

ONTARIO COUNTY PLANNING BOARD

Referrals for Review at the: **Coordinated Review Committee Meeting –Tuesday April 11, 2023, at 3:30pm**
County Planning Board Meeting –April 12, 2023 at 7:00pm 20 Ontario St., Canandaigua
 Telephone: 585-396-4455

Referral #	Municipality_	Applicant	Application Type	Class	Page
47	Town of Gorham	Kiki France-Perry	Area Variance	AR 2	2
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49	Town of Victor	Progressive Machine & Design LLC	Site Plan	1	5
50	Town of Victor	Rob Krutchen	Area Variance	AR1	5
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53	Town of Bristol	Bristol Valley Property, LLC	Site Plan	1	8
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55	Town of Manchester	Catalyze Holdings LLC	Site Plan	1	9
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58	Town of Farmington	Fowler Family Trust	Area Variance	1	12
59	Town of Farmington	Fowler Family Trust	Technical Review	Technical Review	13
60	Town of Geneva	Geneva CSG 1	Site Plan	1	13
61	Town of Geneva	Geneva CSG 2	Site Plan	1	16
62	Town of Farmington	Noelle Porreta	Special Use Permit	1	16
63	Town of Seneca	Joshua Douglas	Special Use Permit	1	17
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65	Village of Bloomfield	Cheap Charlies Real Estate, LLC	Special Use Permit	1	18
66	Village of Bloomfield	Cheap Charlies Real Estate, LLC	Site Plan	1	19
67	City of Geneva	City of Geneva	Subdivision	1	20
68	Town of Hopewell	NYSEA	Site Plan	1	20
69	Town of Seneca	Steve Hullings	Special Use Permit	1	22
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	Member name in bold if on local legislative, planning, or zoning board	P-Present / V – Virtual E – Excused Absence	A – Absent,
Town of Canandaigua	Shawna Bonshak		E
Town of West Bloomfield	Ruth Cahn ZBA	P	
Town of Victor	Mike Crowley		E
City of Canandaigua	Doug Dello Stritto	P	
Town of Seneca	Roslyn Grammar	Arrived 730	
Town of Canadice	Stephen Groet PB	P	
Town of Gorham	Gabrielle Harris PB	P	
Town of Geneva	Steven High	P	
Town of Farmington	Ted Liddell	P	
Town of Bristol	AJ Magnan ZBA	P	
City of Geneva	Paul Passavant	P	
Town of Phelps	Nina Tilman PB alt	P	
Town of South Bristol	Bessie Tyrrell PB	P	
Town of Richmond	Leonard Wildman PB	P	
Town of Manchester	Tammy Worden	P	
Town of East Bloomfield	Mike Woodruff PB		E through 4/12/23
Alternate Member	Jack Dailey		E
Town of Hopewell	Vacant	-----	-----
Town of Naples	Paul Lambiase	P	

Call To Order/Roll Call: Chair Passavant called the 4/12/23 CPB meeting to order at 7:02 and requested Ms. Holley to do roll call. Ms. Holley presented roll call and reported that there were (13) members present physically at 20 Ontario Street and, meeting the quorum requirement. One additional member arrived at 7:30.

Staff: Linda Phillips, Erin Holley, Kyle Ritts

Guests: Steve Hullings

Minutes:

- *Motion made by L Wildman to approve the March 8, 2023 minutes, seconded by A Magnan. Motion Carried*

47 -2023 Town of Gorham Zoning Board of Appeals Class: AR 2
 Type: *Area Variance*

Applicant: *Kiki France-Perry*

Property Owner: *Jaime Burns-France & Katherine France*

Tax Map Parcel #: *154.12-1-50.000*

Brief Description: *Area variance for a 224 SF boat shed with a side setback of 5.4' when 15' is required, at 5208 Long Point Road, in the Town of Gorham.*

<https://ontariocountyny.gov/DocumentCenter/View/37986/47-2023-Aerial>
<https://ontariocountyny.gov/DocumentCenter/View/37987/47-2023-Existing-Conditions>

Area variance for a 224 SF boat shed with a side setback of 5.4' when 15' is required at 5208 Long Point Road in the Town of Gorham. Parcel is along the eastern lakeshore, split by Long Point Road, just west of CR 11. The two existing sheds on the property are to be replaced with this proposed structure. The new shed will be 22.2' from the mean high-water line, and 3.7' from the existing deck.

According to OnCor, the proposed shed is within the FEMA 100-Year flood zone. The area of the proposed work may be in moderate to steep slope zones (10-30% gradient). All of the soil on the parcel is classified as Cayuga Silt loam with 15 to 25 percent slopes. Soil is not hydric, permeability is moderately high, erodibility is very high, it is not prime farmland, and the hydrologic soil group is C/D. Surrounding land uses (and subject parcel) are all residential.

**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.
3. Is there a plan showing proposed work? How much work will be done in steep slope area? Will there be erosion controls? Any special precautions since it is so close to the lake?
4. Says 2 sheds will be removed? I only see one existing

5. Plans indicate that the boat shed is only 3.7' from deck? Are there any fire code (building separation) violations here?

48 -2023 Town of Phelps Planning Board Class: 1
Type: Site Plan

Applicant: Irish Carbonic & Propane

Property Owner: William Riker

Representative: Jason McCormick

Tax Map Parcel #: 77.00-2-102.200

Brief Description: Site Plan for a 30,000-gallon skid-mounted propane tank and associated improvements for the retail sale of propane located on a newly subdivided 2.3 acre parcel on SR 14 in the Town of Phelps.

- <https://ontariocountyny.gov/DocumentCenter/View/37988/48-2023-Aerials>
- <https://ontariocountyny.gov/DocumentCenter/View/37989/48-2023-Propane-Site-Plan>
- <https://ontariocountyny.gov/DocumentCenter/View/37990/48-2023-Propane-tax-map-update>

Site Plan for a 30,000-gallon skid-mounted propane tank and associated improvements for the retail sale of propane located on a newly-subdivided 2.3-acre parcel at the northwest corner of Skuse Road and SR 14 in the Town of Phelps. The plans also indicate a new proposed septic system with area for 100% expansion and an 8' high perimeter fence surrounding the parcel. Adjacent to existing 960 SF metal building there is a proposed parking area with four spaces (one ADA compliant) with space for additional parking spots if needed. There is a proposed 3'x4' fence-mounted sign as well. There are no proposed changes to the existing driveway or gravel area. A utility easement is located on the northern edge of the parcel. Surrounding parcels are mostly vacant, and one large rural residential parcel. According to OnCor, the parcel in question has little to no slope (0-3%) and no wetlands/floodplains indicated. The soil is 100% Elnora loamy fine sand: it is not hydric, has high permeability and erodibility, is an area of prime farmland, in hydrologic soil group B.

