *Scott Hill*

Tax Map Parcel #: 126.12-2-4.000

Brief Description: *Site Plan for the construction of a new 864 SF detached garage with a 740 SF driveway, and area variance for more than 2,000 SF steep slope disturbance in the Residential Lake District (RLD) at 4220 CR 16 in the Town of Canandaigua.*

<https://ontariocountyny.gov/DocumentCenter/View/39484/144-2023-Aerial-Hill-Garage>

<https://ontariocountyny.gov/DocumentCenter/View/39488/144-2023-Site-Plan-Hill-Garage>

Parcel in question is located along the western lakeshore of Canandaigua Lake, just north of Tichenor Point. Subject 0.51-acre parcel is single-family residential (zoned in the Residential Lake District), and surrounding land uses are all either residential or vacant. Proposed project is for a site plan and area variance for the construction of a new 864 SF detached garage with a 740 SF driveway area.

A silt fence will be placed on the bottom of the slope, just below the area of disturbance. A portion of the existing driveway is to be removed to comply with 10' property line setback. The existing culvert that lies under the driveway entrance is to be maintained/protected. Areas of steep slope disturbed are to be stabilized with erosion control blanket or steep slope seed mix.

According to OnCor, area of construction is within steep slope area (15-25% slopes). Site plan mentions a total disturbance of 7,700 SF. From that, more than 2,000 SF steep slope area is to be disturbed (reason for area variance). Soil type is Honeoye loam (15-25% slope) – not hydric, moderately high permeability, medium erodibility, not prime farmland, and is in hydrologic group C.

Comments

1. How many trees are to be removed for this project? Any proposed landscaping/screening from lake and other parcels?

CLCSD Comment

1. Plans are required for review and approval if the new structure will be serviced by the sanitary sewer.

145 - 2023 Town of Victor Zoning Board of Appeals Class: 1
Type: *Area Variance*

Applicant: *Victor Community Church, Steve Lamarco*

Property Owner: *Victor Community Church*

Tax Map Parcel #: 15.01-1-30.100

Brief Description: *Area variance(s) for: (1) front building setback, (2) building coverage, (3) front parking setback, and (4) a side parking setback for the construction of a 9,333 SF addition to an existing church, at 7500 SR 251, in the Town*

<https://ontariocountyny.gov/DocumentCenter/View/39490/145-2023-Aerial-VCC>

<https://ontariocountyny.gov/DocumentCenter/View/39491/145-2023-LOI-VCC>

<https://ontariocountyny.gov/DocumentCenter/View/39493/145-2023-Site-Plan-VCC>

Subject 3.54-acre parcel is a religious use (Victor Community Church), is zoned Light Industrial, and lies in the Route 96/251 Overlay District. Surrounding uses vary; ranging from residential and vacant, to commercial, industrial, and community service. Adjacent 5.7-acre vacant parcel to the west is also owned by the Church. Proposed work is for 9,333 SF of additions (family ministry & office addition) to the eastern-side of the church, along with an expansion of the parking lot (54 new net parking spots, 143 total) on the western-side of the existing building.

The driveway for the existing staff house will be modified with a change in curb cut location for access to the parking lot west of the main church building. The shed behind the existing staff house on the lot is to be removed or relocated, and a new storm basin is to be created in the northwest corner of the parcel. Land disturbance will total 0.94-acres.

There are four (4) area variances required for this project; (1) front building setback, (2) building coverage, (3) front parking setback, and (4) a side parking setback. The first area variance is for a front setback of the church addition to be reduced from 83' to 50' (when a setback of at least. Town Code section 211-27.1E states, "the planning Board shall not allow setback reductions unless the parcel is part of a clustered subdivision. If setback reductions are allowed by the Planning Board as a part of a clustered subdivision or if the Zoning Board of Appeals grants setback variances, all of the following guidelines should be considered: (1) There is no need for a future service road or road widening, (2) building frontage on Route 251 or Route 96 is less than 25% of the parcel's Route 251 or Route 96 frontage, and (3) at least 70% of the frontage area along Route 251 or Route 96 is heavily planted and mounded. The second area variance is for building coverage of 51% when a maximum allowed is 40%.

