

**ONTARIO COUNTY PLANNING BOARD**

Referrals for Review at the: **Coordinated Review Committee Meeting –Tuesday August 9, 2022, at 3:30pm –  
County Planning Board Meeting –August 10, 2022 at 7:00pm [Hybrid Meeting Click Join Meeting hyperlink below](#)**  
Telephone: 585-396-4455

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There is no referral 145-2022

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143 -2022

Town of Gorham Zoning Board of Appeals

Class: AR 2

Type: *Area Variance*

Applicant& owner: *Douglas & Kathleen Crane*

Tax Map Parcel #: 113.15-1-18.000

Brief Description: *Area variance to allow 31.5 percent lot coverage when 25 percent is allowed and allow 5' side setback when 15' is required for new deck and open porch improvements at 3928 and 3930 East Lake Road in the Town of Gorham.*

**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.
2. The applicant and referring agency are strongly encouraged to involve Canandaigua Lake Watershed Manager as early in the review process as possible to ensure proper design and implementation of storm water and erosion control measures.

144 -2022 Town of Manchester Town Board

Class: 2

Type: *Local Law*

Applicant: *Town of Manchester*

Brief Description: *Local law to replace existing solar energy system zoning regulations in the Town of Manchester.*

<https://ontariocountyny.gov/DocumentCenter/View/35345/144-2022-manchester-solar>

The local law establishes 3 tiers of solar energy systems and outlines allowable location and standards for each:

- Tier One -roof or building integrated solar energy collection systems up to 10 KW. Tier One systems are permitted accessory uses in all districts.
  - Tier Two- Ground mounted systems generating a maximum of 110% of site consumption or not exceeding 4,000 SF of collection area or 25 KW rated capacity. Tier Two systems are permitted accessory structures in all districts.
  - Tier Three -larger systems. are allow in GI, LI, Rail Enabled Industrial, Open Space, and Corridor Overlay districts (districts used in proposed code and map)
- All solar energy generation and battery storage systems must meet requirements of NEC, IEC, UL and the NYS Building code.

#### Comments

1. Depending on the timing of adoption, this local law will need to reference districts and standards in the existing zoning code or the pppproposed zoning code.
2. The referring body may want to consider adopting the NYS Unified Solar Permit for ground and roof top mounted solar energy systems producing less than 25 MW (currently defined Tier 1 and 2 systems). See page 75/pdf page 77 of the NYS Solar Guidebook for local governments for a customizable Unified Solar Permit Application.  
<https://www.nyserda.ny.gov/All-Programs/NY-Sun/Communities-and-Local-Governments/Solar-Guidebook-for-Local-Governments>
3. This local law regulates roof mounted and building integrated solar energy systems as accessory structures; the law should clarify that such solar systems are appurtenances to a primary or accessory building and subject to the height, setback and other requirements for such buildings.
4. The waiver of requirement for Agricultural Conservation Easement if the land has not been farmed for 5 or more years could be a disincentive to lease land to farmers.
5. The regulations do not identify agricultural viability/agricultural character/agricultural drainage infrastructure, visual character, or appropriate buffering as areas of local concern for solar projects of all sizes. While NYS has appropriated many aspects of local review for large scale solar projects, local municipalities may request consideration of locally identified goals and development standards.
6. The referring body may want to clarify timing of submission of the “proof of concept” and decommissioning plan and relationship of listed requirements to the Planning Board site plan and special use permit approval process and the CEO building permit review.
7. The local law does not specify standard for cessation of activity, though the intention appears to be operation at 80 percent of approved capacity to avoid decommissioning.
8. The local law does not require submission of a site-specific operations and maintenance plan to ensure continued adequacy of landscaping, erosion control and other conditions of approval.
9. For the definition (and intent) of Tier 1 and Tier 2 the Town should consider a requirement (statement) that the electric generated on site is to be primarily utilized on the premises, whether by existing uses or ones proposed and to be constructed at the same time as the solar installation, including by use to power Electric Vehicles owned and operated by the residents or businesses located thereupon.
10. The limitation to 110% of electricity consumed on the site over the previous 12 months is problematic. What if this is a new building or a building that converts its heat source from fossil fuel to electricity? In either case the applicant would either have to wait a year and pay high utility bills before they could construct an adequately sized solar system. Better to have the applicant present a calculation of on-site demand. There are industry standards to reference to see if the numbers are within reason. They might want to specify how demand is calculated. Finally, in light of the State’s Climate Leadership and Community Protection Act and