Comments:

- 1) With the addition of parking spaces (increased impermeable surface), will there be any proposed stormwater management?
- 2) Is there any proposed screening along the 8' high fence? Any proposed vegetation?

SWCD No comments at this time.

CRC Comments

1. The referring body should require landscaping along the SR 14 frontage in keeping with SR 14's designation as a primary tourism corridor.
2. Is additional propane storage needed in light of upcoming NYS requirements for electrification of new homes?

Board Motion: To retain referrals 48-2023, 49-2023, 51-2023, 58-2023, 60-2023, 61-2023, 62-2023, 63-2023, 64-2023, 65-2023, 66-2023, 67-2023, and 68-2023 as class 1s and return them to the local boards with comments. **Motion made by:** Steve High **Seconded by:** Roslyn Grammer. **Vote:** 14 in favor, 0 opposed, 0 abstentions **Motion carried.**

49 -2023

Town of Victor Planning Board

Class: 1

Type: *Site Plan*

Applicant: *Progressive Machine & Design LLC*

Property Owner: *Rowley Real Estate Prop LLC*

Tax Map Parcel #: *15.00-2-34.211*

Brief Description: *Site Plan for 16,800 SF addition to the east side of the existing 73,000 SF building used for the assembly of automation equipment at 727 Rowley Road in the Town of Victor.*

<https://ontariocountyny.gov/DocumentCenter/View/37991/49-2023-Aerials>

<https://ontariocountyny.gov/DocumentCenter/View/37992/49-2023-single-page-Site-Plan>

Site Plan for 16,800 SF addition to the east side of the existing 73,000 SF building used for the assembly of automation equipment. There is a proposed building height of 25' above finished floor. Drive in doors (12' x 12') will be installed on both ends of the addition. The parcel is on the east side of Rowley Road and south of I-90. Parcel is used for manufacturing/product assembly for automation equipment and is zoned commercial-light industrial, and falls within the Route 96/251 Corridor Overlay District. Surrounding parcels are zoned commercial or commercial-light industrial. Access to the site is currently provided by 2 curb cuts off of Rowley Road.

Construction of the addition will eliminate the majority of the rear parking lot. New spaces will be constructed along the east side of the existing parking lot just north of the addition. The proposed parking plan will reduce the capacity to 146 spaces (currently 180 spaces when code requires 273 spaces).

Four trees are to be removed and replaced with new. There will be a net increase in impervious area of 3,500 SF. There are no new proposed stormwater management facilities, as site will continue to use existing three onsite infiltration/detention facilities. There is a 25' wide drainage easement to the Town of Victor on the easternmost edge of the parcel.

According to OnCor proposed work is in area with little to gentle slope (0-9%), and there are no wetlands or flood zones on or near the parcel. The soil is 100% Ontario gravelly loam – not hydric, moderately high permeability, medium erodibility, is in hydrologic soil group C, and is a farmland of statewide importance.

Comments:

1. Should there be additional vegetation/buffering?
2. Is a new parking variance required?

OCSWCD Comment Concrete truck washout should be located minimum of 100 feet from drop inlet.

Board Motion: To retain referrals 48-2023, 49-2023, 51-2023, 58-2023, 60-2023, 61-2023, 62-2023, 63-2023, 64-2023, 65-2023, 66-2023, 67-2023, and 68-2023 as class 1s and return them to the local boards with comments. **Motion made by:** Steve High **Seconded by:** Roslyn Grammer

Vote: 14 in favor, 0 opposed, 0 abstentions **Motion carried.**

50 -2023

Town of Victor Zoning Board of Appeals

Class: *AR 1*

Type: *Area Variance*

Applicant: *Rob Krutchen*

Property Owner: *Astrea LLC*

- f. Align definition of farm/agricultural activities with the definition in NYS Ag and Market Law 25 AA which includes commercial horse stables and timber lots.
- g. Aligning code language to account for mixed residential/commercial districts.
- h. Consider requiring applicant to post planning/zoning application pending sign instead of vague requirement for mail notification beyond adjacent property owners. Must consider the capacity of applicants and/or town to post and take down signs.
- i. For ease of code administration, consider aligning abandonment and removal timeframes for towers, solar, and signs.
- j. Avoid vagueness in regulating fill/obstruction of scenic views.
- k. Carefully consider repealer and other language to avoid resetting timeframes provided to accommodate transition to past new regulations.
- l. Include consideration of bicycle and pedestrian accommodations in site plan review criteria.
- m. Specify the many uses of landscaping to provide desirable street scape, foundation plantings, sign and parking area landscaping, and use of landscaping to screen and buffer use from adjacent uses and/or the public ROW.

Board Motion: To retain referral 52-2023 as a class 2 and return it to the local board with recommendation for approval with comments. **Motion made by:** Paul Lambiase **Seconded by:** Ruth Cahn
Vote: 13 in favor, 0 opposed, 0 abstentions. **Motion carried.**

53 -2023

Town of Bristol Planning Board

Class: 1

Type: *Site Plan*

Related Referrals: 54-2023

Applicant & Owner: *Bristol Valley Property, LLC*

Representative: *Venezia Land Surveyors*

Tax Map Parcel #: *138.00-1-53.211*

Brief Description: *Site Plan to construct a 3,840 SF commercial storage structure with associated site improvements on the west side of SR 64, at 4820 SR 64 in the Town of Bristol.*

<https://ontariocountyny.gov/DocumentCenter/View/37995/53-2023-Site-Plan-and-54-2023>

<https://ontariocountyny.gov/DocumentCenter/View/37996/53-2023-Storage-Aerial-and-54-2023>

Application is for special use permit and site plan approval to construct a 3,840 SF commercial storage structure with associated site improvements in the Town of Bristol. Proposed work requires a special use permit from the Zoning Board of Appeals because the existing commercial use is a pre-existing non-conforming use that is proposed to be expanded upon. Production/assembly/warehousing is not a principally permitted use within the AC (Agricultural Conservation) zoning district. Existing 1-story masonry building and 2 -story metal building are to remain, there is no additional parking proposed, and stormwater discharge for the building will include a roof downspout splash to surface system. Electrical for the proposed building will be from the closest building on the parcel to the east. The lot size is five (5) acres, with total land disturbance of the project to be roughly 15,000 SF.

