

ONTARIO COUNTY PLANNING BOARDReferrals for Review at the: **Coordinated Review Committee Meeting –Tuesday July 11, 2023, at 3:30pm****County Planning Board Meeting –July 12, 2023 at 7:00pm 20 Ontario St., Canandaigua**

Telephone: 585-396-4455

Referral #	Municipality	Applicant	Application Type	Class	Page
118	Town of Victor	Jeffrey Cody	Site Plan	Exempt	2
119	Town of Geneva	Town of Geneva Town Board	Text Amendment	2	2
120	Town of Gorham	James & Kristine Canessa	Area Variance	AR2	2
121	Village of Naples	William Grove, P.E.	Site Plan	1	4
122	Town of East Bloomfield	Town of East Bloomfield Town Board	Text Amendment	2	5
123	Town of Richmond	Michelle and Robert Friedrich	Special Use Permit	1	6
124	Town of Richmond	Norton Laundry Mill of Honeoye, LLC	Special Use Permit	1	7
125	Town of Richmond	Jeremy and Karen Malone	Area Variance	1	8
126	Town of Richmond	Anthony Cassara	Special Use Permit	2	8
127	Town of Victor	Log & Timber Structures	Site Plan	Exempt	9
128	City of Canandaigua	City of Canandaigua City Council	Text Amendment	2	9
129	Town of Farmington	APD Engineering & Architecture	Subdivision	1	10
130	Town of Richmond	Richard Dunne	Area Variance	AR2	11
131	Village of Manchester	Angel Montanez	Site Plan	1	12
132	Village of Manchester	Angel Montanez	Area Variance	1	13
133	Town of Manchester	Cabbage Patch Lane LLC	Site Plan	1	13
134	Town of Canandaigua	Sarah Costich King, Costich Engineering, DPC	Site Plan	1	13
135	Town of Canandaigua	Logan Rockcastle, Marks Engineering, PC	Site Plan	Exempt	15
136	Town of Canandaigua	Natalee Kiesling, Marathon Engineering	Area Variance	AR2	16
137	Town of Canandaigua	Rocco Venezia	Subdivision	Exempt	18
138	Town of Canandaigua	Natalee Kiesling, Marathon Engineering	Site Plan	Exempt	18
139	Town of Canandaigua	Scott Harter	Site Plan	Exempt	19
140	Town of Canandaigua	Logan Rockcastle, Marks Engineering	Site Plan	Exempt	20
141	Town of Canandaigua	Logan Rockcastle, Marks Engineering	Area Variance	AR2	21
142	Town of Bristol	Robert & Linda Green	Area Variance	1	22

118 -2023 Town of Victor Planning Board Class: *Exempt*
Type: *Site Plan*

Applicant: *Jeffrey Cody*

Property Owner: *same*

Tax Map Parcel #: *38.00-1-10.1*

Brief Description: *Application for a 2,688-sf pole barn for personal storage at 7868 Parish Rd, to the south of CR 41, in the Town of Victor.*

<https://ontariocountyny.gov/DocumentCenter/View/39055/118-2023-Aerial-Barn>
<https://ontariocountyny.gov/DocumentCenter/View/39059/118-2023-Site-Plan-Barn>

119 -2023 Town of Geneva Zoning Board of Appeals Class: 2
Type: *Text Amendment*

Applicant: *Town of Geneva Town Board*

Brief Description: *Local law amending regulations dealing with parking in Chapters 123 (Short-Term Rentals) and 165 (Zoning) of the Code of the Town of Geneva.*

<https://ontariocountyny.gov/DocumentCenter/View/39060/119-2023-Local-Law-STRs>

Comments

1. While amending 165-55 D. regarding location of required parking spaces, the referring body should include amendment to address mixed use Town Center and Town Center Arterial districts.

120 -2023 Town of Gorham Zoning Board of Appeals Class: *AR2*
Type: *Area Variance*

Applicant: *James & Kristine Canessa*

Property Owner: *same*

Tax Map Parcel #: *141.17-2-18.000*

Brief Description: *Area variance for the construction of a single-family dwelling with side-yard setbacks of 5' and 10' when 15' is required, and a lot coverage of 37.6% where no greater than 25% is allowed at 4990 CR 11 in the Town of Gorham.*

<https://ontariocountyny.gov/DocumentCenter/View/39061/120-2023-Aerials-Canessa-Variance>
<https://ontariocountyny.gov/DocumentCenter/View/39064/120-2023-Site-Plan-Canessa-Variance>

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 should Consult with the Ontario County Highway Department and ensure that the sight distances for the proposed driveway comply with standards established by the American Association of State Highway and Transportation Officials (AASHTO).
3. The applicant and referring agency are strongly encouraged to involve the Canandaigua Lake Watershed Inspector or the Ontario County Soil and Water Conservation District as early in the review process as possible to ensure proper design and placement of on-site septic.
4. 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.