the draft (at this point) Climate Action Plan, they have to account for residents and businesses wanting to use solar power to charge their electric vehicles. This will add greatly to demand and needed generation capacity.

11. Referring body should clarify whether a single property can have both a Tier one and a Tier two installation at the same time. If yes, then the cumulative generation capacity should not exceed 110% of on-site demand.
12. This local law does not address battery storage, especially important for Tier 3 (but also a potential component for Tier 1 &2). Battery storage standards should address things like signage, registration with the town/ fire department of hazardous material containing battery storage systems, location of the storage facility (set backs, lot coverage, etc.), emergency vehicle access, special fire suppression system requirements, fencing, etc.

There is no referral 145-2022

146 -2022                      Town of Canandaigua Zoning Board of Appeals                      Class: AR2  
 Type: Area Variance

Related Referrals: 147-2022

Applicant: Marathon Engineering

Property Owner: Theodore Shepard & Laureen Burke

Tax Map Parcel #: 154.09-1-21.000 & 154.09-1-22.000

Brief Description: Site plan and area variance for demolition of existing cottages and replacement with 1 year-round home at 5007/5009 CR 16 in the Town of Canandaigua. Proposed front setback is 40' when 60' is required. Proposed rear setback is 37' when 60' is required. Proposed lot coverage is 27.7 when 25 percent is allowed. There is also a required variance for distance of expanded pre-existing, non-conforming driveway from the property line. The Planning Board must also approve the lot line adjustment.

<https://ontariocountyny.gov/DocumentCenter/View/35346/146-2022-CR16-5007-5009-2022-07-01-Site-Plan>

The combined lot will be 24,471 SF, less than the 1 acre minimum lot size in the Scenic Viewshed Overlay.

Application materials indicate existing shoreline includes beach and natural shoreline vegetation which will be retained. The site will include a septic system and rain garden to treat runoff in excess of allowable lot coverage before it enters the lake.

Proposed setbacks similar to existing setbacks— existing front = 25', rear =37', lot coverage =14 percent (proposed building coverage is 16 percent, balance of proposed lot coverage is for driveway, swimming pool, patios/walkways) The proposed driveway has a 12 percent grade to CR 16 to shorten driveway.

#### **OCDPW Comments**

1. Applicant is required to obtain a highway work permit for any proposed work within a County highway right-of-way and shall pay all necessary fees & comply with all permit conditions and restrictions. Highway Work Permit forms can be found on Ontario County website at <http://www.co.ontario.ny.us/1260/Highway-Work-Permits>.

#### **OCSWCD Comments**

1. More detail needed regarding rain garden design and placement.
2. Current plans show portion of raingarden, including outlet structure, located within FEMA floodplain.
3. Information needed regarding depth to water table. Will infiltration be possible at 3 feet of depth in this area?
4. Consider two rows of silt fence along east boundary near lake.
5. Soil borrow area and topsoil stockpile are indicated in the same area. Show sequence of events for clearing of site.
6. Concrete truck washout must be 100 feet from all stormwater inlets (drain in front of garage).