The final two area variances are for parking lot setbacks. An area variance for the front setback of the parking lot was granted in 2015 (by the Planning Board) to reduce the required setback from 80' to 61'. Zoning Law Determination from the Code Enforcement Officer states, "the planning board does not have the power to grant this reduction as this is not a "clustered" development, therefore an area variance [from the ZBA] is required". Applicant is now asking for an area variance to further reduce the setback from the existing 61', down to 50'. The final area variance request is for a side parking lot setback of 5' when 10' is required.

According to OnCor, a large national/NYS DEC wetland is located to the south of the project area, on the south-side of State Route 251. Soil is Palmyra fine sandy loam (0-3% slope); not hydric, high permeability, medium erodibility, is an area of prime farmland, and is in hydrologic group C.

Comments:

1. Any proposed stormwater management/mitigation between the road and building. There is a large wetland directly across the road (down slope) from the parcel in question.
2. It looks like 9 trees are to be removed. Will they be replaced?
3. How many ADA compliant parking spaces will there be? Location? Any lighting in the parking lot?

146 -2023 Town of Victor Zoning Board of Appeals Class: 1

Type: *Area Variance*

Applicant: *Barbara Battin*

Property Owner: *Barbara Goldammer*

Tax Map Parcel #: *39.00-1-31.200*

Brief Description: *Area variance to build a 990 SF pole-barn forward of the front-line of the principal structure (house) at 1706 Murray Rd., just north of E. Bloomfield town line, in the Town of Victor.*

<https://ontariocountyny.gov/DocumentCenter/View/39495/146-2023-5-Questions-Goldammer-Barn>

<https://ontariocountyny.gov/DocumentCenter/View/39496/146-2023-Aerial-Goldammer-Barn>

<https://ontariocountyny.gov/DocumentCenter/View/39498/146-2023-Sketch-Plan-Goldammer-Barn>

Application for a 990 SF pole-barn. A variance is required for the pole-barn to be placed forward of the front property line of the principal structure. The property lies within the Residential-2 zoning district. Area of disturbance is 0.23-acres, and lies within areas with moderate to no slope (0-15%). Project area lies on Dunkirk-Arkport complex soil (not hydric, moderately high permeability, very high erodibility, is farmland of statewide importance, and is in hydrologic class C).

Subject Parcel and surrounding parcels are Agricultural District 1. Surrounding land use is residential or agricultural. According to OnCor, there is a national wetland where the pond is located on the parcel.

Comments:

1. Any proposed screening/vegetation buffer? How visible will the pole-barn be from the front of the road?
2. Applicant should provide distance of proposed pole-barn from the front property line. 40' is required per Town Code.

147 -2023 Town of South Bristol Planning Board Class: *Withdrawn*

Type: *Technical Review*

Applicant: *William Grove, PE*

Property Owner: *Denise K. Buchanan Trust*

Tax Map Parcel #: *191.17-1-20.110*

Brief Description: *Technical Review of pre-existing non-conformity for property, at 6985 SR 21, in the Town of South Bristol.*

149 -2023 Town of Canandaigua Planning Board

Class: 1

Type: *Special Use Permit*

Related Referrals: 69-2021; 166-2023

Applicant: *Kristin Jacobs, Bergmann*Property Owner: *John Aikey*Representative: *Amber Hall, Amp Energy*

Tax Map Parcel #: 84.00-1-17.200

Brief Description: *Site Plan and Special Use Permit to build 15± acre solar farm (4± MW), access road, electric utility upgrades, power inverters, and utility fencing on a 17.98-acre parcel at 2890 CR 10, south of Land of Legends Raceway, in the Town of Canandaigua.*

<https://ontariocountyny.gov/DocumentCenter/View/39515/149-2023-Aerial-Aikey-Solar>

<https://ontariocountyny.gov/DocumentCenter/View/39518/149-2023-Landscaping-Plan-Aikey-Solar>

<https://ontariocountyny.gov/DocumentCenter/View/39521/149-2023-Site-Plan-Aikey-Solar>

<https://ontariocountyny.gov/DocumentCenter/View/39522/149-2023-Soil-Sampling-Plan-Aikey-Solar>

<https://ontariocountyny.gov/DocumentCenter/View/39524/149-2023-Visuals-Aikey-Solar>

This project was submitted for Technical Review as referral 212-2020 in December. In 2021, a site plan application for a solar farm on the parcel was submitted and was scaled back from 4 MW to 3.24 MW. The site is zoned Industrial and development for large scale solar will require a special use permit.

