

ONTARIO COUNTY PLANNING BOARD

Referrals for Review at the: **Coordinated Review Committee Meeting –Tuesday September 12, 2023, at 3:30pm**
County Planning Board Meeting –September 13, 2023 at 7:00pm 20 Ontario St., Canandaigua
Telephone: 585-396-4455

This document will serve as both the draft minutes for the Ontario County Planning Board and as the Official Notice of Findings and Decision for the applications reviewed by the CPB. It can also be viewed at the Ontario County Planning Department Website <http://www.co.ontario.ny.us/index.aspx?nid=516>

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There is no referral 181-2023

Results Key - Recommended referring body action: A = approve, A-M = Approve with Modification, D = disapproval NA = No Action Other Results: I =incomplete *=use not allowed

Call To Order/Roll Call: Chair Passavant called the 9/13 /23 CPB meeting to order at 7:15 and requested Ms. Holley to do roll call. Ms. Holley presented roll call and reported of the 16 voting members there were (13) present and of the 2 alternate member(s) there were (2) present physically at 20 Ontario Street, meeting the quorum requirement.

Guests: Chris Mergier– Potential new member (T. Victor), Jim Lagro– Potential new member (T. Canandaigua)

Minutes: Motion made by AJ Magnan to approve the August 9, 2023 minutes seconded by Stephen Groet (abstentions by Jack Dailey and Bessie Tyrell). **Motion Carried.**

	Member name in bold if on local legislative, planning, or zoning board	P-Present / V – Virtual E – Excused Absence	A – Absent,
Town of Canandaigua	vacant	—	—
Town of West Bloomfield	Ruth Cahn ZBA	P	
Town of Victor	Mike Crowley	P	
City of Canandaigua	Doug Dello Stritto	P	
Town of Seneca	Roslyn Grammar	P	
Town of Canadice	Stephen Groet PB	P	
Town of Gorham	Gabrielle Harris PB		E
Town of Geneva	Steven High	P	
Town of Farmington	Ted Liddell	P	
Town of Naples	Paul Lambiase PB	P	
Town of Bristol	AJ Magnan ZBA	P	
City of Geneva	Paul Passavant	P	
Town of South Bristol	Kevin Stahl PB	P	
Town of Phelps	Nina Tilman PB		E
Town of Richmond	Leonard Wildman PB		A
Town of Manchester	Tammy Worden	P	
Town of East Bloomfield	Mike Woodruff PB	P	
Town of Hopewell	Vacant	-----	-----
Alternate Members:			
	Jack Dailey	P	
	Bessie Tyrell	P	

167 -2023 Town of South Bristol Zoning Board of Appeals Class: 1
 Type: *Area Variance*

Related Referrals: 168-2023

Applicant: *R. John Schick*

Property Owner: *Robert W. Hurlbut & Sarah M. Hurlbut*

Tax Map Parcel #: *185.17-2-1.100*

Brief Description: *Site plan and area variance for demolition and new construction of a house at 6513 Longs Point in the Town of South Bristol. The new house increases the front (road) setback from 29' to 31' when 50' is required.*

- <https://ontariocountyny.gov/DocumentCenter/View/39768/167-2023-and-168-Aerial-Longs-Point>
- <https://ontariocountyny.gov/DocumentCenter/View/39769/167-2023-and-168-Cert-of-Nonconf-Longs-Point>
- <https://ontariocountyny.gov/DocumentCenter/View/39770/167-2023-and-168-Full-Plans-Longs-Point>

Pre-existing non-conforming structure. The western third of the existing residence encroaches on the 50' required front setback from the road. The existing setback is 29.18'. The setback of the proposed structure will be 31.0'. Proposed structure meets the required side and rear (lake) setbacks. Existing lot coverage is 3,524 SF (21.04%). Proposed lot coverage is 3,328 SF (19.87%). The new house w/ covered porches will be a total of 1,915 SF. Most of existing utilities are to remain (leach fields, pump tank, retaining walls, leach field, fence). A proposed dry land stone retaining wall will replace the existing timber wall. Some trees to be removed on north side of home. Overhead utilities are to be buried underground/the road with sleeves. A silt fence will surround areas of construction, and a temporary construction staging area will be placed on the southern portion of the property. A super silt fence and straw bales will be placed on the lakeside portion of the site.

The 0.39-acre parcel is zoned Lake Residential (LR). Land use (and surrounding) is all residential. Soil is predominantly Aurora Silt Loam with 3 to 8% slopes. It is not hydric, has moderately high permeability, high erodibility, is not prime farmland, and is in hydrologic group D. Some work to be done in the steep slope area (16-30% slope).

Comments:

1. What is the area of disturbance in the steep slope area?
2. Any proposed landscaping to replace removed trees?

CRC Comments Applicant to recycle building materials as facilities are available and property dispose of remaining demolition debris.

Board Motion: To retain referrals 167-2023, 172-2023, 177-2023, 179-2023, 180-2023, 182-2023, and 186-2023, as class 1s and return them to the local boards with comments. **Motion made by: Steve High**
Seconded by: Roslyn Grammar

Vote: 13 in favor, 0 opposed, 0 abstentions. **Motion carried.**

168 -2023 Town of South Bristol Planning Board
 Type: *Site Plan*

Class: *Exempt*

Related Referrals: *167-2023*

Applicant: *R. John Schick*

Property Owner: *Robert W. Hurlbut & Sarah M. Hurlbut*

Tax Map Parcel #: *185.17-2-1-1.100*

Brief Description: *Site plan and area variance for demolition and new construction of a house at 6513 Longs Point in the Town of South Bristol. The new house increases the front (road) setback from 29' to 31' when 50' is required.*

See information at 167-2023

169 -2023 Town of South Bristol Zoning Board of Appeals Class: AR2
 Type: *Area Variance*

Related Referrals: *147-2023 &170-2023*

Applicant: *William Grove, PE*

Property Owner: *Denise K. Buchanan Trust*

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

Brief Description: *Site plan and area variance for construction of an addition with a 40' front setback from SR 21 when 50' is required and resulting in a 23 percent lot coverage when 20 percent is allowed at 6985 SR 21 in the Town of South Bristol.*

<https://ontariocountyny.gov/DocumentCenter/View/39774/169-2023-and-170-Aerial-Buchanan-Trust-Addition>

<https://ontariocountyny.gov/DocumentCenter/View/39776/169-2023-and-170-Cert-of-Nonconf-Buchanan-Trust-Addition>

<https://ontariocountyny.gov/DocumentCenter/View/39781/169-2023-and-170-Site-Plan-Buchanan-Trust-Addition>

A certificate of non-conformity was submitted for the existing house not meeting the front setback from the road ROW (14.2' when 50' is required). The proposed addition (1 bedroom addition), although it is further back from the front yard line of the house, will be 39.5' from the ROW, requiring a 10.5' area variance. The lot coverage will be 23.34% when a max of 20% is allowed, also requiring a variance. A deck on the rear of the house is proposed as well. There is a proposed lot coverage is 11,699 SF. Septic system to be replaced (just north of the existing). Water service will continue to come from lake intake. Two existing 1,000-gallon septic tanks to remain.