147 -2022                      Town of Canandaigua Planning Board                      Class: Exempt  
 Type: Site Plan

Related Referrals: 146-2022

Applicant: *Marathon Engineering*

Tax Map Parcel #: *154.09-1-21.000 & 154.09-1-22.000*

Brief Description: *Site plan and area variance for demolition of existing cottages and replacement with 1 year-round home at 5007/5009 CR 16 in the Town of Canandaigua. Proposed front setback is 40' when 60' is required. Proposed rear setback is 37' when 60' is required. Proposed lot coverage is 27.7 when 25 percent is allowed. There is also a required variance for distance of expanded pre-existing, non-conforming driveway from the property line. The Planning Board must also approve the lot line adjustment.*

See information at 146-2022.

148 -2022                      Town of Canandaigua   Planning Board                                      Class: *Exempt*  
 Type: *Minor Subdivision*

Related Referrals: *149-2022*

Applicant: *Venezia & Associates*

Property Owner: *Anthony & Elizabeth Tripodi*

Tax Map Parcel #: *96.00-1-39.111*

Brief Description: *Minor subdivision and amended special use permit to apply to created 74 acre lot for contractor yard separate from 7 acre lot for existing house at 4993 CR 32 in the Town of Canandaigua.*

149 -2022                      Town of Canandaigua   Planning Board                                      Class: *1*  
 Type: *Special Use Permit*

Related Referrals: *148-2022*

Applicant: *Venezia & Associates*

Property Owner: *Anthony & Elizabeth Tripodi*

Tax Map Parcel #: *96.00-1-39.111*

Brief Description: *Minor subdivision and amended special use permit to apply to created 74 acre lot for contractor yard separate from 7 acre lot for existing house at 5993 CR 32 in the Town of Canandaigua.*

<https://ontariocountyny.gov/DocumentCenter/View/35347/148-2022-CR-32-5993-2022-07-11-Subdivision-Map>

The lot is located in the AR 2 zoning district which allows contractor yards by special use permit.

**Comments**

- 1.The referring body should require a site plan that documents which 30 percent of the proposed 74 acre contractor yard can be used for structures, parking, and equipment, which 15 percent for stockpiling materials, and any required butter area.
- 2.The special use permit granted in 2018 waived requirement for 10' perimeter buffer. The referring body should re-evaluate whether perimeter buffer areas are required to protect the residence once the lot is subdivided and whether any modification of site lighting is required.

3. The referring body should review a revised site operating plan.
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150 -2022                      Town of Naples   Zoning Board of Appeals                      Class: 1

Type: *Area Variance*

Applicant: *David M. Hanggi*

Tax Map Parcel #: *201.00-1-7.100*

Brief Description: *Area variance for 6' front setback from NYS 21 ROW when 60' is required for the construction of a 6'x26' covered porch on existing barn at 7976 SR 21 in the Town of Naples.*

<https://ontariocountyny.gov/DocumentCenter/View/35348/150-2022-aerial>

<https://ontariocountyny.gov/DocumentCenter/View/35349/150-2022-site-plan>

The 60 acre parcel includes land on both sides of SR 21. The existing barn is on the east side.
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**Comments**

1. Does the proposed porch encroach on any required parking/or maneuvering area for site visitors?
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151 -2022                      Town of South Bristol   Town Board                      Class: 2

Type: *Text Amendment*

Applicant: *Town Board*

Brief Description: *Text amendment to add Special Event Venue regulations to the Zoning Code of the Town of South Bristol.*

<https://ontariocountyny.gov/DocumentCenter/View/35350/151-2022-South-bristol-special-event-venue>

The law would add a definition of Special Event Venue and list it as a specially permitted use on parcels of 10 or more acres in the Neighborhood Commercial and Planned Development districts. The law limits hours of operation to 10 am to 11 pm and maximum attendees to 300, though the Planning Board or Zoning Board may impose more restrictive conditions based on the health, safety, and welfare of attendees and/or the neighborhood and surrounding community. The event management plan shall specify hours of operations and maximum attendees; provisions for adequate primary and secondary access, including emergency vehicle access; adequate parking and potable water and sanitary system; and provision of adequate buffers to adjacent properties and compliance with the Town's noise ordinance whether or not events include amplified sound. Any event barn must have a building permit and certificate of occupancy for public assembly use. All Special Event Venues are also required to provide event notification to the Code Enforcement Officer, County Sheriff, and State Police.
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152 -2022                      Town of Farmington   Planning Board                      Class: *Exempt*