Application is currently for a special use permit and site plan to construct and operate 4 MW solar facility on the property at 2890 County Road 10, south of the Land of Legends Raceway. The solar farm will occupy 15.04-acres of the 17.98-acre parcel. The project will also involve the installation of a proposed 20' gravel access road that lies along the southern property boundary, electric utility upgrades, power inverters, and perimeter fencing. Gravel road has a south-side setback of 10'. Solar facility has front setback of 75', a rear setback of greater than 40' and a north-side setback of 25'.

According to OnCor, the site is not constrained by wetland, floodplain, or steep slope areas and is not in the agricultural district. Soil disturbed is predominantly Collamer Silt Loam (not hydric, moderately high permeability, very high erodibility, is an area of prime farmland, and is in hydrologic group C/D). Site Plan indicates federal wetlands are located in the northwestern (rear) portion of the parcel, and to the adjacent parcel to the north. Adjacent land uses include an auto body shop to the north, an existing large scale solar facility to the south, vacant land to the west, and residential to the east across CR 10. The project site is not in County Agricultural District #1 and is not subject to NYS Department of Agriculture and Markets farmland soil restoration guidelines referenced in the Decommissioning Plan.

The disturbed area includes approximately 15.42 acres. Plans indicate no more than 5-acres are to be disturbed at a given time. Application materials also include; a noise study, an 8-page operation and maintenance plan committing to site inspection at least annually, and a 31-page decommissioning plan. A soil sampling analysis Plan was provided and reviewed. For landscaping, the northwest portion (wetland area) is to be grubbed and cleared of trees, but stumps are to remain in place. Rain garden seed mix is to be placed on the western (rear) third of the parcel, while wildflower seed mix is to be placed in the front (roadside) two-

thirds. A variety of trees (numbers on site plan vary, there seem to be over 100) are to be planted along the south property boundary and the east roadside boundary (grey dogwood, nannyberry, juniper). Submitted visuals indicate that after 5 years, the solar panels will not be visible from the road (except at the entrance) due to the growth of the trees.

2021 Comments

1. What is the proposed future use of the existing site buildings?
2. The site plan does not indicate location of top soil storage from access road construction.

2021 OCSWCD Comments

1. Would recommend the use of silt fence as opposed to filter sock for added working capacity. Silt fence should also be used around topsoil stockpiles.
2. What protections will be in place to conserve delineated wetlands?
3. Locations of topsoil stockpile.

2023 Comments

1. Site plan indicates that the access drive is to be located 10' from the property line. Town of Canandaigua's Town Code [Section 220-9V(4)] states, "A single-purpose driveway, providing a single point of access to a public street, serving a multifamily site, a commercial, industrial, or mixed-use site shall be 20 feet from any side property line. Driveways closer than 20 feet may be permitted, provided that they are designed as a shared driveway between two or more of these types of sites". Therefore, an area variance would be required.
2. Town Code Section 220-62.2C(2) states, "A fifty-foot buffer zone from all public roadways, property boundaries, or residential buildings, comprised of densely planted trees, shrubs, bushes and flowers, and shall include the types of all plantings. Site plan does not adhere to this requirement. Another possible area variance required.
4. Lot coverage is increasing significantly. Any proposed stormwater management? Only thing on plans is a proposed swale along the northern edge of the access drive.

2023 OCSWCD Comments

1. Would recommend against the placement of solar panels within the delineated wetland area to preserve wetland, understanding that it is currently a mowed field but does still exhibit enough characteristics of a wetland to be delineated as such.
2. Sequence of construction calls out the placement of silt fence around the perimeter of delineated wetlands but is not indicated on the plans.
3. The only area of grubbing appears to be very small in the north west corner of the property. What is the plan for creating a suitable seed bed for the rain garden and wildflower mixes on the remainder of the site to avoid being outcompeted by existing grass vegetation?
4. More detail needed regarding filter strip .