The surrounding parcels are in the agricultural conservation zoning district, with the parcels to the north and south being In OC Agricultural District #1. Surrounding land use is predominately rural residential. According to OnCor, there are no floodplains or wetlands within 500' of the proposed work. Area of proposed work has gentle slopes of

56-57

Application is for site plan and special use permit approval, along with a subdivision application to build two ground-mounted photovoltaic solar facilities for a combined 13.52 MW on a parcel in the Town of Manchester. Currently, the single 116-acre parcel is zoned as agricultural, and is vacant farmland/wooded area. Surrounding parcels are predominately residential or vacant, with a large farm located directly south. The parcel was formerly a sand and gravel mine, and was restored to open field conditions.

Parcel in question is in Ontario County Agricultural District #1. The proposed solar field will occupy 48.23 acres total with a perimeter fence surrounding the panels. Parcel is proposed to be subdivided, with the solar panels being split in two sections (northern – Array 1, and southern – Array 2), one on each parcel. Proposed two (2) separate parcels with panels/associated work to meet all applicable setback and zoning requirements. Array/Parcel 1 (7.46 MW, DC) will be 57.97 acres, with the fenced in/solar area being 27.0 acres, and the coverage percentage being 46.60%. Array/Parcel 2 (6.05 MW, DC) will be 58.27 acres, with the fenced in solar area covering 22.06 acres (37.86% coverage). The total number of solar panels will total 25,012 modules. Western side of the newly subdivided parcels are to remain as farmland. EAF mentions that land disturbance will be around 51 acres. Total impervious surface area of the parcel (after the project) will be 2.49 acres, with 0.85 acres of forested area to be removed.

In terms of screening, the northern property line (SR 31) is screened by vegetation. The panels are also screened from Field St. (West) by terrain. Panels are visible from east along Gurnee Rd. An access road will run north-south, dividing both newly formed parcels in two. The road will run from State Route 31 on the north, to a farm access road (parallels Short Road) to the south. Gravel access road will contain a fire apparatus and equipment turnaround area for each parcel/solar field, maintenance access points, along with an equipment pad and double swing gate for each array. In order to create the access along SR 31, trees need to be cleared and the old gate will be disposed of. There are some proposed trees along the southeastern edge of the property for screening. Grading along the northern entrance to be improved. There are proposed swales and culverts along the access road and entrances.

According to OnCor, area of proposed work has little to gentle slope of 0-3%. There is a national wetland indicated along the southeastern edge of the parcel (near proposed work). There is a mix of 20 different soil types. The predominant two soil types are Ontario fine sandy loam with 3-8% slopes and Phelps gravelly silt loam with 0-3% slopes. Ontario fine sandy loam is not hydric, has moderately high permeability and medium erodibility, is an area of prime farmland, and is hydrologic soil group C. Phelps gravelly silt loam is not hydric, has high permeability and medium erodibility, is an area of prime farmland, and is in hydrologic soil group B/D.

Section 325-44.1 E. 4 b. in the Town of Manchester LL 3 of 2022 regarding zoning regulations for solar projects requires compensatory agricultural conservation easement to offset the impact of any solar development on land identified as soil class 1 through 4. There are 72 acres owned by the applicant in Manchester proposed to be placed in an agricultural conservation easement.

Comments

- 1) Not much screening to the south along the farm road. Does there need to be any? Or screening from the existing farm?
- 2) The applicant will be responsible to pay agricultural district penalty for conversion of land from agricultural use.
- 3) Why are panels on high productive class 1-4 soils while areas to remain in ag use are less productive soils?

OCSWCD Consider damage to underground tile drainage during solar panel install.

Property Owner: *Schram Living Trust & Schram Family Trust*

Representative: *Brandee Nelson PE, Leed AP - Tighe & Bond*

Tax Map Parcel #: *4.00-1-31.000*

Brief Description: *Subdivision for two ground-mounted photovoltaic solar facilities for a total of 13.52 MW on a parcel along the south side of SR 31 in the Town of Manchester.*

See information at 55-2023.

58 -2023 Town of Farmington Zoning Board of Appeals Class: 1
 Type: *Area Variance*

Related Referrals: *59-2023*

Applicant: *Fowler Family Trust*

Tax Map Parcel #: *29.13-1-5.100; 29.13-1-5.200*

Brief Description: *Area variance for lot width of 30' when 125' is required for a soon-to-be subdivided parcel along Pheasants Crossing in the Town of Farmington.*

<https://ontariocountyny.gov/DocumentCenter/View/38002/58-2023-Subdivision-Aerial-and-59-2023>

<https://ontariocountyny.gov/DocumentCenter/View/38003/58-2023-Subdivision-Plan-and-59-2023>

Applicant is requesting an area variance and a technical review for a proposed subdivision of two (2) lots into three (3) at Pheasant Crossing in the Town of Farmington. Technical review involves two code interpretations; (1) whether Town of Farmington Town Code, Chapter 165, allows or prohibits flag lots other than on the turning circle of a cul-de-sac, and (2) whether the proposed subdivision is constituted as a flag lot under Town Code §165-10. An area variance is required for the middle parcel (Parcel B in subdivision plan) for having a lot frontage of 30' when 125' is required in the Residential-Suburban Zoning District (RS-25).

The existing parcels 29.13-1-5.100 (north-most) and 29.13-1-5.200 (south-most) are 7.91 and 4.18 acres respectively. They are the only remaining undeveloped lots in the cul-de-sac. The rest of the surrounding parcels have residential use, with vacant land behind (west). There are some steep to extremely steep slopes (16-60%) on the eastern and western edges of the parcels. The western (rear) side of the parcel slopes down into Mud Creek (flood zone). Proposed Parcel A will be roughly 280,000 SF with a lot width of 135', and Parcel C will be roughly 150,000 SF with 135' lot width as well. Parcel B is proposed to be 150,000 SF and 30' wide lot frontage width, requiring the area variance. Other than lot width for Parcel B, newly formed parcels would adhere to the required setbacks.