Type: *Special Use Permit*

Applicant & Owner:: *Christine Bellomo*

Tax Map Parcel #: *1,20-1-40.100*

Brief Description: *Special use permit for home chiropractic office at 86 Hook Road in the Town of Farmington.*



153 -2022                      Town of Farmington   Planning Board                      Class: *AR1*  
 Type: *Site Plan*

Applicant: *Ralph Baranes*

Property Owner: *Ahmed El-Halaby*

Tax Map Parcel #: *41,02-2-3.000*

Brief Description: *Site plan for 29 SF monument sign for Farmington Family and Implant Dentistry at 1484 SR 332 in the Town of Farmington*

**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 332 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.

154 -2022                      Town of Hopewell                      Class: 2  
 Type: *Map Amendment*

Related referral: 87-2022

Applicant: *Finred LLC*

Tax Map Parcel #: *99.00-1-7.000*

Brief Description: *Map amendment to rezone property at 4303 SR 5/US 20 in the Town of Hopewell from C-1 to PUD to accommodate 63 market rate apartments in three new buildings and a coffee kiosk in an existing building.*

<https://www.ontariocountyny.gov/DocumentCenter/View/34344/87-2022-aerial>

<https://ontariocountyny.gov/DocumentCenter/View/35351/154-2022-rendering>

The intent of the Planned Unit Development regulations is to provide flexible land use and design regulations/performance criteria to accommodate large scale neighborhoods with a variety of residential types and non-residential uses. The objectives of the PUD also include maximizing usable open space and recreation areas, the preservation of trees, and the prevention of soil erosion.

Town of Hopewell PUD regulations prefer a minimum 10 acre site; the lot proposed for rezoning to PUD is 4 acres. The applicant has indicated the site is appropriate for designation as a PUD in spite of its size due to its location near FLCC and existing retail uses.

Town of Hopewell PUD regulations anticipate a minimum of 30 percent of PUD dwelling units as single family units and a gross density of 4 units per acre; the proposed project includes all apartments and is 15.5 or 16.1 units per acre. The applicant has indicated the development density of the FLCC dorms is 12 units per acres while that of the Campus Gate apartments is 16.1 units per acre.

Application materials highlight that the Town of Hopewell 2006 Comprehensive Plan identified the lack if

available rental housing and growth and development policy and objectives to accommodate development in proximity to existing public utilities and commercial uses without impacting active farmland. The Comprehensive Plan growth and development policy and objectives also call for protection of natural features including buffer areas along streams to protect water quality.

The site plan that would be the basis of the PUD shows 2 buildings and associated parking at the eastern side of the site and a third apartment building that would require demolition of the existing house that is undergoing renovation as an office.

The site plan includes a full movement driveway connection with US 5/SR 20 at the existing house driveway. There is a proposed concrete sidewalk from SR 5/US 20, around the building area, and connecting to the adjacent student apartments on Finger Lakes College Suites Drive. There is a gap in the sidewalk connection across this adjacent site to FLCC.

The site plan shows 2 bioretention areas. The grading plan and erosion and sediment control plan indicate significant grading within the stream channel enlargement area shown on the base survey. No landscaping or lighting plans are provided, though some streetscape, building, and parking area landscaping is shown on a color rendering.