2023 CLCSD Comments

1. Renovation Permit will be required
2. Drawings to be submitted for review and approval.

2023 OCDPW Comment

1. The Applicant (Owner of Record) is required to obtain a highway work permit for any proposed work within a County highway right-of-way and shall pay all necessary fees & comply with all permit conditions and restrictions. Highway Work Permit forms can be found on Ontario County website at <https://www.co.ontario.ny.us/1260/Highway-Work-Permits>. In addition, the Applicant's contractors will also be required to provide insurance per attached insurance schedule; proof of Worker's Comp & Disability insurance must be on appropriate forms, we cannot accept on ACORD form.

121 -2023

Village of Naples Planning Board

Class: 1

Type: *Site Plan*Applicant: *William Grove, P.E.*Property Owner: *Naples Creek Properties, LLC*Tax Map Parcel #: *204.05-1-22.200*

Brief Description: *Site plan for the construction of four (4) 20' x 44' patio homes, one (1) 32' x 96' apartment building, and associated improvements to supplement the existing apartments at 210 S Main St, south of Eelpot Creek, in the Village of Naples.*

<https://ontariocountyny.gov/DocumentCenter/View/39065/121-2023-Aerial-Naples-Creek>

<https://ontariocountyny.gov/DocumentCenter/View/39068/121-2023-Site-Plan-Naples-Creek>

There are 16 senior apartments in the existing building on the 4-acre site. It is unclear whether the income restrictions associated with initial Low-income Tax Credit financing are still in place. According to OnCor, portions of the site are in the existing 100-year floodplain. Portions of the existing and proposed buildings are in the draft 100 year and/or 500-year floodplain. The CEO indicated the draft floodplain maps are not based on detail hydraulic analysis of Naples Creek and the Village of Naples submitted a number of FEMA approved map amendments to the existing floodplain to document the need to revise the draft maps. There are areas of steep slope along the Naples Creek corridor, other areas of the site are not constrained by steep slopes or wetland. The site plan shows expanded parking. The site plan does not show existing or proposed site landscaping, lighting, or stormwater management facilities.

Comments

1. What provisions are proposed to manage stormwater quality and quantity?
2. How many stories and how many units are in the proposed 3,000 SF apartment building?
3. Is proposed parking sufficient for proposed number of units?
4. Will the apartments and patio homes meet ADA accessibility standards? Will they be visitable by providing a stepless entry, 36' doors, and an accessible bathroom?
5. Will the proposed apartments be affordable? Income restricted?
6. The referring body should make sure the applicant is aware of the boundary of the draft FEMA 100' and 500' floodplain on the property. To document this notice, the referring body should require the applicant to show the draft floodplain boundary on the site plan.

2023 OCSWD Comments

1. Based on the information from OnCor, much of the proposed development will be within the draft 2022 FEMA 100-year floodplain.
2. Unable to comment on Erosion and Sediment Control as plans did not have those details.

122 -2023 Town of East Bloomfield Town Board
 Type: *Text Amendment*

Class: 2

Applicant: *Town of East Bloomfield Town Board*

Brief Description: *Text amendment and proposed new code for temporary and permanent farm stands, and agricultural tourism in the Town of East Bloomfield.*

<https://ontariocountyny.gov/DocumentCenter/View/39069/122-2023-Ag-Tourism-E-Bloomfield>
<https://ontariocountyny.gov/DocumentCenter/View/39070/122-2023-Farm-Stands-E-Bloomfield>