Fluvaquents-Udifuvents Complex (roughly 50%)

0-3 %

Not Prime Farmland

Permeability: high Erodibility: low

Hydrological Group A/D Partially Hydric

Palmyra and Howard Soils (roughly 28%)

25-45%

Not Prime Farmland

Permeability: high Erodibility: med

Hydrological Group B Not Hydric

Palmyra Gravelly Sand Loam (roughly 12%)

0-3 %

Prime Farmland

Permeability: high **Erodibility:** med

Hydrological Group B **Not Hydric**

Comments

1. The referring bodies in considering the reasonableness of the lot width area variance and the resubdivision of these two lots into three lots should consider what conditions or changes are required to avoid steep slope disturbance in conjunction with development of any principal and accessory uses.

Board Motion: To retain referrals 48-2023, 49-2023, 51-2023, 58-2023, 60-2023, 61-2023, 62-2023, 63-2023, 64-2023, 65-2023, 66-2023, 67-2023, and 68-2023 as class 1s and return them to the local boards with comments. **Motion**

made by: Steve High **Seconded by:** Roslyn Grammer

Vote: 14 in favor, 0 opposed, 0 abstentions **Motion carried.**

59 -2023 Town of Farmington Zoning Board of Appeals Class: *n/a*
Type: *Technical Review*

Related Referrals: *58-2023*

Applicant: *Fowler Family Trust*

Tax Map Parcel #: *29.13-1-5.100; 29.13-1-5.200*

Brief Description: *Technical review if flag lots are prohibited other than on turning circle of cul-de-sac and whether proposed subdivision is constituted as a "flag lot" under Code §165-10 at Pheasant Crossing and adjacent parcel to south in the Town of Farmington.*

See information at 58-2023.

60 -2023 Town of Geneva Planning Board Class: *1*
Type: *Site Plan*

Related Referrals: *61-2023*

Applicant: *Geneva CSG 1*

Property Owner: *FLX Core Group LLC*

Tax Map Parcel #: *103.00-3-18.321*

Brief Description: *Site plan for 1 of 2 adjacent community solar projects on an agricultural property on CR 6, 2,400 ' north of SR 20 in the Town of Geneva. This project is 13 MWdc/10MWac in capacity.*

<https://ontariocountyny.gov/DocumentCenter/View/38005/60-2023-CSG-1-Solar-Site-Plan>

<https://ontariocountyny.gov/DocumentCenter/View/38004/60-2023-CSG-1-Solar-Grading>

<https://ontariocountyny.gov/DocumentCenter/View/38006/60-2023-CSG-Solar-Aerial-and-61-2023>

CSG 1 is proposed on a 48 acre. This parcel contains 42 acres of prime farmland. - CSG 2 is proposed on a 68-acre parcel south of CSG 1. The access road to CGS 1 runs north off the access road to CGS 2 approximately 60' from CR

6. There are drainage swales along both sides of 1,500' feet of the access road on CSG 1. There is a 100' wide RGE utility easement running east-west along the boundary between the properties; 60' is on CSG 1 and 40' is on CSG 2. Access roads on both sites are listed as 16' wide. CSG 1 is bordered by office/commercial uses along the CR 6 frontage and a single-family home and rural residential property along the eastern property boundary.

CSG 1 will involve creation of 9 acres of impervious surface. Landscaping is proposed on CGS 1 between proposed access road and northern property line closest to CR 6. No landscaping proposed along eastern property boundary adjacent to existing residence. Based on the photo simulations, it appears that proposed landscaping will partially screen views to the panels from the private access drive.

Existing land use adjacent to CSG 2 includes offices, a bar, and a multifamily use along CR 6 frontage, Townside Apartments to the south, and other commercial uses along SR 5/US 20 to the south of the rear portion of the side. CGS 2 includes landscaping proposed adjacent to Townside Apartment. Based on photo simulation 17, it appears that proposed landscaping will partially screen views to the security fence and panels from the private access drive to Townside.

Application materials include a wetland delineation report that identifies the potential for a 0.4-acre Army Corp of Engineers regulated wetland with a pond in the northeast corner of CGS 1. This area is not proposed for disturbance. The wetland report also identified 3,190 lf of drainage ditches along the boundary between the two parcels and extending south across CSG 2. The wetland report did not identify the stream shown in OnCor near the western property boundaries as a relatively permanent waterway subject to ACOE regulation, and did not mention evidence or lack of evidence of an intermittent or ephemeral stream.

According to OnCor, most of both sites have slopes less than 10 percent, with a narrow north-south oriented band of 10 to 15 percent slope across the rear third of the property. OnCOR indicates a stream near the west property boundaries, though it is not indicated in the Wetland Delineation Report. Both properties are in OC Agricultural District #1 and are receiving agricultural exemptions. Both properties are planted with fruit trees previously connected to Red Jacket Orchards.

Soil characteristics of for CSG 1 lot are as follows:

Lima Loam – 14 acres 0-3 % slope, 33 acres 3-8 % slope

Prime Farmland

Permeability: moderately high

Erodibility: High

Hydrological Group C/D

Not Hydric

Kendaia– 14 acres 0-3 % slope

Prime Farmland, if drained

Permeability: moderately high

Erodibility: medium

Hydrological Group B/D

Partially Hydric

Soil characteristics for CSG 2 lot are as follows:

Lima Loam – 16 acres 0-3 % slope, 12 acres 3-8 % slope

Prime Farmland

Permeability: moderately high

Erodibility: High

Hydrological Group C/D

Not Hydric

Ontario Loam 10.5 acres 3-8 % slope, 4.6 acres 8-15% slope

Prime Farmland 10.5 acres, **Farmland of Statewide importance** 4.6 acres

Permeability: moderately high **Erodibility:** medium

Hydrological Group C

Not Hydric

These proposed solar projects remove more than 100 acres of land with important agricultural soils from production.

Both projects will use the former Woodbine Mobile Home Park access for construction access.