House is zoned Lake Residential (LR), and is a 0.96-acre parcel. Home is single-family residential with surrounding uses being residential or vacant. Proposed development is in the FEMA 100-year floodplain. A stream runs along the northern edge of the property. Soil is Guyanoga Channery Silt Loam (0-3% slopes). It is not hydric, has high permeability, medium erodibility, an area of prime farmland, and is in hydrologic group B.

**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 leads to increased runoff and pollution.
4. Runoff from lakefront development is more likely to impact water quality.
5. It is the position of this Board that the legislative bodies of lakefront communities have enacted setbacks and limits on lot coverage that allow reasonable use of lakefront properties.
6. Protection of community character, as it relates to tourism, is a goal of the CPB.
7. It is the position of this Board that numerous variances can allow over development of properties in a way that negatively affects public enjoyment of the Finger Lakes and overall community character.
8. It is the position of this Board that such incremental impacts have a cumulative impact that is of countywide and intermunicipal significance.

Final Recommendation: Denial

Comments

1. The referring board is encouraged to grant only the minimum variance necessary to allow reasonable use of the lot.
2. The applicant and referring agency are strongly encouraged to involve Ontario County Soil and Water Conservation District and Canandaigua Lake Watershed Inspector as early in the review process as possible to ensure proper design and placement of on-site septic.
3. Site plan says existing lot coverage is 11,393 SF (25.54%). Proposed lot coverage increases to 11,699 SF, but it says the lot coverage decreases 23.34%.

170 -2023 Town of South Bristol Planning Board Class: *Exempt*
 Type: *Site Plan*

Related Referrals: *147-2023 & 169-2023*

Applicant: *William Grove, PE*

Property Owner: *Denise K. Buchanan Trust*

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

Brief Description: *Site plan and area variance for construction of an addition with a 40' front setback from SR 21 when 50' is required and resulting in a 23 percent lot coverage when 20 percent is allowed at 6985 SR 21 in the Town of South Bristol.*

See information at 169-2023

171 -2023 City of Canandaigua City Council Class: 2
 Type: *Map Amendment*

Applicant: *Costich Engineers*

Property Owner: *Chrisanntha, Inc.*

Tax Map Parcel #: *71.09-3-37.111*

Brief Description: *Application for the rezoning of a 27.57-acre from a single-family district (R1-1B) to a Planned Unit Development (PUD) for a 134-unit for-sale townhouse community, west of Canandaigua Academy, at 156 Stewart Pl. in the City of Canandaigua.*

<https://ontariocountyny.gov/DocumentCenter/View/39783/171-2023-Aerial-PUD-Rezoning>
<https://ontariocountyny.gov/DocumentCenter/View/39787/171-2023-LOI-PUD-Rezoning>
<https://ontariocountyny.gov/DocumentCenter/View/39789/171-2023-Site-Plan-PUD-Rezoning>
<https://ontariocountyny.gov/DocumentCenter/View/39784/171-2023-Engineer-Report-PUD-Rezoning>

This subdivision/Planned Unit Development (PUD) includes a number of previously subdivided but not developed lots and additional acreage totaling 27 acres behind homes on North Road between Cayuga Street on the west and Tamarack Drive on the east and connecting to Stewart Place and Kennedy Street to the west and south.

The City of Canandaigua PUD process establishes the City Council as the SEQR lead agency and source of final approval of extent and development density of PUD area. The process also requires review and recommendation of a sketch plan by the City Planning Commission, city staff, and County Planning Board. Following approval of the sketch plan by City Council and related change to the City Zoning Map, the project requires preliminary and final site plan approval by the Planning Commission and a statement of consistency with the approved sketch plan by City Council. The PUD process includes provisions that a subdivision plat for filing in the office of the Ontario County Clerk shall be prepared and filed without need for separate subdivision plat review.

Referral 23-2021 proposed a 72-lot single family neighborhood in this area with 3,400 LF of roadway. The project currently proposed will include 34 duplexes with the remaining 66 units in buildings of 4 to 6 units. The proposed density is 5 units per acre in line with the 4 to 8 units per acre recommended by the medium density/5,000 to 10,000 SF lots envisioned in the 2020 City of Canandaigua Comprehensive Plan.

The project will include 3 points of access to the existing street system: North Road, Kennedy Road, and Stewart Place. The development will connect to the public water and sewer system, provide sidewalks along 1 side of each proposed road, and full cut off street lighting. Application materials indicate the project scale does not reach the 190-townhouse style unit project size that would meet the commonly accepted 100 peak hour trip threshold used to require a formal traffic analysis.

The proposed project will disturb 22 of the 27 site acres and create 8.4 acres of impervious surface. The EAF indicates the site soils are poorly drained with slope of 0 to 10 % and that there are no wetlands on the project site; there is a wetland to the south. The EAF also indicates the property is in Ontario County Agricultural District #1. Existing drainage sheet flows to a swale in the center of the property. This basic flow pattern will be maintained with the addition of 1.1 acres of bioretention /stormwater management facility to control water quality and quantity impacts of development.

A SWPPP will be prepared as part of the subdivision and site plan review process. The applicant has deferred analysis and design of water, sewer, and electric connections to the subdivision/site plan review process.

Relevant February 2021 Comments

1. The intent statement and objectives of the Planned Unit Development article of the city of Canandaigua zoning code indicate the flexible standards are intended so that neighborhoods can incorporate of variety of residential types and tenure and encourage innovation to meet the demand for housing at all economic levels. All the units proposed in this PUD are single family homes on similar sized lots.
2. Any City Council authorizing resolution should include a timeframe for starting and completing the project as proposed and a provision that the property will revert to the current R-1-B zoning if not undertaken.

September 2023 Comments

1. Are all lands outside the building foot print owned by the HOA?
2. What is estimated acres of recreation space in area west of proposed road C? Are any improvements planned?
3. Will the project incorporate provision for collection of household and common area organic waste?

4. If the property has been receiving an agricultural value exemption, conversion penalties will apply.

September CRC Comments

1. How will adjacent parcel 71.09-3-101 continue to have access to a public street.
2. Is there a sanitary sewer in the 25” easement in the southeast corner of the lot? If not, should sewer connection between site and Tamarack Drive be moved to eliminate long driveway?
3. It appears unit owners own only the building footprint. Can owners add deck or patio, shed, fire pit, play equipment or other accessory uses to serve their needs?
4. Is cul-de-sac sized for school bus and larger emergency vehicles?

