

**ONTARIO COUNTY PLANNING BOARD**

Referrals for Review at the: **Coordinated Review Committee Meeting –Tuesday January 10, 2023, at 3:30pm –  
County Planning Board Meeting –January 11, 2023 at 7:00pm 20 Ontario St., Canandaigua**  
Telephone: 585-396-4455

Referral #	Municipality_2	Applicant	Application Type	Class	Page
1	Town of Victor	Mitchel Design Build	Site Plan	1	1
2	Town of Seneca	Bell Atlantic/Verizon Wireless	Site Plan	1	2
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4	Town of Seneca	Bell Atlantic/Verizon Wireless	Area Variance	1	
5	Town of Canandaigua	Grove Engineering	Site Plan	Withdrawn	
6	Town of Canandaigua	Grove Engineering	Special Use Permit	Withdrawn	
7	Town of Victor	Mitchell Design Build	Special Use Permit	1	5
8	Town of Hopewell	Eric Harter	Special Use Permit	1	
9	Town of Hopewell	William Grove PE	Site Plan	1	
10	Town of Canandaigua	Venezia & Associates	Site Plan	Exempt	6
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12	Town of Canandaigua	Town Board	Moratorium	2 Late Referral	

1 -2023

Town of Victor Planning Board

Class: 1

Type: *Site Plan*

Related Referrals: 7-2023

Applicant: *Mitchel Design Build*Property Owner: *Maguire Family Properties*Tax Map Parcel #: *14.02-1-3.110*

Brief Description: *Site plan and special use permit for 23,000 SF parking lot addition, landscaping, sidewalks, and new tenant entrance at 8050 SR 251 in the Town of Victor. Project also involves two curb cuts off Old Dutch Road.*

<https://ontariocountyny.gov/DocumentCenter/View/35657/159-2022-aerial>

<https://ontariocountyny.gov/DocumentCenter/View/36967/1-2023>

This address was reviewed as referral 159-2022 in September 2022 for 9,400 SF parking addition with 1 new access point off Old Dutch Road. It seems the previously interested tenant did not lease the space.

The proposed 50 car parking area is intended to accommodate customers of a martial arts studio as a new tenant. Site modifications will also include regrading to connect the new parking area to existing drainage swales at the north and south end of the parking area, full cut-off building mounted parking area lighting, a new tenant entrance, and two new curb-cuts spaced 450' apart and aligned with curb-cuts on the west side of Old Dutch Road. The proposed modifications are subject to stormwater treatment requirements of the Irondequoit Creek Watershed; the application materials indicate a previous site plan submitted for this address included documentation that the existing on-site detention pond has sufficient capacity for the proposed increase in impervious surface. The proposed site plan also indicates removal of 12 trees and 17 shrubs in the landscaped area along Old Dutch Road and the installation of street scape landscaping including 8 trees and 10 shrubs and foundation plantings including 15 shrubs.

This project requires a special use permit for a martial arts facility in the Light Industrial zoning district. The project also requires a Planning Board waiver to the 80' parking setback; reduced setback based on no identified need for future road widening or service road.

2 -2023

Town of Seneca Planning Board

Class: 1

Type: *Site Plan*

Related Referrals: *3-2023 and 4-2023*

Applicant: *Bell Atlantic/Verizon Wireless*

Property Owner: *United Land Stewards, LLC*

Tax Map Parcel #: *144.00-3-7.212*

Brief Description: *Site plan, special use permit, and height variance for new 195' cell tower near 4751 Olsen Road in the Town of Seneca.*

<https://ontariocountyny.gov/DocumentCenter/View/36968/2-2023-aerial>

<https://ontariocountyny.gov/DocumentCenter/View/36969/2-2023-site-plan-only>

The project site is a 236 acre agricultural property in the county operated state agricultural district. The proposed site modifications disturb .8 acres not including existing on-site wetlands. The tower access drive crosses an area with slopes of 16 to 30 percent.

The applicant is proposing construction of a galvanized steel lattice type tower on a leased 100' by 100' area near 4751 Olsen Road. The site is zoned AG Agriculture and construction of a telecommunications tower requires a special use permit, which in the Town of Seneca is granted by the Zoning Board of Appeals. The tower also needs a variance from the district's 100' height limit. Though site plan approval is not required, the applicant has submitted, and the Town has referred, a site plan.

The proposed tower site will be accessed from an existing gravel driveway to the 45' Town of Seneca water tank and then an 800' long 12' wide gravel road and underground utilities within a 30' wide access and utility easement. The minimum tower setback to adjacent properties is 792'.