Comments

1. Does lot 103.00-3-18.321 site of CSG 1 have any existing access rights to CR 6? Prior to allowing subdivision of this lot, the referring body should review a proposed access easement and a maintenance agreement to allocate cost for plowing and road repairs among lot owners.
2. Is there existing vegetation on the CSG 1 lot to buffer the adjacent residential use (103.00-3-20.100) without installation of landscape screening? The applicant's photo location map indicates screen vegetation, though it is not shown on the 2021 aerial available at OnCOR. Only vegetation that the applicant controls and intends to maintain provides long term screening.
3. Wetland delineation report references 93-acre project site, while the combined acreage of the two project sites is 116 acres. The referring board should clarify. The EAF indicates the project area is 125 acres.
4. What is the intended use of the property not devoted to solar panels along the southern CSG 2 property boundary?
5. Is the vegetation that screens views to panels from Townside apartments (photo location 9 and 10) and Lennox Road (Photo location 11) on the applicant's property? Only vegetation that the applicant controls and intends to maintain provides long term screening.
6. The applicant will be responsible to pay agricultural district penalty for conversion of land from agricultural use.
7. Is drainage ditch A connected to other lands further west that are to remain in OC Agricultural District #1? If so, it is important to maintain existing field drainage to protect the viability of this farmland.
8. The coordinated Electric System Interconnection Review (CESIR) analysis is based on 4.8 MW, not 5 MW as currently proposed.
9. What, if any, grading changes are proposed outside of the access road construction?
10. What area erosion and sediment control practices and/or stormwater management practices are necessary to address potential impacts of converting this site from an orchard to a solar array vegetated with short grasses.

OCSWCD Comments

1. Concrete truck washout must be a minimum of 100 feet from all surface water inlets.
2. Have trees already been removed from site? Clearing and grubbing of trees will result in substantial disturbance and will a permit from DEC.
3. Silt fence should encompass the staging area.
4. Stormwater management should be considered at both culvert pipes. Increased flows will have a negative impact on downslope neighbors.
5. Consider damage to underground tile drainage during solar panel install.
6. Plans show the use of existing swale to the north for all drainage from solar project. Stormwater management should be considered before allowing water to leave the property. Downslope neighbor, tax map # 103.00-3-22.000, will see additional volume following construction if flows are not managed properly before being allowed to leave.

CRC Comments

1. Ontario County comments to NYS on the draft Climate Action Plan identified disproportionate negative impacts on rural and agricultural areas. Half of all farmed land in Ontario County is owned by non-farmers. Losing the ability to lease and cultivate this land would negatively impact the viability of farming operations. Ontario County has also requested that a portion of the impact fee for conversion of prime farmland be returned to local municipalities for furthering their farmland preservation plans and that the impact fee apply to prime if drained

Tax Map Parcel #: 31.00-1-20.13

Brief Description: *Special use permit for home based business equipment storage at 4484 State Street in the Town of Farmington.*

<https://ontariocountyny.gov/DocumentCenter/View/38009/62-2023-Aerial>

<https://ontariocountyny.gov/DocumentCenter/View/38010/62-2023-Site-Plan>

The special use permit standards for Major Home Occupations limit such use to 50 percent of an accessory building not larger than the principal dwelling on the property

The existing house is 1,368 SF. The existing pole barn 18,640 SF.

According to OnCor, existing land uses include the Village of Manchester water supply to the west, a Niagara Mohawk power corporation property and agricultural land to the north, Niagara Mohawk and RG& E properties to the east, a large rural residential property, and Old Castle property across State Street to the south.

Comments

1. Does the property have a special use permit for a pre-existing, non-conforming major home occupation? If not an area variance for operation of a major home occupation in the existing building may be required.
2. Any special use permit or site plan approval should provide clear direction regarding allowability of outdoor storage, location and extent of storage area, and applicable setback and screen requirements.

Board Motion: To retain referrals 48-2023, 49-2023, 51-2023, 58-2023, 60-2023, 61-2023, 62-2023, 63-2023, 64-2023, 65-2023, 66-2023, 67-2023, and 68-2023 as class 1s and return them to the local boards with comments. **Motion made by:** Steve High **Seconded by:** Roslyn Grammer
Vote: 14 in favor, 0 opposed, 0 abstentions **Motion carried.**

63 -2023 Town of Seneca Planning Board Class: 1
 Type: *Special Use Permit*

Related Referrals: 41-2023; 64-2023

Applicant & Owner: *Joshua Douglas*

Tax Map Parcel #: 132.00-1-50.000

Brief Description: *Special Use Permit to use three (3) 384 SF single-bedroom cabins and construct (1) 80 SF bathroom structure to be used for a short-term rental home occupation on a residential parcel at 4286 SR14A in the Town of Seneca.*

<https://ontariocountyny.gov/DocumentCenter/View/38010/62-2023-Site-Plan>

<https://ontariocountyny.gov/DocumentCenter/View/38012/63-2023-Site-Plan-and-64-2023>

This project was previously reviewed as 41-2023 in March 2023 and determined to be incomplete. The following provides Town/applicant responses to previous comments

March 2023 Comments

1. The referring body should refrain from action on the site plan and special use permit application until after amendment of zoning district regulations. The Town of Seneca should avoid authorizing a wide range of non-

farm commercial uses in the Agricultural district. *The CEO has provided an interpretation that this use falls under home occupation use retails sales, requiring a special use permit.*

2. Zoning/special use regulations for camping cabins should address buffering/limiting land use conflicts; water/waste water system; access; and differentiate such use from year-round residential housing. *The property has municipal water. An independent septic system is to be installed to serve the bathroom for the cabins. A natural buffer of trees surrounds the cabin area. The Planning Board will likely require additional screening to minimize impact of the new access drive to the cabins on adjacent use.*
3. What are provisions for cabin generated solid waste disposal? *The Town will require a dumpster.*
4. The Town of Seneca Town Board may want to consider whether to add a code chapter regulating short term rental businesses.

NYS DOT Comments

1. The proposed driveway should be a minimum of 5’ from the property line with the property line extended out to the road. The site plan shows the proposed driveway taper crossing the property line.

March CPB Comments

1. In response to Board comments the applicant offered the following additional information. The three buildings proposed for use as short-term rentals are existing storage buildings.
2. In drafting appropriate definition and special use permit standards for the proposed use the Seneca Town Board should consider adequacy of emergency access, public water and private septic system, lighting, and parking
3. The buildings may require alterations to meet residential occupancy requirements.