150 -2023 Town of Canandaigua Zoning Board of Appeals Class: 1
 Type: *Area Variance*

Related Referrals: 162-2023

Applicant: *Jared Lusk, Nixon Peabody LLP*

Property Owner: *Heidi Colf*

Tax Map Parcel #: *125.00-1-31.111*

Brief Description: *Site Plan and Area Variance to construct and operate a 155' (+4' lightning rod) monopole tower communications facility (in a drumlin area), ancillary ground shelter, and associated improvements at 4430 Deuel Rd in the Town of Canandaigua.*

<https://ontariocountyny.gov/DocumentCenter/View/39527/150-2023-and-162-Aerial-Blue-Sky-Towers>

<https://ontariocountyny.gov/DocumentCenter/View/39530/150-2023-and-162-Site-Plan-Blue-Sky-Towers>

The tower area is a 100'x100' area of a 34-acre parcel with frontage on both Deuel Road and SR 21. The project will disturb 1.3 acres including the tower site and disturbance within the 50' easement along the 12' gravel access road and in the 3 stormwater easement areas. Other site modifications include removal of trees and construction of a stormwater management facility that encroaches on a steeply sloped area in easement area c. The tower area is surrounded by a 7' fence and appears to have ground space for 3 additional carriers and the tower elevation plan indicates space for equipment for 3 additional carriers at elevations of 121' to 141'. The tower is setback 300' or more from property lines.

The property and most adjacent properties are in OC Agricultural Districts #1. The assessor has listed the use of the property as field crops and OnCor shows the non-wooded areas of the site as cultivated in conjunction with fields on adjacent lot under common ownership. Also, according to OnCor, there are significant areas of 15 to 30 and 31 to 60 percent slope.

The Town of Canandaigua special use permit standards for personal wireless communications towers prohibit construction of such towers on top of drumlins. If the tower area is a drumlin the applicant will need to move the tower or request and receive an area variance. Based on the town's 2020 Natural Resource Inventory, the project site is not visible from Canandaigua Lake.

Comments

1. The site plan should show any on-site agricultural drainage facilities and a note that any damage to such infrastructure during construction activities must be repaired to retain the viability of adjacent agricultural uses.
2. What is the length of the access road?
3. The site plan should identify percent slope for all areas of disturbance with existing or proposed slope greater than 15 percent
4. Consider changes to pond in stormwater management easement area to avoid tree removal and ground disturbance at the edge of the steep slope area.
5. Will disturbed top soil be stockpiled to be used in the event of site restoration to agricultural use?
6. The proposed tower area fencing is 7'; the special use standards require a minimum of 8'. The Planning Board should document if standard is waived as unnecessary.

OCSWCD Comments

1. Consider the use of zero phosphorus fertilizer unless otherwise indicated through soil testing
2. Details needed on plans regarding stormwater BMPs such as concrete truck washout detail, stabilized construction entrance and silt fence detail.

151 -2023 Town of Canandaigua Planning Board Class: 1
 Type: *Subdivision*

Related Referrals: 215-2019; 41-2020

Applicant: *Rocco Venezia, Venezia Associates*

Property Owner: *Debra Dekouski*

Tax Map Parcel #: 70.00-1-2.111

Brief Description: *Subdivision of a 29.126-acre parent parcel into 7 total lots for a proposed residential use, on the southeast corner of Thomas Rd. and Brickyard Rd., in the Town of Canandaigua.*

<https://ontariocountyny.gov/DocumentCenter/View/39532/151-2023-Aerial-Dekouski-Subdiv>

<https://ontariocountyny.gov/DocumentCenter/View/39535/151-2023-Subdiv-Plat-Dekouski-Subdiv>

Application is for the subdivision of a 29.1-acre parent parcel, currently vacant residential, into 7 total lots. There are six lots proposed, ranging from 37,500 SF to 68,000 SF. The remaining land to the south (7th lot) totals 22.6-acres.

In November 2019 (referral 215-2019), CPB reviewed sketch plan for a clustered subdivision with 30 duplex lots of 6,500 to 16,400 SF with 41 to 85' of frontage. The sketch plan indicated an allowable base density of 39 units 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.