The 42'x91' tower and equipment area will be enclosed by a 6' chain link fence with barbed wire top. The applicant's equipment area is 16'x22' and similar areas are reserved for 3 additional carriers.

The radiofrequency engineering analysis of the site revealed that the proposed height is the minimum to serve the current coverage gap within the Gorham East cell and provide space for 3 additional carriers as required by Town code while accounting for area topography and obstructions. The lowest carrier equipment would be installed at a height of 161' while the applicant's equipment would be installed at a height of 191'.

The existing southeast area of the Town of Seneca and eastern portion of the Town of Gorham are currently served by 3 tower sites:

- Gorham site located off Phelps Road northeast of SR 247 and SR 245
- Geneva south site located off Pre-emption Road
- Flint site

Due to terrain and/or foliage and distance existing sites do not provide adequate coverage or capacity. Proposed tower is intended to offload traffic at existing overloaded sites/cells as well as provide coverage where significant gaps exist.

Application materials include a long form EAF and a Visual EAF. The visual EAF indicates the proposed tower will be visible from portions of state SR 245 and CR 5,8, 29 at a distance of .5 to 3 miles. Views to the tower from local roads are as follows:

- Olsen Road and Gorham Road -.3 to .7 miles
- Lake to lake and Little Church Road -.7 to 1.1
- Austin Road, Goose Street, Phillips Road -1.2 to 2.5
- W. Swamp Road and Kearney Road -2.3 to 2.8 miles

Visual character within 1 miles of the site is mainly agricultural or forested with a few commercial uses. There are other visually similar projects within 1 to 3 miles of the site.

The Visual EAF indicates the tower is not visible from historic places, state park or forest preserve lands, municipal park or open space, or other scenic resources. The highest visibility impact of the tower is from Gorham Road, which also has views to the water tower. The Visual EAF estimates the tower will be visible to 24,090 viewers annually including those involved in recreational activities, though EAF indicates the tower is not visible from parks and open space. The visibility estimate is based on 5% of the 1,311 ADT on SR 245.

The estimated cost to remove tower and equipment is \$50,000 and does not appear to include removal of gravel access road.

### **Comments**

1. The tower site is leased while the access and utility easement is permanent. This could cause complications for resumption of farming activities should the tower be dismantled. If the easement is modified to relate to the term of the lease and any extensions, the referring body may want to consider requiring applicant to restore agricultural use to the easement area if the use is discontinued. This would require stockpiling of topsoil as is typical for solar installations.

3 -2023                      Town of Seneca   Zoning Board of Appeals                      Class: 1  
 Type: *Special Use Permit*

Related Referrals: 2-2023 and 4-2023

Applicant: *Bell Atlantic/Verizon Wireless*

Property Owner: *United Land Stewards, LLC*

Tax Map Parcel #: *144.00-3-7.212*

Brief Description: *Site plan, special use permit, and height variance for new 195' cell tower near 4751 Olsen Road in the Town of Seneca.*

See information at 2-2023

4 -2023                      Town of Seneca   Zoning Board of Appeals                      Class: 1  
 Type: *Area Variance*

Related Referrals: 2-2023 and 3-2023

Applicant: *Bell Atlantic/Verizon Wireless*

Property Owner: *United Land Stewards, LLC*

Tax Map Parcel #: *144.00-3-7.212*

Brief Description: *Site plan, special use permit, and height variance for new 195' cell tower Near 4751 Olsen Road in the Town of Seneca.*

See information at 2-2023.

5 -2023                      Town of Canandaigua   Planning Board                      Class: 1 *Withdrawn*  
 Type: *Site Plan*

Related Referrals: 6-2023

Applicant: *Grove Engineering*

Property Owner: *Sutter Creek LLC*

Tax Map Parcel #: *71.00-1-25.100*

Brief Description: *Site plan and special use permit for 11,800 SF boat storage building adjacent to two existing boat storage buildings at Sutter Marine, 2700 CR 10 in the Town of Canandaigua.*

6 -2023                      Town of Canandaigua   Planning Board                      Class: 1 *Withdrawn*  
 Type: *Special Use Permit*

Related Referrals: 5-2023

Applicant: *Grove Engineering*

Property Owner: *Sutter Creek LLC*

Tax Map Parcel #: *71.00-1-25.100*

Brief Description: *Site plan and special use permit for 11,800 SF boat storage building adjacent to two existing boat storage buildings at Sutter Marine, 2700 CR 10 in the Town of Canandaigua.*

7 -2023                                      Town of Victor   Planning Board                                      Class: 1  
 Type: *Special Use Permit*

Related Referrals: 1-2023

Applicant: *Mitchell Design Build*

Property Owner: *Maguire Family Properties*

Tax Map Parcel #: 1402-1-3.110

Brief Description: *Site plan and special use permit for 23,000 SF parking lot addition, landscaping, sidewalks, and new tenant entrance at 8050 SR 251 in the Town of Victor. Project also involves two curb cuts off Old Dutch Road.*

See information at 1-2023.