OCPB Comments

1. There already seem to be flooding / stormwater runoff issues in this area. Will the stormwater mitigation be sufficient for the amount of construction proposed?
2. It is commended by the Board that this project is trying to meet the goals of the City of Canandaigua Comprehensive Plan in regards to creating more diverse and affordable housing.

Board Motion: To retain referral 171-2023 as class 2 and return it to the local board with recommendation for approval. **Motion made by:** AJ Magnan **Seconded by:** Roslyn Grammar

Vote: 13 in favor, 0 opposed, 0 abstentions **Motion carried.**

172 -2023 Town of Canandaigua Zoning Board of Appeals Class: 1
 Type: *Area Variance*

Related Referrals: 173-2023

Applicant: *Charles Smith, Design Works Architecture*

Property Owner: *Kathy Hoff*

Tax Map Parcel #: 98.15-1-15.110

Brief Description: *Site Plan and Area Variance(s) for primary building front setback, accessory building front setback, and building coverage for an addition to an existing home and new detached-garage at 3444 Poplar Beach Rd. in the Town of Canandaigua.*

<https://ontariocountyny.gov/DocumentCenter/View/39791/172-2023-and-173-Aerial-Hoff-Addition>

<https://ontariocountyny.gov/DocumentCenter/View/39797/172-2023-and-173-Site-Plan-Hoff-Addition>

Prior Planning Board approval (2017) expired and a new application must be made. The project description is to add a second-floor addition to the attached garage, to add a 51 SF front-porch addition, and a detached garage on the portion of the (same) parcel across the road. Proposed construction will increase the existing non-conformity of the front setback of the existing frame house. A 55’ front setback is required. Existing frame house is 42’1” from the front setback while the proposed addition will be 40’7.5” from front setback (requiring 14’4.5’, front setback variance). The proposed garage will be 14’8.75” from front (road) setback and will require a 45’3.25” front setback variance as well. Proposed building coverage of 20.3% when a no more than 20% is allowed (requires a 0.3% building coverage area variance). Proposed lot coverage of 29.9% meets zoning requirements.

The 0.38-acre parcel is in the Residential Lake District. Subject parcel and surrounding parcels are residential. Area of disturbance is within the Draft 2022 100-Year Floodplain and the National Wetland Inventory. Soil is Collamer silt loam, 0 to 3 percent slopes. It is not hydric, has moderately high permeability and very high erodibility, is an area of prime farmland, and is in hydro. Group C/D.

Landscaping to remain unchanged. The current planting behind the garage may be substituted for new planting due to destruction of plantings during construction.

Comments:

1. What is the total area of disturbance?
2. Any landscaping along the new detached garage?

OCDPW Comment:

1. Provided the construction of the new addition does not impact the existing sanitary lateral, the district offers no comment(s).

Board Motion: To retain referrals 167-2023, 172-2023, 177-2023, 179-2023, 180-2023, 182-2023, and 186-2023, as class 1s and return them to the local boards with comments. **Motion made by: Steve High**
Seconded by: Roslyn Grammar

Vote: 13 in favor, 0 opposed, 0 abstentions. **Motion carried.**

173 -2023 Town of Canandaigua Planning Board Class: *Exempt*
 Type: *Site Plan*

Related Referrals: *172-2023*

Applicant: *Charles Smith, Design Works Architecture*

Property Owner: *Kathy Hoff*

Tax Map Parcel #: *98.15-1-15.110*

Brief Description: *Site Plan and Area Variance(s) for primary building front setback, accessory building front setback, and building coverage for an addition to an existing home and new detached-garage at 3444 Poplar Beach Rd. in the Town of Canandaigua.*

See information at 172-2023

174 -2023 Town of Canandaigua Zoning Board of Appeals Class: *AR2*
 Type: *Area Variance*

Related Referrals: *175-2023*

Applicant: *Logan Rockcastle, Marks Engineering*

Property Owner: *Robert Updike*

Tax Map Parcel #: *98.15-1-21.200*

Brief Description: *Site Plan & Area Variance(s) for side setback (retaining wall & home) and front setback relief (home & detached garage) for the tear-down/rebuild of a home and new garage @ 3464 Sandy Beach Drive in the Town of Canandaigua.*

<https://ontariocountyny.gov/DocumentCenter/View/39801/174-2023-and-175-Aerial-Updike-Home-Rebuild>
<https://ontariocountyny.gov/DocumentCenter/View/39805/174-2023-and-175-Full-Plans-Updike-Home-Rebuild>
<https://ontariocountyny.gov/DocumentCenter/View/39812/174-2023-and-175-ZBA-App-Updike-Home-Rebuild>

An easement agreement was proposed by the property owners with the Village of Palmyra for a 15 ft. +/- wide easement to accommodate an existing water main. Motion was accepted and carried in a February 2023 Board of Trustees Resolution.

Multiple area variances are requested. A primary structure (south) side setback of 5' when 10' is required, an accessory structure side setback of 2.4' when 10' is required for the block wall (south side of parcel), a front setback of 29.7' for the proposed detached garage (across street) when 60' is required, and a front setback of 12' (house) when 55' is required.

0.34-acre parcel is zoned in the Residential Lake district (RLD). Use and surrounding uses are residential and vacant. Proposed work is in the FEMA 100-Year floodplain. Soil is a split of Lakemont silty clay loam and Rhinebeck silty clay loam (both 0-3% slope). Both are partially hydric, very high erodibility. Lakemont silty clay loam has moderately low permeability, is farmland of statewide importance, and is in hydrologic Group D. Rhinebeck silty clay loam has moderately high permeability, is prime farmland if drained, and is in hydrologic Group C/D.

The project will have approximately 6,100 SF of disturbance. A silt fence will be used to help protect soil/sediment erosion into the lake. Disturbed areas to be stabilized with permanent seeding mix upon construction completion. Existing lot coverage is 1,918 SF (12.9%) and building coverage is 7%. Proposed lot coverage is 2,665 SF (17.9%) and building coverage is 12.3%. The total SF of the new house is 1,067 SF.

A shoreline guideline statement was submitted. Applicant materials indicate enhancements will be made to the shoreline to increase the aesthetics of the site. These improvements include new plantings along the newly constructed house, the preservation of existing plant materials along the shoreline, and the construction of a new single-family home with architectural details that fit the requirements of the shoreline guidelines. A vegetative buffer exists on the site with two (2) canopy trees existing that will help screen the development. Both these trees are outside the limits of development and will be protected during construction. Plantings along the foundation of the new house is also being proposed.

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 leads to increased runoff and pollution.