### Comments

1. The referring body should make sure the applicant has taken into consideration the draft FEMA floodplain boundary associated with Fall Brook. Bioretention area 2 may be subject to future flooding.
2. The referring body should consider requiring the applicant to complete a gap analysis to evaluate whether the proposed density of development/traffic generation can be safely accommodated via a full movement stop controlled driveway connection to SR 5/US 20 at this location.
3. Consider specifying that the re-zoning reverts to existing zoning if construction of apartments is not started within 2 years of date of final rezoning approval.
4. Will any areas remain undisturbed or available as usable open space
5. What is width of undisturbed vegetation to provide usable open space and a buffer to Fall Brook? The Towns of Canandaigua and Town of Gorham have minimum stream bank setbacks.
6. The referring body should require sidewalk along the SR 5/US 20 frontage for eventual connection to the existing sidewalk and cross walk with pedestrian signal at the intersection of CR 50/Lakeshore Boulevard and SR 5/US 20 approximately 175' west of the subject property.
7. The referring body should encourage the applicant to talk with the adjacent property owner about an off-site sidewalk connection that would benefit applicant tenants by providing pedestrian and bicycle access to FLCC and adjacent property tenants by providing a shorter connection to the signal at SR 5/US 20.
8. Will geo turf areas be plowed to provide year round emergency access to rear of apartments?
9. Topsoil stockpile and construction staging area are very close to proposed building; will location provide sufficient maneuverability of construction equipment?
10. What is building coverage and lot coverage?
11. Based on 63 units on 3.9 acres the proposed gross residential density is 16.1 units/acre, not 15.5 units per acres as stated.

### CLCSD Comments

1. The Canandaigua Sewer District will require demolition permit and conference prior to removing existing building and capping of the existing sewer as close as practical to the existing main.
2. Plan review will need to occur for new site detailing size and slope of proposed sewer lateral connections.

3. Owner will be subject to sewer rent reassessment.

#### OCSWCD Comments

1. A double silt fence should be installed adjacent to Fall Brook, a class C stream
2. Concrete truck washout must be a minimum of 100 feet from all surface inlets.
3. Consider additional stabilization of overflow of bio-retention area 2 in area of steep slope.

#### Canandaigua Lake Watershed Manager Comments TBA?

155 -2022

Town of Hopewell Planning Board

Class: 1

Type: *Subdivision*

Related Referrals: 156-2022

Applicant: *John Richelsen*

Representative: *William Grove*

Tax Map Parcel #: 72.00-1-12.100

Brief Description: *Subdivision and site plan for creation and development of four .9 acre lots and four 7.4 acre lots on a 32 acre site west of Smith Road/East Avenue at Stoddart Road in the Town of Hopewell.*

[https://ontariocountyny.gov/DocumentCenter/View/35365/155-2022\\_7200-1-12100\\_Aerial-Photo-Map](https://ontariocountyny.gov/DocumentCenter/View/35365/155-2022_7200-1-12100_Aerial-Photo-Map)

[https://ontariocountyny.gov/DocumentCenter/View/35366/155-2022\\_7200-1-12100\\_Agriculture-Map](https://ontariocountyny.gov/DocumentCenter/View/35366/155-2022_7200-1-12100_Agriculture-Map)

<https://ontariocountyny.gov/DocumentCenter/View/35352/155-2022-subdivision-site-plan>

According to OnCor, the property and adjacent properties to the east, south, and to the west across the outlet are in Ontario County Agricultural District #1. OnCor also indicates there are areas of existing 100 year floodplain and slopes of 16 to 30 percent along the Canandaigua Outlet. No significant change in floodplain extent are shown on new draft floodplain maps.

Soil characteristics of the site are as follows:

Lakemont Silty clay loam , 0-3 percent 6 acres

**Farmland of Statewide Importance**

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

**Hydrological Group** D **Partially Hydric**

Schoharie silty clay loam, 3 to 8 percent slope, 18.8 acres

**Prime Farmland**

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

**Hydrological Group** C/D **Not Hydric**

Schoharie silty clay loam 8 to 15 percent slope, 4.7 acres

**Farmland of statewide importance**

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

**Hydrological Group** C/D **Not Hydric**

The poorly drained Lakemont soils are located along ½ of the Smith Street frontage.