In March 2020 (referral 41-2020) CPB reviewed the revised sketch plan, which applied to the applicant's entire 53-acre holdings and shows 72 duplex lots and 20 acres of conserved land (42%), including 2 acres for stormwater management. The conservation analysis indicated 5.59 acres of constrained land and a base density of 70 lots. The proposed lots include 4 lots on Brickyard Road, 10 lots in two locations on Thomas Road; and two access points off Thomas Road with 58 lots and an interconnected/internal street system with a connection to the property to the south. The adjacent parcels to the south are in Ontario County Agricultural District #1. The Town of Canandaigua Agricultural Advisory Committee reviewed the sketch plan and determined that the site, while farmed, ranked low with regard to agricultural or open space protection based on soils, natural resources, and location. The committee acknowledges that although this land is currently farmed, the part of the town is designated to accommodate future growth and this isolated farm field is likely to become more difficult to farm as area development increases based on the existence of water, sewer, and zoning for development. The Environmental Conservation Board recommended concentration of preserved lands along the southern property boundary to maximize the woodland and wildlife value of such conserved lands and the adjacent wooded area on the property to the south.

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. Are any conservation lands being set aside as part of the subdivision?
2. What are future plans for the 22-acre remainder lot and the applicants' lot to the west? Previous plans provided for development of entire holding with 1-6 access connections. The referring body should consider establishing maximum number of additional access connections allowed in conjunction with any future development.

152 -2023 Town of Richmond Zoning Board of Appeals Class: 1

Type: *Area Variance*

Applicant: *George and Pamela McKay*

Property Owner: *same*

Tax Map Parcel #: *165.05-1-38.100*

Brief Description: *Area Variances for relief from 5' side and rear setback requirements for the rebuild of a detached-garage destroyed by fire at 5408 Hamilton Pt., on the East side of Honeoye Lake, in the Town of Richmond.*

<https://ontariocountyny.gov/DocumentCenter/View/39537/152-2023-Aerial-Garage-Rebuild>

<https://ontariocountyny.gov/DocumentCenter/View/39538/152-2023-ZBA-App-Garage-Rebuild>

The garage site is on the upland portion of the parcel on the east side of Hamilton Point Road. The depth of the upland portion of the lot from the road is 60'.

153 -2023 Town of Richmond Zoning Board of Appeals Class: 1
 Type: *Area Variance*

Applicant: *Richard and Jane Frost*

Property Owner: *same*

Tax Map Parcel #: *150.05-1-77.110; 150.05-1-79.100*

Brief Description: *Area variance(s) for the subdivision of a portion Parcel A (-77.110) to Parcel B (-79.100) for the primary structure side setbacks for both parcels, front setback and lot width for A, and lot size for B, at 4446, & 4466-4476 CR 33 in the Town of Richmond.*

<https://ontariocountyny.gov/DocumentCenter/View/39539/153-2023-Aerial-Frost-Lot-Line-Adj>

<https://ontariocountyny.gov/DocumentCenter/View/39540/153-2023-Sketch-Plan-Frost-Lot-Line-Adj>

The applicant currently owns 2 lots on the south side of CR 33 just east of East Lake Road. The western most lot at the corner is .74 acres and developed with a single-family home. The eastern lot is 1.2 acres and is developed with a single family, a 3,000 SF pole barn previously operated as a shop, and 3 hoop houses.

The applicant is requesting a lot line adjustment that would transfer a 0.6-acre area including the shop and hoop houses from the eastern lot to the western lot. This application was previously reviewed as an area variance in July 2022 as referral 142-2022. There is no indication of the ZBA action on the previous referral. Both properties are zoned E Business. The E Business district requires a 5,000 SF lot if connected to public sewer and a 2-acre lot if not connected to public sewer.

In order to allow the lot line adjustment, the applicant must obtain appropriate lot area and setback variances from the Zoning Board of Appeals or connect uses on both properties to the public sewer.