- 4. Runoff from lakefront development is more likely to impact water quality.
- 5. It is the position of this Board that the legislative bodies of lakefront communities have enacted setbacks and limits on lot coverage that allow reasonable use of lakefront properties.
- 6. Protection of community character, as it relates to tourism, is a goal of the CPB.
- 7. It is the position of this Board that numerous variances can allow over development of properties in a way that negatively affects public enjoyment of the Finger Lakes and overall community character.
- 8. It is the position of this Board that such incremental impacts have a cumulative impact that is of countywide and intermunicipal significance.

Final Recommendation: Denial

Comments

- 1. The referring board is encouraged to grant only the minimum variance necessary to allow reasonable use of the lot.
- 2. The applicant and referring agency are strongly encouraged to involve Canandaigua Lake Watershed Inspector as early in the review process as possible to ensure proper construction and post-construction erosion and sediment control.

OCDPW Comment:

- 1. Plans are currently under review – comments, if any, will be provided directly to the engineer.

175 -2023 Town of Canandaigua Planning Board
Type: *Site Plan*

Class: *Exempt*

Related Referrals: *174-2023*

Applicant: *Logan Rockcastle, Marks Engineering*

Property Owner: *Robert Updike*

Tax Map Parcel #: *98.15-1-21.200*

Brief Description: *Site Plan & Area Variance(s) for side setback (retaining wall & home) and front setback relief (home & detached garage) for the tear-down/rebuild of a home and new garage @ 3464 Sandy Beach Drive in the Town of Canandaigua.*

See information at 174-2023

176 -2023 Town of Seneca Town Board
Type: *Text Amendment*

Class: 2

Applicant: *Town of Seneca, Town Board*

Brief Description: *Text Amendment for a Local law establishing a moratorium on event venues in the Town of Seneca.*

<https://ontariocountyny.gov/DocumentCenter/View/39878/176-2023-Local-Law-Seneca-Text-Amendment>

Based on an interpretation of the CEO, the Town of Seneca currently regulate event venues as retail sales home occupations.

The Town of Seneca proposes to adopt a moratorium (Local Law #2-2023) that prohibits event venues as home business in the R-1, R-2, Ag zoning districts until such time regulations are written and placed within the Zoning Law.

“This moratorium shall be in effect for a period of twelve (12) months from the effective date of the local law and shall expire on the earlier of (i) the date twelve (12) months from said effective date, unless renewed; or (ii) the enactment by the Town Board of a resolution indicating the Town Board is satisfied that the need for the moratorium no longer exists.”

It is the purpose of this moratorium to enable the Town of Seneca to have sufficient time to review the Town’s existing laws pertaining to event venues and modifications to the laws of the Town of Seneca regarding such operations. This review is in accordance with the goals, objectives, and policies contained in the duty adopted Comprehensive Plan of the Town of Seneca.

The intent of this review by the Town Board would be to achieve the objectives of the Comprehensive Plan as well as the consistent and fair application of laws pertaining to such operations. Amendments would be considered that would assure that the development of such uses are compatible with the community and competing land uses. The Town Board is concerned that such uses, under existing laws, could negatively impact the value of the neighborhoods in which they would be situate and of the Town as a whole.

It is, therefore, the intent of the Town Board to temporarily suspend the approval of all event venues and the use of all properties as event venues. This will afford the Town sufficient time to review these uses and to draft amendments to the Town’s codes, if necessary and in the best interests of the Town.

This is an administrative action only with no planned construction activities.

Comments:

1. The local law states, “this moratorium shall apply to all real property within the Town”. The SEAF states the moratorium is for, “event venues as home businesses in the R-1, R-2, Ag zoning districts”. Which one is it?

CRC Comments

1. The moratorium does not make provisions for in-process applications/projects.
2. Are there existing event venues in operation?

Board Motion: To retain referral 176-2023 as class 2 and return it to the local board with recommendation for approval. **Motion made by:** Tammy Worden **Seconded by:** Paul Lambiase

Vote: 13 in favor, 0 opposed, 0 abstentions **Motion carried.**

177 -2023 Town of Farmington Planning Board Class: 1
 Type: *Subdivision*

Applicant: *Mary & Everett Estabrooks (Whitestone Farms LTD)*

Property Owner: *same*

Representative: *Marks Engineering PC*

Tax Map Parcel #: *30.00-1-80.220; 30.00-1-80.400*

Brief Description: *Application to subdivide a 41.5-acre parcel (TM# 30.00-1-80.40) into 2 separate lots of 19.2 and 19.8 acres, and to add the remaining 2.4-acres to lot TM# 30.00-1-80.22, at the corner of SR 96 and Payne Rd, 5322 SR 96, in the Town of Farmington.*

<https://ontariocountyny.gov/DocumentCenter/View/39880/177-2023-Aerial-Estabrooks-Subdiv>
<https://ontariocountyny.gov/DocumentCenter/View/39883/177-2023-Subdiv-Plan-Estabrooks-Subdiv>

Application is to subdivide the 41.5-acre parcel TM# 30.00-1-80.400 into 3 separate parcels, and then to add the 2.431-acre portion of the lot (directly behind/north of TM#30.00-1-80.220; 5322 SR 96) to 5322 SR 96. A 19.769-acre proposed lot 1 lies to the east (along Payne Rd) of 5322 SR 96, and a 19.239-acre parcel is proposed to the west (lot 2).

The property class is horse farm and is zoned Agricultural (A-80). Surrounding Parcels are agricultural or residential. Subject parcel and surrounding parcels are in Ontario County Agricultural District #1.

Comment:

1. If the property is receiving an ag. value exception and is developed, a penalty payment may be required.

Board Motion: To retain referrals 167-2023, 172-2023, 177-2023, 179-2023, 180-2023, 182-2023, and 186-2023, as class 1s and return them to the local boards with comments. **Motion made by: Steve High**
Seconded by: Roslyn Grammar

Vote: 13 in favor, 0 opposed, 0 abstentions. **Motion carried.**

178 -2023 Town of South Bristol Planning Board Class: *Exempt*

Type: *Site Plan*

Applicant: *Sharon & Michael Kubinieć*

Property Owner: *same*

Tax Map Parcel #: *191.17-1-22.111*

Brief Description: *Site Plan for a proposed permanent dock at 6989 Coye Point Dr. in the Town of South Bristol.*

<https://ontariocountyny.gov/DocumentCenter/View/39884/178-2023-Aerial-Kubinieć-Dock>

<https://ontariocountyny.gov/DocumentCenter/View/39885/178-2023-Survey-Kubinieć-Dock>

179 -2023 Town of Richmond Zoning Board of Appeals Class: *1*

Type: *Area Variance*

Related Referrals: *187-2023*

Applicant: *Gregory Norsen*

Tax Map Parcel #: *107.00-1-31.110*

Brief Description: *Subdivision of an existing 159.25-acre parcel into two (2) lots and a front setback area variance for existing structures; creating a 17.99-acre and 141.25-acre parcel, along the corner of CR 37 and Shelter Rd., at 3985 CR 37 in the Town of Richmond.*

<https://ontariocountyny.gov/DocumentCenter/View/39886/179-2023-Aerial-Norsen-Subdiv>

<https://ontariocountyny.gov/DocumentCenter/View/39890/179-2023-Survey-Norsen-Subdiv>

According to the August 2023 Planning Board Minutes, the plan is for the owner to split off the 159.25-acre parcel to sell, and to keep the 17.99-acre parcel for their house, barns, and some land. The house is one side of the road (west), the barn is on the other (east). An area variance is required for the front setback of the barn from the road. It is 34' from the ROW when the front setback shall be no less than 50'.