The lot is zoned A-G. A-G zoning requires minimum of 30,000 SF lots with 75' front setback and 15' side and rear setbacks. The parcel soils are all prime farmland or farmland of statewide importance and therefore subject to the Prime Farmland Overlay. The intent of the Prime Farmland Overlay is to protect against the irreversible loss of prime farmlands and prevent non-agricultural uses from negatively impacting viability of such farmland. Based on the Prime Farmland Overlay, a maximum of 9.6 acres may be subdivided for non-agricultural use.

The proposed subdivision indicates 6 lots of 38,000 SF with individual driveways along Smith Road and an additional driveway for proposed large lot 1. Proposed large lots 3 and 7 have no access to a public road. Proposed large lot 8 includes the existing residence with driveway near the northwest property line on East Avenue. Larger lots 1, 3, 7, and 8 back to the Canandaigua Outlet. Lots 1,3, and 7 include remnant of a pasture fence. There is no existing vegetative buffer between the proposed small residential lots and large lots potentially intended for agricultural use

Application materials to not include any percolation test results for the proposed lots.

### Comments

1. What are lot widths/frontages and depths for the small lots?
2. What is future use and access for lots 3 and 7?
3. The referring body should ensure acceptable soil conditions for proposed septic systems based on percolation tests.
4. What provisions have been made for erosion and sediment control during construction and stormwater management during and after construction?
5. The subdivision plan does not retain 70 percent (22.4 acres) of the parent lot as a single parcel to preserve the viability of prime farmland for agricultural use as seems to be required by the Prime Farmland Overlay.
6. The Prime Farmland Overlay defines prime farmland in reference to soil categories in the Ontario County Agricultural Enhancement Plan and to Soil Groups used by OC Soil and Water Conservation District and the Town Assessor to determine agricultural value assessment. Subdivision applications within the Prime Farmland Overlay, should be required to include a map clearly showing soil types and groups.
7. The methodology for allowable development in the Prime Farmland Overlay is confusing. The regulations are also not clear regarding preservation of lands not subdivided. Are such lands permanently prohibited from further subdivision? Is future development of such lands allowed? The referring body and Town Board may want to consider whether the Prime Farmland Overlay is protecting farmland as intended or if other strategies should be considered.

### OCSWCD Comments

1. No erosion and sediment control plans provided. Unable to make comments.

156 -2022

Town of Hopewell Planning Board

Class: 1

Type: *Site Plan*

Related Referrals: 155-2022

Applicant: *John Richelsen*

Tax Map Parcel #: 72.00-1-12.100

Brief Description: *Subdivision and site plan for creation and development of four .9 acre lots and four 7.4 acre lots on a 32 acre site west of Smith Road/East Avenue at Stoddart Road in the Town of Hopewell.*

See information at 155-2022.

157 -2022                      Town of Richmond   Zoning Board of Appeals                      Class:2 *Late Referral*

Type: *Use Variance*

Applicant & Owner: *Patrick & Kristen Romero*

Tax Map Parcel #: *135.20-2-21.220*

Brief Description: *Use variance to allow use of a 2,880 SF building at 8653 Main Street in the Town of Richmond and zoned for industrial or commercial use as temporary residence.*

[https://ontariocountyny.gov/DocumentCenter/View/35367/157-2022\\_13520-2-21220\\_Aerial-Photo-Map](https://ontariocountyny.gov/DocumentCenter/View/35367/157-2022_13520-2-21220_Aerial-Photo-Map)

Existing land use is commercial to the east and multi-family residential to the west.

No evidence of financial hardship presented.

158 -2022                      Town of Richmond   Zoning Board of Appeals                      Class:AR 1 *Late Referral*

Type: *Area Variance*

Applicant & Owner: *Carol Zeigler*

Tax Map Parcel #: *150.38-3-21.000*

Brief Description: *Lot coverage variance to allow 37 percent lot coverage with proposed 275 SF deck when 30 percent lot coverage is allowed at 8477 East Clairmonte Street in the Town of Richmond.*

**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 rights-of-way.

**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 of 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 or encroachments to County owned rights-of-way 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.