April Comments

1. The Town of Seneca is encouraged to update its Code and zoning regulations to remove inconsistencies and appropriately regulate emerging uses like event centers and short-term rentals.

64 - 2023 Town of Seneca Zoning Board of Appeals Class: 1
 Type: *Area Variance*

Related Referrals: *41-2023; 63-2023*

Applicant & Owner: *Joshua Douglas*

Tax Map Parcel #: *132.00-1-50.000*

Brief Description: *Area Variance to allow 4 accessory structures for a short-term rental home occupation when code only allows for 1 on a residential parcel at 4286 SR14A in the Town of Seneca.*

See information at 63-2023.

65 - 2023 Village of Bloomfield Planning Board Class: 1
 Type: *Special Use Permit*

Related Referrals: *66-2023*

Applicant: *Cheap Charlies Real Estate, LLC*

Property Owner: *Dwayne Newstead*

Tax Map Parcel #: *68.13-1-74.110*

Brief Description: *Site Plan and Special Use Permit for tent to be used for outdoor dining and music and to expand covered-patio space from 480 SF to 960 SF at 8 Elm St., just north of Main St. in the Village of Bloomfield.*

<https://ontariocountyny.gov/DocumentCenter/View/38013/65-2023-Cheap-Charlies-Aerial-and-66->

2023

<https://ontariocountyny.gov/DocumentCenter/View/38014/65-2023-Cheap-Charlies-Site-Plan-and-66-2023>

Application for Site Plan and Special Use Permit for Cheap Charlie’s Restaurant in the Village of Bloomfield for the expansion of the covered patio area. A special use permit (for any use not enclosed within a building) was granted to the previous property owner in 2010. Special Use Permit renewal is required upon new ownership of the parcel, and if the special use is to be expanded upon. Applicant proposes to double the tent-covered patio area from 480 SF to 960 SF (expansion of special use), to be used for dining and music. Tent is fire resistant, and is protected with bollards spaced 6’ apart to protect the area from risk of contact with any automobiles. A 90’x60’ green-area east of the parking lot is proposed to be roped off for cornhole. A 6’ wide, roped, walking path is proposed from the patio to the cornhole area.

The property and homes fronting on Elm Street are in the Community Commercial/Village Center zoning district. To the north and west is Holcomb Village Apartments, zoned Multiple-family; lots along East Main Street are zoned R-1-15.

Scope of deck/path disturbance is contained in what is currently the parking lot area. According to OnCor, there is little to no slope on the parcel (0-3%). The only soil type is Lakemont silty clay loam (0-3% slope, partially hydric, moderately low permeability, very high erodibility, is farmland of statewide importance, and is in hydrologic soil group D. The parcel is in the village just north of Main St., and the surrounding land use is commercial and residential.

Comments:

- 1) Does the cornhole area replace what appears to be an existing outdoor volleyball court?
- 2) Cornhole area is removed (rear of parcel) from the rest of the activities. The rear of the property abuts to neighboring residential parcels. Will proposed patio or cornhole activities/hours of operation involve additional lighting, louder sound system? Would additional screening be needed, any proposed landscaping?
- 3) 2) Cornhole area is in green space. Will there be any disturbance in this area or will boards lie on the grass?

Board Motion: To retain referrals 48-2023, 49-2023, 51-2023, 58-2023, 60-2023, 61-2023, 62-2023, 63-2023, 64-2023, 65-2023, 66-2023, 67-2023, and 68-2023 as class 1s and return them to the local boards with comments. **Motion made by:** Steve High **Seconded by:** Roslyn Grammer
Vote: 14 in favor, 0 opposed, 0 abstentions **Motion carried.**

66 -2023 Village of Bloomfield Planning Board Class: 1
 Type: *Site Plan*

Related Referrals: 65-2023

Applicant: *Cheap Charlies Real Estate, LLC*

Property Owner: *Dwayne Newstead*

Tax Map Parcel #: 68.13-1-74.110

Brief Description: *Site Plan and Special Use Permit for tent to be used for outdoor dining and music and to expand covered-patio space from 480 SF to 960 SF at 8 Elm St., just north of Main St. in the Village of Bloomfield.*

See information at 65-2023.

67 -2023

City of Geneva Planning Board

Class: 1

Type: *Subdivision*

Applicant & Owner: *City of Geneva*

Representative: *BME Associates*

Tax Map Parcel #: *104.12-2-23.300; 104.12-2-24.000; 104.12-2-23.100*

Brief Description: *Subdivision to combine three (3) city-owned lots into one (1) lot along the east side of South Exchange St. between Elizabeth Blackwell Rd. & Seneca St.*

<https://ontariocountyny.gov/DocumentCenter/View/38015/67-2023-Geneva-Subdivision-Aerial>

Subdivision application by the City of Geneva to combine three (3) lots into one (1) lot with .88 acres and 340' of frontage for future development. Proposed subdivision is two blocks directly west of the pier/Finger Lakes Welcome Center. The lots are currently vacant with surrounding lots predominantly in commercial use. The property is 1-2 stories below the elevation of South Exchange Street with gentle (0-9%) slope. The only soil type is Lakemont silty clay loam (0-3% slope, partially hydric, moderately low permeability, very high erodibility, is farmland of statewide importance, and is in hydrologic soil group.

Board Motion: To retain referrals 48-2023, 49-2023, 51-2023, 58-2023, 60-2023, 61-2023, 62-2023, 63-2023, 64-2023, 65-2023, 66-2023, 67-2023, and 68-2023 as class 1s and return them to the local boards with comments. **Motion made by:** Steve High **Seconded by:** Roslyn Grammer. **Vote:** 14 in favor, 0 opposed, 0 abstentions **Motion carried.**

68 -2023

Town of Hopewell Planning Board

Class: 1

Type: *Site Plan*

Applicant: *NYSEA*

Property Owner: *Marks Engineering*

Tax Map Parcel #: *99.00-2-9.100*

Brief Description: *Site Plan application for 3,536 SF addition to existing pole barn, and for the installation of a 15-row 5,600 SF grandstand at 3349 Gehan Rd, north of 5&20 in the Town of Hopewell.*

<https://ontariocountyny.gov/DocumentCenter/View/38016/68-2023-Steam-Engine-Aerial>

<https://ontariocountyny.gov/DocumentCenter/View/38017/68-2023-Steam-Engine-Site-Plan>

Site Plan for NY Steam Engine Association to build a 3,536 SF addition to an existing pole barn and to install a 15-row, 5,600 SF grandstand. Area of work is 100% Angola silt loam (0-3% slope, moderately high permeability, high erodibility, prime farmland if drained, and in hydrologic soil group D). There are wetlands located on the rear (east) side of the parcel. Parcel is surrounded by agricultural and vacant land, and subject parcel/surrounding parcels are all in OC Agricultural District #1. Surrounding uses are agricultural or vacant. There is a pipeline easement along the rear edge of the property (southeast).