Subject parcels and surrounding parcels are in OC Ag. District #1. Land use is agricultural and the parcel is zoned A (residential – agricultural). Hemlock outlet runs through the middle of the current parcel, and a large portion of the parcel is within the FEMA floodway and FEMA 100-Year floodplain. There are also national wetlands and NYS DEC wetlands on the parcel.

Comment:

1. What is the actual front setback of the barn (how big is the variance)? The 34’ setback listed above was approximated with OnCor measuring tool.

Board Motion: To retain referrals 167-2023, 172-2023, 177-2023, 179-2023, 180-2023, 182-2023, and 186-2023, as class 1s and return them to the local boards with comments. **Motion made by: Steve High**
Seconded by: Roslyn Grammar

Vote: 13 in favor, 0 opposed, 0 abstentions. **Motion carried.**

180 - 2023 Town of Victor Zoning Board of Appeals Class: 1

Type: *Area Variance*

Applicant: *Scott Hellinger*

Tax Map Parcel #: 28.03-1-3.120

Brief Description: *Area variance for the construction of a 1,500 SF pole-barn forward of the front-line of the existing principal structure (house) at 6850 CR 41, just south of Victor Hills Golf Club, in the Town of Victor.*

<https://ontariocountyny.gov/DocumentCenter/View/39891/180-2023-Aerial-Hellinger-Pole-Barn>

<https://ontariocountyny.gov/DocumentCenter/View/39892/180-2023-Criteria-Hellinger-Pole-Barn>

<https://ontariocountyny.gov/DocumentCenter/View/39893/180-2023-Full-Plans-Hellinger-Pole-Barn>

<https://ontariocountyny.gov/DocumentCenter/View/39896/180-2023-ZBA-App-Hellinger-Pole-Barn>

The pole barn will be 30’ x 50’ with 0.25-acres to be disturbed. An area variance is required to build it ahead of the front-yard line of the home on the parcel. The parcel is in the Residential-2 zoning district. Surrounding land use is vacant, residential, or recreation/entertainment (golf course). Percent slope is zero to moderate (0-15%).

Applicant claims reason for variance (pole barn ahead of primary structure) is that their house sits far back on the property and their septic system is on the east side of the property, so placing the pole barn behind the house is not an option (not accessible). The pole barn will be used for the owner’s cars and trailers, yard equipment, and personal property.

Comments:

1. Does the home exist currently? There is nothing indicated on aerial photos.
2. What is distance of house from road?

CRC Comments

1. Is landscaping needed to screen view of the garage from the road and from adjacent homes?
2. It appears this site has a shared driveway with the lot to the east. Is the access and maintenance agreement formalized?

Board Motion: To retain referrals 167-2023, 172-2023, 177-2023, 179-2023, 180-2023, 182-2023, and 186-2023, as class 1s and return them to the local boards with comments. **Motion made by: Steve High**
Seconded by: Roslyn Grammar
Vote: 13 in favor, 0 opposed, 0 abstentions. **Motion carried.**

There is no referral 181-2023.

182 -2023 Town of West Bloomfield Zoning Board of Appeals Class: 1
Type: *Area Variance*

Applicant: *Kathryn Holevinski*

Property Owner: *same*

Tax Map Parcel #: *52.00-1-56.000*

Brief Description: *Area Variance to construct an attached deck with a front setback of approximately 36.4 ft. when 75 ft. is required, at 8338 Baker Rd. in the Town of West Bloomfield.*

<https://ontariocountyny.gov/DocumentCenter/View/39897/182-2023-Aerial-Holevinski-Deck>

<https://ontariocountyny.gov/DocumentCenter/View/39898/182-2023-Full-Plans-Holevinski-Deck>

<https://ontariocountyny.gov/DocumentCenter/View/39900/182-2023-ZBA-App-Holevinski-Deck>

Proposed deck is 23' x 14' (322 SF). Previous front porch was removed and applicant claims they cannot access their front door. A new front porch/deck requires an area variance as it is within the 75 ft required setback. Applicant claims front door is 10' above street level, so deck will not be highly visible from the road. Parcel is zoned Agricultural (AG), is in OC Ag District #1, and land use is residential. Surrounding parcels are residential, agricultural, or vacant.

Board Motion: To retain referrals 167-2023, 172-2023, 177-2023, 179-2023, 180-2023, 182-2023, and 186-2023, as class 1s and return them to the local boards with comments. **Motion made by: Steve High**
Seconded by: Roslyn Grammar

Vote: 13 in favor, 0 opposed, 0 abstentions. **Motion carried.**

183 -2023 Town of Hopewell Planning Board Class: 1
Type: *Special Use Permit*

Related Referrals: *184-2023*

Applicant: *JBC Properties, LLC (Joe Burke)*

Property Owner: *same*

Representative: *Marks Engineering, PC*

Tax Map Parcel #: *99.00-2-55.310*

Brief Description: *Special Use Permit and Site Plan to construct a 7,920 SF commercial structure with improvements for a pool contracting business, just across from SR 247, located at 3890 SR 5&20 in the Town of Hopewell.*

<https://ontariocountyny.gov/DocumentCenter/View/39923/183-2023-and-184-Aerial-JBC-SUP>

<https://ontariocountyny.gov/DocumentCenter/View/39924/183-2023-and-184-Full-Plans-JBC-SUP>

<https://ontariocountyny.gov/DocumentCenter/View/39925/183-2023-and-184-LOI-JBC-SUP>

The project site is 5.5 acres with 220' of road frontage. The site includes an existing 3,300 SF building, an asphalt access driveway off SR 5/US 20 and gravel parking east of the building, and a stone area north of the building. Proposed site modifications include stripping of 8 parking space off the existing driveway, a new access driveway, 20 stripped parking spaces to the north of the existing building, and expanded cleared area for storage between new parking and the proposed new shop building. Site modifications will also include a new septic system serving both buildings and a stormwater management facility connected to new parking/storage area.