8 -2023                                      Town of Hopewell   Planning Board                                      Class: 1  
 Type: *Special Use Permit*

Applicant & Owner : *Eric Harter*

Tax Map Parcel #: 58.00-1-65.100

Brief Description: *Special use permit for family/caregiver/in-law apartment at 4173 Johnson Road in the Town of Hopewell.*

9 -2023                                      Town of Hopewell   Planning Board                                      Class: 1  
 Type: *Site Plan*

Related Referrals: 180-2022

Applicant: *William Grove PE*

Property Owner: *Rochester Properties Real Estate Dev.*

Tax Map Parcel #: 99.00-2-36.210

Brief Description: *Site plan for 4,400 SF storage building at 3849 SR 5/US 20 in the Town of Canandaigua,*

<https://ontariocountyny.gov/DocumentCenter/View/35625/180-2022-aerial>

<https://ontariocountyny.gov/DocumentCenter/View/36970/9-2023-site-plan>

This site was previously reviewed as referral 180-2022 in September 2022 for an area variance to allow 100 percent rather than 30 percent expansion of a pre-existing nonconforming use as allowed by code.

Site Context and Comments from September 2022

The 3.2 acre project site is located on the southside of the road east of the Finger Lakes Livestock Exchange. The existing 4,500 SF building was constructed in 2001 and is a pre-existing nonconforming use. The Hopewell Town Code allows expansion by 30 percent which would be 1,350 SF. The proposed expansion is for another 4,500 SF building. The application indicates the project would disturb .03 acres; however, the building footprint alone is more than 0.1 acre.

According to OnCor, there are areas of steep slope along the stream corridor in the northeast corner of the site. The site's Darian silt loam soils are somewhat poorly drained and partially hydric soils with moderately high permeability and high erodibility. Site soils are characterized as prime farmland if drained.

**Comments**

1. The referring body should direct applicants to sketch proposed site modifications on an aerial. It is a violation of NYS Education Law for anyone other than the individual who signed and stamped a survey, subdivision plat, or site plan to modify the map.
2. The applicant should be made aware that the draft FEMA floodplain map shows the areas within 50' to 100' of the stream corridor in the northeast corner of the site in the 100 year floodplain. To minimize business loss and future insurance costs, the applicant should avoid building in the floodplain area.
3. Submitted materials do not indicate any site landscaping or stormwater management facilities.
4. There appears to be a vehicle connection to the bar to the west. If this cross access arrangement is desirable, it should be formalized in an easement that includes allocation of maintenance costs. Consideration should also be given to requiring use of this shared access point for the storage use and elimination of the other site access point as it is only 80' from the access connection on the lot to the east. This segment of NYS 5/US 20 is classified as a principal arterial. Desirable access connection spacing on arterial roadways is 660'.

**Site Information and Comments from January 2023**

The site plan now shows a proposed 4,400 SF building and 15 Norway spruce along the SR 5/US 20 frontage to screen the buildings and outdoor vehicle and trailer storage from the road. The site plan does not show the draft floodplain; however, it appears site modifications in the floodplain are limited to a culvert under the eastern existing gravel driveway to convey the stream.

**Comments**

1. What stormwater management facilities will be provided for stormwater from the proposed building and outdoor storage areas?
2. Is size of culvert adequate based on hydraulic analysis completed as part of FEMA floodplain update?
3. The proposed building is very close to the existing driveway providing access to adjacent use to the west. As indicated in Sept. 2022 comment #4, the referring body should consider whether any access modifications are warranted in conjunction with this project to protect safety and capacity of the adjacent roadway.
4. Will the buildings and outdoor storage areas be fenced?
5. Will vehicle and trailer parking be on existing lawn areas? The site plan should indicate the area of such storage areas, any modification to ground surface, and if not lawn area, accommodations for stormwater management.

10 -2023

Town of Canandaigua Planning Board

Class: *Exempt*Type: *Site Plan*Related Referrals: *215-2022, 216-2022, 11-2023*Applicant: *Venezia & Associates*Property Owner: *John & Kelly Alverman*Tax Map Parcel #: *98.13-1-20.000*Brief Description: *Site plan and area variance for addition to a residence at 3473 Lakeview Lane in the Town of Canandaigua.*