Comments:

How tall is the grandstand? Will expansion increase parking need? Stormwater management? Screening?

Board Motion: To retain referrals 48-2023, 49-2023, 51-2023, 58-2023, 60-2023, 61-2023, 62-2023, 63-2023, 64-2023, 65-2023, 66-2023, 67-2023, and 68-2023 as class 1s and return them to the local boards with comments. **Motion made by:** Steve High **Seconded by:** Roslyn Grammer.

The site has municipal water. The existing on-site septic system has been pumped and inspected for use for cleaning and bar purposes. Portable restrooms will be provided for event guests and staff. No on-site food preparation will occur.

Additionally, the applicant is documenting potential sound impacts. The applicant and CEO did a trial. With music playing at 111 dB and the barn doors open, the sound at the public road was approximately 65 to 72 dB while sound pressure levels 10' from the property line of the nearest residence were 47 to 52 db. The applicant is working with a sound engineer to ensure identification and mitigation of potential noise impacts.

3. Submitted materials indicate the venue will accommodate up to 150 guests. What provisions are being made to provide potable water and waste-water disposal for that number of people? *See response to 2 above.*
4. Does the proposed parking area represent an increase in impervious cover? If so, the water quality and water quantity impacts should be minimized through incorporation of green infrastructure. *The parking area will be crushed stone, which is considered permeable. The applicant has removed 4 existing structures/concrete pads totally approximately 18,000 SF while the size of the proposed parking area and new sidewalk is 17,000 to 18,000 SF. The applicant is preparing a survey to document no net change in impervious surface. Additionally, the applicant has plans to dig a pond to capture run-off. The applicant is working with the neighbor/former owner to secure an easement for a pond outlet that would drain to a creek to the west.*
5. What is the intended use of the remainder of the 20-acre property? To retain on-site and adjacent properties as viable farmland, a landscaped buffer and/or berm should be established to protect the proposed activities from the dust, noise, and smells of agricultural operations. *Applicant has purchased 5-acre homestead lot.*

March 2023 CPB Comments

1. The referring body may want to consult with other municipalities regarding the adequacy of their event center regulations for area venues such as Lincoln Hill Farms (operating in Gorham), Point of the Bluff, breweries along Seneca Lake, and Chateau Oliva (proposed in Gorham) when drafting event center zoning definition and special use permit standards.
2. It may be appropriate to consider a temporary special use permit and to require any future owner to reapply with revised operations plan. *The Town will likely consider a 12-month renewable special use permit to address operational issues.*
3. In response to CPB questions, applicant and Board members offered the following additional information:
 - a. The farm homestead with 3 residences was subdivided from the agricultural land in September. OC Real Property Tax confirmed recording of the subdivision. The new 5.1-acre parcel is lot 146.00-1-34.111.
 - b. The ZBA may require an area variance for the size of the proposed home business.
4. Event center is not on the list of specially permitted home businesses allowed in the Agricultural districts. Further staff review of Town of Seneca Zoning Law definitions and general standards for home businesses identified the following additional areas of non-compliance with existing regulations: *See response to March 2023 Comment #1*
 - a. The definition of accessory use or structure requires it to be subordinate to the principal building or use in area, extent, and purpose. Under the former agricultural use, the farm/ 3,200 SF barn might have been the principal use and the single-family home(s) accessory uses. The Town needs to consider what is the principal and the accessory use at this time. The applicant indicated the ZBA suggested an area variance may be required for the size of the home business.
 - b.C. (2) only 1 accessory building allowed to be used in the home business.
 - c. C. (3) contradicts C (2) as it uses the phrase accessory buildings and restricts total aggregate size of accessory buildings constructed for a home business to 2,500 SF. Since no buildings are to be constructed for this use,

this 2,500 SF limit may not apply, however, any interpretation by the CEO/ZBA should take into consideration this statement of intent re scale of accessory home businesses.

d.C. (5) Home businesses shall be limited to a maximum of 3 non-resident employees. Seems likely more than 3 non-resident employees will be required for events of 150 people. *Applicant will have 3 non-family employees. DJ and Catering staff will be employed by wedding party.*

e. F. Home businesses may include only those uses permitted or specially permitted within the zoning district in which the property is situated. T. Seneca Zoning Law section 13.0 lists 4 types of allowable home businesses in the Agricultural district. An event center would not fall under any of the uses listed. *See response to March 2023 Comment #1 regarding Planning Board interpretation of use as allowable retail sales home occupation and similar to allowable stand-alone winery, distillery, or brewery.*

H. No vehicle trips generated by the home business shall be permitted between 9 pm and 7 am. It seems unlikely the event center will host only weddings that conclude before 9 pm. *Applicant applying for variance to allow trips until 10:30 pm.*

April Comments

1. When measuring noise impacts on humans, the unit of measurement is typically dB A which weighs sound in the range of the human ear more heavily with reading over a 15-minute interval to appropriately characterize intermittent noise.

Board Motion: To retain referrals 69-2023 and 70-2023 as class 1s and return them to the local board with comments.
Motion made by: Len Wildman **Seconded by:** Tammy Worden
Vote: 13 in favor, 0 opposed, 0 abstentions. **Motion carried.**

70 -2023 Town of Seneca Zoning Board of Appeals Class: 1
Type: *Area Variance*

Related Referrals: *40-2023; 69-2023*

Applicant: *Steve Hullings*

Tax Map Parcel #: *146.00-1-32.110*

Brief Description: *Special use permit and area variance to repurpose existing vacant storage buildings and barn on new parcel at 4694 Redman Road opposite Turnbull road in the Town of Seneca into a wedding/event center.*

See information at 69-2023.