The statement of operations indicates the fiberglass pool installer will have 12 employees and the site will include fenced/gated area with dark sky compliant lighting but these site elements are not shown on the site plan.

The front half of the site is zoned C-2 Low Intensity Commercial. Contractor yards are an allowed special permit use. The rear of the site and the properties on the west side of Freshour Road are zoned HDR High Density Residential

Comments

1. What is the acreage of impervious area proposed for the site? What is the area of disturbance? How much woodlot will be removed/retained?
2. What is the surface treatment of the proposed driveway, parking and storage area?
3. The referring body should consider whether the second access point is warranted given posted and operating speeds, narrow lot width, and potential turning moving overlap with other existing commercial driveways on south side of road in this area.
4. The referring body should consider whether any on-site retained vegetation is necessary to minimize impact to adjacent residential uses fronting on Freshour Road.
5. The applicant should consider retaining/adding landscaping along the western property boundary to protect the display area from windblown dust and dirt and pollens from agricultural operations to the west.
6. What frontage, foundation, parking area landscaping is proposed?
7. It appears the rear portion of the property is in the HDR zoning. The zoning boundary should be shown on the site plan to ensure all proposed site facilities, yards and open space are in the C-2 district as required by 705 A.
8. Referred materials no not include required narrative of how the contractors yard meets the special use permit standards of 305 D.
9. What areas of the site are allowed to be used for outdoor storage of materials? Commercial vehicles? What area will be fenced? Lighted? Will display area be lighted?

OCSWCD Comments

1. The site plan should specify use of 0 phosphorus fertilizer unless soil text determines phosphorus is needed to establish plantings.
2. Will stormwater from the existing building and parking flow to the stormwater treatment facility?

NYS DOT Comments

1. Review of preliminary site plan determined second driveway is not warranted.

CRC Comments

1. The sanitary line connecting the buildings to the on-site septic system appears to cross through the stormwater management facility. Is separation needed to avoid sanitary line damage during future clean out the stormwater facility?
2. Stormwater facility maintenance is the property owner's responsibility; other municipalities require an access easement to allow maintenance by Town staff in an emergency situation.
3. What types of materials are involved in pool fabrication? Is any spill containment system or pre-treatment required?

Board Motion: To retain referral 183-2023 and 184-2023 as class 1s and return it to the local board with comments. **Motion made by:** AJ Magnan **Seconded by:** Tammy Worden

Vote: 13 in favor, 0 opposed, 0 abstentions **Motion carried.**

184 -2023 Town of Hopewell Planning Board Class: 1
Type: *Site Plan*

Related Referrals: 183-2023

Applicant: *JBC Properties, LLC (Joe Burke)*

Property Owner: *same*

Representative: *Marks Engineering, PC*

Tax Map Parcel #: 99.00-2-55.310

Brief Description: *Special Use Permit and Site Plan to construct a 7,920 SF commercial structure with improvements for a pool contracting business, just across from SR 247, located at 3890 SR 5&20 in the Town of Hopewell.*

See information at 183-2023

185 -2023 Town of Hopewell Planning Board Class: *Exempt*
Type: *Subdivision*

Applicant: *Robert Stryker*

Property Owner: *same*

Representative: *Greene Land Surveying PLLC*

Tax Map Parcel #: 72.00-1-80.000

Brief Description: *Proposed subdivision of a 5-acre parcel into two parcels. The parcel to the north (with home) will have an area of 3-acres, with the remaining parcel being 2-acres, at the corner of Smith and Stoddard Rd, at 2411 Smith Rd in the Town of Hopewell.*

<https://ontariocountyny.gov/DocumentCenter/View/39929/185-2023-Aerial-Stryker-Subdiv>

<https://ontariocountyny.gov/DocumentCenter/View/39931/185-2023-Plans-Stryker-Subdiv>

186 -2023 Town of Hopewell Planning Board Class: 1
Type: *Site Plan*

Applicant: *Reid Classics, LLC (Kevin Simpson)*

Property Owner: *same*

Representative: *Marks Engineering, PC*

Tax Map Parcel #: 85.03-1-17.000

Brief Description: *Site Plan for the construction of an 1,840 SF addition to the north (rear) side of a proposed classic car museum business, behind Canandaigua Theaters, at 4336 Recreation Dr. in the Town of Hopewell.*

- <https://ontariocountyny.gov/DocumentCenter/View/39933/186-2023-Aerial-Reid-Classics-Addition>
- <https://ontariocountyny.gov/DocumentCenter/View/39934/186-2023-Full-Plans-Reid-Classics-Addition>
- <https://ontariocountyny.gov/DocumentCenter/View/39935/186-2023-LOI-Reid-Classics-Addition>

The 1-acre site is currently developed with a 5,000 SF building. The addition would be to the north (rear of the building).

OCSWCD Comments

1. Is there existing stormwater treatment area? Will additional roof discharge to a stormwater treatment area?

CRC Comments

1. While not involved commercial motor vehicle repairs, does the owners intended personal repair work require provisions for spill containment or sewage pretreatment?

Board Motion: To retain referrals 167-2023, 172-2023, 177-2023, 179-2023, 180-2023, 182-2023, and 186-2023, as class 1s and return them to the local boards with comments. **Motion made by: Steve High**
Seconded by: Roslyn Grammar

Vote: 13 in favor, 0 opposed, 0 abstentions. **Motion carried.**

187 -2023 Town of Richmond Planning Board Class: *Exempt*
Type: *Subdivision*
Related Referrals: *179-2023*
Applicant: *Gregory Norsen*
Property Owner: *same*
Tax Map Parcel #: *107.00-1-31.110*
Brief Description: *Subdivision of an existing 159.25-acre parcel into two (2) lots and a front setback area variance for existing structures; creating a 17.99-acre and 141.25-acre parcel, along the corner of CR 37 and Shelter Rd., at 3985 CR37 in the Town of Richmond.*

See information at 179-2023

Board Motion: To accept late referrals 188-2023 and 189-2023. **Motion made by: Tammy Worden**
Seconded by: Mike Woodruff

Vote: 13 in favor, 0 opposed, 0 abstentions **Motion carried.**

188 -2023 Town of Manchester Town Board Class: 2 *Late Referral*

Type: *Map Amendment*

Applicant: *Town of Manchester*

Property Owner: *Mary Lou Abbott*

Tax Map Parcel #: *32.00-1-24.100*

Brief Description: *Map amendment to correct unintentional rezoning of the above referenced property on SR 96 in the Town of Manchester to A Agricultural and to returned it to GC General Commercial zoning.*

<https://ontariocountyny.gov/DocumentCenter/View/39939/188-2023-T-Manchester-August-2023-Minutes>

<https://ontariocountyny.gov/DocumentCenter/View/39940/188-2023-T-Manchester-Authority-to-file>

The parcel in questions encompasses 26 acres, primarily north of SR 96 just west of the Village of Manchester. The adjacent site to the west in the Village of Manchester is zoned Commercial and developed with a McDonald’s restaurant. There is also a small triangle of land with maximum depth of 165’ on the south side of SR 96 and bordering the northern boundary of the Village of Manchester. Property to the west on the south side of SR 96 is vacant commercially zoning land and property to the south is vacant residential land.