154 -2023 Town of Richmond Zoning Board of Appeals Class: 2
 Type: *Special Use Permit*

Related Referrals: *81-2023*

Applicant: *Susan and William Clark*

Property Owner: *same*

Tax Map Parcel #: *150.17-1-46.100*

Brief Description: *Special Use Permit to change the use of an existing 480 SF detached garage into a bunkhouse, at 5346 Burns Pt., on the east side of Honeoye Lake, in the Town of Richmond.*

<https://ontariocountyny.gov/DocumentCenter/View/39543/154-2023-Images-Clark-Bunkhouse>

<https://ontariocountyny.gov/DocumentCenter/View/39583/154-2023-Aerial-Clark-Bunkhouse>

Parcel in question is located along the eastern lakeshore of Honeoye Lake. Subject Parcel is single-family residential, and surrounding land uses are all either residential or vacant. Applicant proposes to convert existing 480 SF detached wood-frame garage (permitted use) into a bunkhouse (also a permitted accessory use in the B Residential district). Special Use Permit application is for the “use of the entire 480 SF garage as a bunkhouse,” when the maximum allowed size for a bunkhouse is 200 SF (code section 200-13C).

Application for a use variance was referred to the County Planning Board (May 2023, referral 181-2023), for a use variance to convert the same detached wood-frame garage into a non-conforming use of a two-bedroom dwelling. Project might also require an area variance for location of an accessory structure in the front yard (see 200-30). Lot may already have the front yard variance, or it could have been allowed by a previous CEO as specified in the code.

Comments

1. Application for Special Use Permit does not apply. A more applicable request would be for an area variance to allow a bunkhouse greater than 200 SF.
2. There is no definition for bunkhouse in the T. Richmond's code. Does this structure include electric/water/septic connections? Nothing indicated on applications

155 -2023 Town of Richmond Zoning Board of Appeals Class: 1
 Type: *Special Use Permit*

Applicant: *Melvin and Valerie Flynn*

Property Owner: *same*

Tax Map Parcel #: *135.00-1-2.210*

Brief Description: *Special Use Permit to place a 336 SF shed on the parcel when the maximum allowed area for an accessory structure is 200 SF, at 9039 Ashley Rd., just west of CR 37, in the Town of Richmond.*

<https://ontariocountyny.gov/DocumentCenter/View/39584/155-2023-Aerial-Flynn-Shed>

<https://ontariocountyny.gov/DocumentCenter/View/39546/155-2023-Sketch-Plan-Flynn-Shed>

<https://ontariocountyny.gov/DocumentCenter/View/39547/155-2023-SUP-App-Flynn-Shed>

Should be area variance not SUP?

156 -2023 Town of Richmond Zoning Board of Appeals Class: 1
 Type: *Special Use Permit*

Related Referrals: *124-2023*

Applicant: *Norton Laundry Mill of Honeoye, LLC*

Property Owner: *PO Box 232, Honeoye Falls, NY 14472*

Tax Map Parcel #: *135.14-1-15.000*

Brief Description: *Special Use Permit to construct a 3 bay self-serve community car wash with a 2,100 SF commercial building, just north of Main St., at 4815 CR 37 in the Town of Richmond.*

<https://ontariocountyny.gov/DocumentCenter/View/39548/156-2023-LOI-Car-Wash-SUP>

<https://ontariocountyny.gov/DocumentCenter/View/39549/156-2023-SUP-App-Car-Wash-SUP>

<https://ontariocountyny.gov/DocumentCenter/View/39585/156-2023-Aerial-Car-Wash>

This project was previously referred as a special use permit in July 2023 as referral 124-2023.

Check with ZBA secretary about why re-referred? For site plan?