71 -2023 Town of Phelps Town Board Class:2
Type: *Moratorium (Other)*

Related Referrals: *48-2023*

Applicant: *Town of Phelps*

Brief Description: *Town Board of the Town of Phelps enacts a temporary moratorium on campgrounds for 6-months.*

<https://ontariocountyny.gov/DocumentCenter/View/37990/48-2023-Propane-tax-map-update>

Pursuant to the statutory and common law power vested in the Town of Phelps to regulate and control land uses and to protect the health , safety, and welfare of its residents, the Town Board of the Town of Phelps hereby declares a temporary six (6) month moratorium on the acceptance, processing, or approval of applications for building permits,

special use permits, variances, site plans, subdivisions, or planned developments related to the undertaking, establishment, placement, development, excavation, enlargement, construction, or erection of Campgrounds in the Town.

CPB Comment Six months is a short time to draft and adopt a zoning amendment.

Board Motion: To retain referral 52-2023 as a class 2 and return it to the local board with recommendation for approval with comments. **Motion made by:** AJ Magnan **Seconded by:** Steve High

Vote: 14 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 for lot coverage or for a lake or side setback.
AR Policy 5 C.	All other applications involving a site plan for one single-family residence.
AR Policy 6	Single-family residential subdivisions under five lots.

AR Policy 7 A. Class 2 Denial	Variations for signs along major designated travel corridors.
AR Policy 7 B.	Applications involving conforming signs along major travel corridors.
AR Policy 8	Co-location of telecommunications equipment & accessory structures on existing towers and sites (Applications that require a special use permit or for new towers or increasing the height of an existing tower require full Board review)

Training Opportunities

Saturday April 22, 2023 Climate Solutions Accelerator Earth Day Summit- \$75 Building a Regenerative Local Economy 9:00 am to 2:30 pm at Rochester Convention Center, 123 E. Main Street, Rochester registration link climategfl.org/summit

Monday April 24, 2023 5 to 8 pm, Penn Yan. Schedule: Seneca/Keuka 9 Elements Plan 5:45-6:15, Land Use Regulations 6:15 to 7:00, Short-Term Rentals 7:00 to 7:45. Pizza and intro provided at 5:00 pm

Tuesday, April 25, 1:00-2:30 p.m. Role of natural areas in climate resilience; overview of Climate Smart Communities Program, Town of New Paltz case study presented by Hudson River Estuary Program
[Click here to register via WebEx.](#)

Thursday May 18, 2023 from 8:30 to 5 pm GFLRPC Spring workshop, Batavia \$82 Registration Link below <https://www.eventbrite.com/e/spring-2023-local-govt-workshop-tickets-579451734737>

Topics include : Planning for the 2024 Total Solar Eclipse, Smart Growth Planning and Zoning, Implementing Complete Streets, Watershed and Floodplain Management, Navigating Solar Development with Partnerships, Laying the Groundwork for Farmland Protection, ConnectALL Broadband, NYS DOS Geospatial Information Gateway Evolves, State and Federal Funding: Financing and Resources for Municipalities, Water and Coastal Management (earn credit for Climate Smart Communities.), NYS DOS ZBA Overview, Site Plan Review, Special Use Permits

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

- Thursday, April 27, 2023 from 6 to 7 pm State Environmental Quality Review- SEQR
- Thursday, May 25, 2023 from 6 to 7 pm Financing Your Future
- Thursday, June 22, 2023 from 6 to 7 pm Specialized Zoning Tools
- Thursday, July 27, 2023 from 6 to 7 pm Local Regulation of Cannabis
- 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

Upcoming Public Webinar Series on Extreme Heat and Climate Change in New York State

Extreme heat is a leading cause of death among hazardous weather events in the United States. Extreme heat affects the health and well-being of communities and individuals across New York State. Impacts are more severe due to climate change, with disproportionately greater impacts experienced by heat-vulnerable populations, urban areas, and [disadvantaged communities](#). Learn

about solutions for adapting to and forming partnerships to address extreme heat. Presented by NYSDEC and NYSERDA.

All webinars are open for the public to attend live and will be recorded and later posted on the [DEC website](#). Registration links for each webinar are provided below.

Thursday April 27, 2023 from 2:00 to 4:00 pm Extreme Heat and the Built Environment

Learn about extreme heat impacts on the built environment, from buildings to transportation infrastructure. Consider impacts across a variety of scales, from the neighborhood level to the regional level. The webinar will also explore what interventions are working to moderate these impacts for individuals and communities.

Registration: <https://meetny.webex.com/weblink/register/r03fe890fcc4bd12d55bae12f1d32b4b0>

Thursday May 18, 2023 from 2:00 to 4:00 pm Extreme Heat, Health, and Policy: Strategies Across New York's Many Landscapes

This webinar explores the impacts of extreme heat across New York's diverse geographies and communities, including urban heat islands, rural and suburban communities, and workers. The webinar will also describe the intersection of extreme heat and the housing, energy, and agricultural sectors. Speakers will showcase potential solutions.

Registration: <https://meetny.webex.com/weblink/register/r9aa21aa14939eec0822f9cfc9345bbf>

Thursday June 8, 2023 from 2:00 to 4:00 pm Showcasing Local Solutions and Partnerships

This webinar will showcase local solutions from different communities across New York State and the people behind those solutions. The webinar will illuminate tangible and positive change advanced by partnerships among community organizations, local governments, and the State.

Registration: <https://meetny.webex.com/weblink/register/r9fad777137e497e32e1f4165cdeedfd65>

Thurs June 22, 2023 from 2:00 to 4:00 pm Preparing for Summer 2023: What Individuals and Local Governments Can Do During a Heat Wave

This webinar will highlight concrete approaches for staying cool and safe during heat waves. The presentations will describe individual measures to cool one's home; the various ways in which local governments, emergency response coordinators and community groups can help their communities be safe during extreme heat events; and available resources the State provides to support local preparedness and adaptation.

Registration: <https://meetny.webex.com/weblink/register/r264fbdc9b8c251e630b9ea766e7acba5>

Adjournment: Being no further business for discussion, Chair Passavant requested a motion to adjourn the 4/12/23 County Planning Board meeting. ***Motion to adjourn made by R Grammar seconded by T Worden Motion carried.***
4/12/23 CPB meeting adjourned at 8:26PM.