The zoning map adopted in 2006 showed the property in question as C-1 Commercial. The 2017 Comprehensive Plan identified the area for General Commercial land use. The new zoning map adopted in June 2023 inadvertently showed the property zoned A-1 Agriculture, though it is not farmed, not in Ontario County Agricultural District #1 and includes a substantial area of wooded wetland. The 2023 zoning map.

Board Motion: To retain referral 188-2023 as class 2 and return it to the local board with recommendation for approval. **Motion made by:** Doug Dello Stritto **Seconded by:** Mike Woodruff

Vote: 13 in favor, 0 opposed, 0 abstentions **Motion carried.**

189 -2023 City of Canandaigua Canandaigua City Council Class 2 *Late Referral*

Type: *Text Amendment*

Related Referrals: *128-2023*

Applicant: *Canandaigua City Council*

Brief Description: *Text Amendment to City Zoning Code regarding hosted bed and breakfast lodging and un-hosted short term rental special permit uses.*

<https://ontariocountyny.gov/DocumentCenter/View/40032/189-2023-2-Ord-2023-05-Amending-STR-SEPT-Draft>

Proposed text amendment related to definition of bed and breakfast and short-term rentals was recently reviewed as referral 128-2023 in July 2023.

The text amendment now proposed prohibits short-term rentals in single family residential districts and limits short-term rentals in higher density residential districts to an owners’ primary residence with a minimum 2 night stay and maximum of 60 days per calendar year.

Comments

1. Regulation based on occupancy is not an allowable zoning authority. Regulation of Short-Term Rentals is allowable by authority of Section 10 of NYS Municipal Home Rule Law regarding regulation or licensing of occupations or business and likely also City Law related to housing code regulations and other regulation of peace, good order, safety, and preservation of property. The Short-Term Rental regulations should be moved out of the zoning chapter and adopted as a separate chapter with a permitting procedure, enforcement, and appeal process separate from the zoning chapter.
2. As drafted, the proposed regulations would allow unlimited short term rental use of units in a PUD such as that proposed at Kennedy Street and Stewart Place.

OCPB Comment

1. It is suggested that the PUD be included in the proposed text amendment.

Board Motion: To retain referral 189-2023 as class 2 and return it to the local board with recommendation for approval. **Motion made by:** Doug Dello Stritto **Seconded by:** Paul Lambiase
Vote: 13 in favor, 0 opposed, 0 abstentions **Motion carried.**

General Information

The Ontario County Planning Board (CPB) was established by the Ontario County Board of Supervisors under the provision of NYS General Municipal Law Article 12-B Section 239-c. County Planning Boards. The state legislature determined in §239-c. 1. (a), (b), (g) & (f):

1. Legislative findings and intent. The legislature hereby finds and determines that:

(a) Significant decisions and actions affecting the immediate and long-range protection, enhancement, growth and development of the state and its communities are made by county planning boards.

(b) County planning boards serve as an important resource to the state and its localities, helping to establish productive linkages between communities as well as with state and federal agencies.

(f) The great diversity of resources and conditions that exist within and among counties requires consideration of such factors by county planning boards.

(g) It is the intent of the legislature therefore, to provide a permissive and flexible framework within which county planning boards can perform their power and duties.

Note: I, (d), and (e) refer to the county comprehensive plan.

The CPB membership consists of one representative from each of the 16 towns and 2 cities who are selected by the town board or city council and formally appointed by the Board of Supervisors for terms of 5 years. Members representing a town, also represent any village(s) located with the town.

General Summary of CPB Review Responsibilities

This section provides a general summary of the CPB's roles and responsibilities. The specific responsibilities of a county planning board are found in §239 l, m, & n and the CPB Bylaws approved by the Ontario County Board of Supervisors. (Links: Complete §239 text Page151: [Guide to NYS Planning and Zoning Laws](#) and [Ontario County Planning Board Bylaws under "Quick Links"](#))

The Ontario County Planning Board reviews certain zoning and planning actions prior to the final decision made at the village, town, or city level and makes a recommendation to the municipality. Although CPB review is required, the action is advisory in nature and can be overridden at the local level (super majority if a recommendation for denial or approval without recommended modification).

NYS law spells out the types of actions reviewed by the CPB:

- Adoption or amendment of zoning regulations (text and/or map)
- Comprehensive plans
- Site plan approvals
- Special use permits
- Variances
- Any special permit, exception, or other special authorization which a board of appeals, planning board or legislative body is authorized to issue under the provisions of any zoning ordinance
- Subdivisions

NYS law specifies that CPB is required for the above actions to occur on real property lying within a distance of 500 feet from any:

- Boundary of any city, village, or town boundary
- Existing or proposed county or state park or other recreation area,
- Right-of-way of any existing or proposed county or state parkway, thruway, expressway, road or highway, existing or proposed right-of-way,
- Stream or drainage channel owned by the county or for which the county has established channel lines, or
- Existing or proposed boundary of any county or state owned land on which a public building or institution is situated.

General Procedures

The Ontario County Planning Board meets once each month to review referred local actions for intermunicipal and countywide impacts. They are separated into two categories: Class 1 & Class 2. Class 1s are applications that the CPB has formally decided have little potential intermunicipal or countywide impact. For Class 2 applications, the CPB has determined that there will be potential impacts before voting to approve, modify or deny.

Legal Obligations for Referring Agencies

Class 1: If an application has been returned to the referring agency as a Class 1, then the only requirement is that they consider any Board comments forwarded to them by the CPB. Referring agencies are asked to read any Board Comments into the minutes of a meeting or hearing held for the subject application.

Class 2: If the CPB has voted to deny or modify a referred application, then the local board needs a majority plus one vote of their full board to act contrary to that decision. CPB approvals without modification require no extraordinary local action. However, in all cases, the referring agency is still required to consider CPB comments as they would for Class 1 applications.

Incomplete Applications

Referrals need to meet the definition of “full statement of such proposed action” in NYS General Municipal Law. The CPB’s determination regarding the completeness of a particular application is supported by factual findings and is made, whenever practical, after consulting with the submitting official or the chairs of referring agencies. The CPB will not make a recommendation on an application that they have determined to be incomplete. NYS General Municipal Law, Article 12-b Section 239-m I

Reporting back to the CPB

Report of final action – Within thirty days after final action, the referring body shall file a report of the final action it has taken with the county planning agency or regional planning council. A referring body which acts contrary to a recommendation of modification or denial of a proposed action shall set forth the reasons for the contrary action in such report.”