There is no referral 157-2023

158 -2023 Town of Naples Planning Board Class: *Exempt*

Type: *Subdivision*

Applicant: *NY Naples I, LLC (Peter Dolgos)*

Property Owner: *Larry J. Schenk*

Tax Map Parcel #: *204.00-1-29.110*

Brief Description: *Subdivision of a 51.3-acre parent parcel into two separate lots of 9.7 and 41.7-acres respectively. Proposed 9.7-acre lot to remain as residential while larger lot to be used as solar farm at 6487 CR 21, just west of Yates County line, in the Town of Naples.*

<https://ontariocountyny.gov/DocumentCenter/View/39586/158-2023-Aerial-Schenk-Solar>
<https://ontariocountyny.gov/DocumentCenter/View/39551/158-2023-Site-Plan-Schenk-Solar>

159 -2023 Town of Victor Planning Board Class: *1*

Type: *Site Plan*

Related Referrals: *187-2019; 113-2023*

Applicant: *Passero Associates*

Property Owner: *Conifer Village @ Eastview LLC*

Tax Map Parcel #: *1.02-1-2.100*

Brief Description: *Site Plan to construct 22 parking spaces (15 new and bringing 7 up to code), two (2) new retaining walls on the west side of the parking lot at 7410 Forest Trail in the Town of Victor.*

<https://ontariocountyny.gov/DocumentCenter/View/39553/159-2023-LOI-Conifer-Village>
<https://ontariocountyny.gov/DocumentCenter/View/39555/159-2023-Site-Plan-Conifer-Village>
<https://ontariocountyny.gov/DocumentCenter/View/39587/159-2023-Aerial-Conifer-Village>

The 88-unit project was initially developed as senior housing. The Town of Victor requires 1.25 parking spaces per unit for senior apartments. For apartments (non-senior), the Town of Victor requires 2 parking spaces per building + 1 per bedroom + 0.5 per building overflow available in project phase per code section 211-32B. As allowed by code, a portion of these spaces were land-banked. The project has been repositioned as market rate apartments and the available 1.1 spaces per unit is insufficient for resident and visitor parking.

In June 2023, a proposed PDD amendment included the construction of 15 new parking spaces and the construction of a new retaining wall at the west side of the parking lot.

Current referral is for site plan approval. Project now includes an additional 7 spaces to be brought up to code (providing 22 total new parking spaces, 101 total), as well as an additional (second) retaining wall on the southwest portion of the parcel, with a height of between +/- 1-foot to 5-feet above grade. The project site is located on a single 6.4-acre parcel at 7410 Forest Trail, with an existing 88-unit apartment building. Site also contains apartment offices, a community area, a recycling and refuse area, stormwater

management areas, landscaping, and a central courtyard. The site is bordered by West Turk Hill Road, and to the south by Forest Trail.

Disturbance (<1-acre) looks to be within steep slope area (16-30% slope). Soil is Arkport fine sandy loam – not hydric, high permeability and erodibility.

June 2023 Comments:

1. How far is proposed parking area/retaining wall from parcel boundaries? Is there a need for a variance?
2. What soil/sediment erosion measures are being taken?
3. Proposed work is adjacent to Monroe County? Should they be referred/notified?

June 2023 CRC Comment

1. Will bollards or other protection be needed to protect electric transformers adjacent to parking?

June 2023 OCPB Comments

1. Should more attention be called to the parking situation for the building to the east? Do there need to be closer parking spots?
2. Are the proposed additional parking spots sufficient? How many spaces are required by code (see calculation)?

160 -2023

Town of Victor Planning Board

Class: 1

Type: *Subdivision*

Applicant: *CoMark Holdings LLC*

Property Owner: *same*

Tax Map Parcel #: *7.03-1-17.000*

Brief Description: *Application to subdivide a 12.9-acre parent parcel into 6 individual residential lots ranging in size from 1.4 to 2.34 acres, at 606 CR 9, on the southwest corner of Coyle Crossing and CR 9 in the Town of Victor.*

<https://ontariocountyny.gov/DocumentCenter/View/39588/160-2023-Aerial-Coyler-Subdiv>

<https://ontariocountyny.gov/DocumentCenter/View/39557/160-2023-LOI-Coyler-Subdiv>

<https://ontariocountyny.gov/DocumentCenter/View/39559/160-2023-Site-Plan-Coyler-Subdiv>

<https://ontariocountyny.gov/DocumentCenter/View/39560/160-2023-Subdiv-Plan-Coyler-Subdiv>

<https://ontariocountyny.gov/DocumentCenter/View/39561/160-2023-Wetland-Delineation-Coyler-Subdiv>

The existing house at the corner of CR 9 and Coyle Crossing will occupy Lot 2. Lot 2 will also include the existing pond and most of the wetland. The balance of the wetland area will be on lot 3. According to OnCor there are areas of 15 to 30 percent slope on lot 2 along the CR 9 frontage and at the rear of lots 5 and 6. Lots 3 to 6 on Coyle Crossing will have 175' of frontage and lot 1 will have 235' of frontage allowing adequate site distance.