NYS General Municipal Law, Article 12-b Section 239-m, Part 6.

Administrative Reviews

The Ontario County Planning Department prepares administrative reviews of referrals as authorized, in accordance with the CPB bylaws. The bylaws include criteria that identify applications that are to be reviewed administratively and specify the applicable recommendations that are to be made to the municipality. AR 1 is an administrative review that is a Class 1 and AR 2 is a review that is a Class 2. An AR 2 requires a majority plus one for the local board to act contrary to the recommendation for disapproved just like Class-2 referrals reviewed by the full Board. The following table summarizes the policies under which administrative review is allowed and guidance regarding class designation and recommendation based on the CPB bylaws.

Administrative Review (AR) Policies:– Ontario County Planning Board By-Laws Appendix D	
AR Policy 1	Any submitted application clearly exempted from CPB review requirements by intermunicipal agreement
AR Policy 2	Applications that are withdrawn by the referring agency
AR Policy 3	Permit renewals with no proposed changes
AR Policy 4	Use of existing facilities for a permitted use with no expansion of the building or paved area (Applications that include specially permitted uses or the addition of drive through service will require full Board review)
AR Policy 5 A. Class 2 Denial	Applications involving one single-family residential site infringing on County owned property, easement or right-of-way.
AR Policy 5 B. Class 2 Denial	Applications involving one single-family residential site adjoining a lake that requires an area variance
AR Policy 5 C.	All other applications involving a site plan for one single-family residence.
AR Policy 6	Single-family residential subdivisions under five lots.
AR Policy 7 A. Class 2 Denial	Variances for signs along major designated travel corridors.
AR Policy 7 B.	Applications involving conforming signs along major travel corridors.
AR Policy 8	Co-location of telecommunications equipment & accessory structures on existing towers and sites (Applications that require a special use permit or for new towers or increasing the height of an existing tower require full Board review)

- Upcoming Training See <https://www.ontariocountyny.gov/192/Training> for updated list of training opportunities.

Friday September 20, 2023 10:30 to 5:30 includes box lunch. Bus tour of solar developments of various sizes and stages of development in Livingston County. See how different solar regulations result in different footprints and review benefits and challenges of solar development.

https://docs.google.com/forms/d/e/1FAIpQLSfswVZi0TojNCLC7-iLWaJJCpqm2cOVbuCuZyLFwt6TIE4W6g/viewform?usp=pp_url

Cornell Cooperative Extension and Farm Bureaus of New York, Pennsylvania, and Ohio are coordinating a series of 5 webinars that will explore aspects of the push for solar energy development projects in agricultural areas.

Thursday, September 28th 12 pm – 1:15 pm [Impacts of Large-Scale Solar on Rural Communities – A Research Perspective](#)

Thursday, October 12th 12 pm – 1:15 pm [Solar and Agriculture – A Company’s Perspective on the Challenges and Pathways to Successful Integration of Both](#)

Thursday, October 26th 12 pm – 1:15 pm [A Farmer’s Perspective on Solar](#)

Thursday, November 9th 12 pm – 1:15 pm [A Community Perspective on Solar](#)

Wednesday, November 22nd 12 pm – 1:15 pm [Question and Answer](#) on Solar and Ag

Tues. October 24, 2023 Ontario County All Hazard Mitigation Plan Community Risk Assessment & Mitigation Strategy Review <http://tinyurl.com/Ontatio-Zoom-Registration>

Thurs. November 9, 2023 GFLRPC Fall Workshop 830am -5 pm BOCES Newark <https://www.eventbrite.com/e/fall-2023-local-govt-workshop-tickets-721287278667?aff=oddtcreator>

Hancock Estabrook Municipal Bootcamp registration link, dates and topics listed below <https://www.hancocklaw.com/events/2023-municipal-bootcamp/>

Thursday, September 28, 2023 from 6 to 7 pm Transforming Former Industrial Properties

Thursday, October 26, 2023 from 6 to 7 pm Preventing Sexual Harassment

Thursday, December 14, 2023 from 6 to 7 pm Case Studies – good and bad of 2023

The NY Conference of Mayors also offers virtual and recorded webinars for member villages and cities <https://www.nycom.org/training/webinars>

- **Adjournment:** Being no further business for discussion, Chair Passavant requested a motion to adjourn. **Motion to adjourn** made by Doug Dello Stritto seconded by Paul Lambiase. **Motion Carried** 8/9/23 CPB meeting adjourned at 8:30 PM.

Summary of Pre-meeting Water Quality Training presentations

Terry Gronwall, Chair Honeoye Lake Watershed Task Force

- Honeoye Lake is only 30 ‘ deep, reaches summer water temperatures of 80-85 degrees and has significant phosphorus on the lake bottom from 19th century logging run-off that gets released into the surface waters under some conditions and contributes to harmful algal blooms (HABs). Lake flushes every 272 days. In contrast, Canandaigua Lake has an average depth of 127’ and flushes every 13.4 years.
- Recent studies recommended alum treatment (completed Nov 2022) and installation of an aeration system (feasibility study 2022)
- 2016 \$400,000 stormwater best management practice- restoration/naturalization of the inlet resulted in significant increase in clarity and decrease in phosphorus May to July. Legacy phosphorus on lake bottom continues to negatively impact water quality in Aug. and Sept.

Link for Stormwater Toolkit

https://www.honeoyelakewatershed.org/files/ugd/e6fc30_63844f11326940518986a2e8c32f27b0.pdf

Link for Lake Friendly Living booklet <https://www.honeoyelakewatershed.org/>

- Reminder that water quality improvement is a journey, not a destination

Megan Webster, District Manager OC Soil and Water Conservation District

- Any Ontario County resident can call OCSWCD for an on-site consultation regarding drainage/erosion issues.
- Green infrastructure – infiltration in filter strips and rain gardens requires suitable soils and periodic maintenance
- Regenerate NY- cost share reimbursement program for private landowners to establish or manage forests.
<https://www.dec.ny.gov/lands/119950.html>
- Reviewed water quality improvement projects including installation of flexible concrete mats in roadside ditches in T. Canadice and engineered grass swales and water infiltration areas in agricultural fields. For quarterly updates on projects subscribe to their newsletter. <https://www.ontswcd.com/>
- OCSWCD finding it necessary to increase design storm of water quality practices to reserve more area/depth to manage water from intense storms.
- OCSWCD does septic system inspections in accordance with local municipal codes which may regulate frequency, require when property is transferred, and inspection requirements at homes used for short-term rentals.