As required by the R-2 Overlay B zoning, the overall density is less than .5 units per acre and half of the site, including wetland and steep slope areas and portions of each lot are included in the 6.5 acre conservation easement.

Roof run-off from each house will be directed to an infiltration trench and excessive roof, driveway, and overall lot run off will be directed to a swale at the rear of the lots and will discharge to the wetland area.

Comments

1. What is the offset between the proposed driveway location on Lot 1 and the driveway on the property across CR 9 to the east?

161 -2023 Town of Canandaigua Zoning Board of Appeals Class: AR2
 Type: *Area Variance*

Related Referrals: *164-2023*

Applicant: *Robert Johnson*

Property Owner: *Susan Wade*

Tax Map Parcel #: *127.05-2-13.000*

Brief Description: *Site Plan and area variance(s) to replace and increase SF of an accessory structure (shed) to greater than 100 SF, lot coverage over 40% maximum, and a front setback less than the required 50', at 4148 CR 16 in the Town of Canandaigua.*

<https://ontariocountyny.gov/DocumentCenter/View/39563/161-2023-Site-Plan-Wade-Shed>

<https://ontariocountyny.gov/DocumentCenter/View/39589/161-2023-and-164-Aerial-Wade-Shed>

The applicant wished to replace a 94 SF shed with an 80 SF frame cabana and a 120 SF covered patio. The application materials don't provide information on existing lot coverage and what coverage may be pre-existing non-conforming. The site plan does not indicate any lawn area or landscaping. The proposed lot coverage would be 75 percent when 40 percent is allowed.

**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 body is encouraged to grant only the minimum variance necessary to allow reasonable use of the lot.

CLCSD Comment

1. Plans are required for review and approval if the new structure will be serviced by the sanitary sewer.

162 -2023 Town of Canandaigua Planning Board Class: 1
 Type: *Site Plan*

Related Referrals: 150-2023

Applicant: *Nixon Peabody, LLC (Jared Lusk)*

Property Owner: *Heidi Colf*

Tax Map Parcel #: *125.00-1-31.111*

Brief Description: *Site Plan and Area Variance to construct and operate a 155' (+4' lightning rod) monopole tower communications facility (in a drumlin area), ancillary ground shelter, and associated improvements at 4430 Deuel Rd in the Town of Canandaigua.*

See information at 150-2023

163 -2023 Town of Richmond Planning Board Class: 1
 Type: *Site Plan*

Applicant: *Jason Schaab / Apex Auto Collision*

Property Owner: *Todd Wesley*

Tax Map Parcel #: *135.14-1-11.110*

Brief Description: *Site plan for 768 SF addition for automobile assembly on the north end of an existing Apex Auto Collision building at 4820 CR37, on the northwest corner of CR 37 and SR 20A, in the Town of Richmond.*

<https://ontariocountyny.gov/DocumentCenter/View/39565/163-2023-Elevation-Drawings-Apex-Auto-Addition>

<https://ontariocountyny.gov/DocumentCenter/View/39590/163-2023-Aerial-Apex-Auto-Addition>

The addition will use the existing driveway off CR 37. The property also has frontage on SR 20A. The subject property and adjacent properties are zoned E Business.

Comments

166 -2023 Town of Canandaigua Planning Board

Class: 1

Type: *Site Plan*

Related Referrals: 149-2023

Applicant: *Kristin Jacobs, Bergmann*

Property Owner: *John Aikey*

Representative: *Amber Hall, Amp Energy*

Tax Map Parcel #: 84.00-1-17.200

Brief Description: *Site Plan and Special Use Permit to build 15± acre solar farm (4± MW), access road, electric utility upgrades, power inverters, and utility fencing on a 17.98-acre parcel at 2890 CR 10, south of Land of Legends Raceway, in the Town of Canandaigua.*

See information at 149-2023.