Comments

1. In proposed code sections 135-42 C. (4) A. (4) and 135C. (4) B (2) consider specifying that no use of off-street parking space shall require backing onto any public street.
2. Typical parking standards for retail sales are one space per 250 to 400 SF of gross floor area. Unless the proposed standards of 1 parking space per 150 SF of gross floor area in permanent buildings and the minimum of 8 spaces required for temporary farm stands of less than 500 SF are based on analysis of actual parking demand at farm stands in East Bloomfield or the Finger Lakes Region, the referring body should consider lowering the parking requirement. The referring body should also consider why temporary farm stands of similar size on property with and without an agricultural exemption have different parking requirements and consider allowing the Planning Board to waive and landbank required parking for both permanent and temporary farm enterprises.
3. It is important to avoid overlapping definitions and to use defined terms consistently throughout a zoning code. The East Bloomfield Zoning Code currently has definitions for agribusiness, agricultural operations, agricultural products, and roadside stand. Only the agricultural products definition references Article 25-AA of the State Agricultural and Markets law regarding agricultural districts/agricultural exemptions. The referring body may need to make additional amendments to delete unneeded definitions and to use defined terms in district purpose statements and permitted and specially permitted use lists. Care must be taken in changing definitions and use lists. For instance, Agricultural Operations is defined to include woodcutting and firewood sales; firewood cutting and sales is also listed as a special permit use in the AR-2 district. If the definition of Agricultural Operations is replaced by Farm Enterprise, then all instances of firewood cutting and sales would require a special use permit, though currently only those not operated as an agricultural operation require a special use permit.
4. The proposed zoning code amendment includes cider mills, farm brewery, and wineries in the definition of agritourism. The referring body may want to consider whether to include distillery/farm distillery and whether to locally define farm and non-farm alcohol production or reference the definitions of farm brewery, farm cidery, farm distillery, and farm winery in the New York State Alcohol Beverage Control law.

123 -2023 Town of Richmond Zoning Board of Appeals Class: 1
 Type: *Special Use Permit*

Applicant: *Michelle and Robert Friedrich*

Property Owner: *same*

Tax Map Parcel #: *149.08-1-4.122*

Brief Description: *Special Use permit application for the construction of a 12' x 18' accessory structure (storage shed) before the primary residential structure has been built on Sandy Bottom Rd, just north of Honeoye Lake, in the Town of Richmond.*

<https://ontariocountyny.gov/DocumentCenter/View/39072/123-2023-Aerials-Barndominium>

<https://ontariocountyny.gov/DocumentCenter/View/39074/123-2023-Sketch-Plan-Barndominium>

<https://ontariocountyny.gov/DocumentCenter/View/39073/123-2023-LOI-Barndominium>

The storage shed in the front yard is the only element proposed at this time. Submitted materials also outline plans for a ‘barndominium’ of 2 pole barns including a 2,000 SF building 20’ in height intended as living space and a 1,600 SF building 25’ in height with 500 SF of living space and 1,100 SF of storage space.

Comments

1. Is the “barndominium” intended for commercial or personal storage?
2. What is the Town of Richmond policy/procedure regarding construction of accessory use prior to construction of the primary use?
3. Special use permits are allowed to be granted only as specifically listed in the zoning code. The Town of Richmond Code allows storage structure up to 200 SF as a permitted accessory use, In the future, the referring body could consider similar requests as an area variance, subject to policy on accessory uses developed before primary use such as requiring site plan approval and an agreed upon timetable for constructions of the primary use.
4. How will the future buildings meet the energy code provision of the Uniform Fire and Building Code?
5. How much imperious driveway area is proposed? The Town of Richmond Code defines lot coverage as including principal and accessory structures. The A. Residential/Agricultural district (and the B Residential District mapped around Honeoye Lake) allow 25 % lot coverage which would be 6,428 SF for this 0.59-acre lot. To minimize stormwater impacts, the Town Board should consider amending code to reference building coverage and to add a definition and maximum lot coverage which identifies maximum impervious area including not only buildings, but also driveways, patios, sidewalks, retaining wall etc.

124 - 2023 Town of Richmond Zoning Board of Appeals Class: 1
 Type: *Special Use Permit*

Applicant: *Norton Laundry Mill of Honeoye, LLC*

Property Owner: *same*

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

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

<https://ontariocountyny.gov/DocumentCenter/View/39076/124-2023-Aerial-Comm-Car-Wash>

<https://ontariocountyny.gov/DocumentCenter/View/39077/124-2023-LOI-Comm-Car-Wash>

The car/boat wash would be constructed initially, and the 2,2100 SF commercial building would be constructed for a specific tenant or when commercial space demand increases. According to OnCor, the 2.3-acre site is not constrained by wetlands, floodplains, or steep slopes and is not in OC Agricultural District #1.

Comments

1. Availability of a boat wash facility near Honeoye Lake aligns with region wide efforts to control the spread of invasive aquatic species by draining, cleaning, and drying watercraft before launching in a different body of water.

2023 Bureau of Wastewater Management Comments

1. Drawings and anticipated flows shall be submitted for review and approval. Permit required prior to construction.

2023 OCDPW Comments

1. The Applicant (Owner of Record) is required to obtain a highway work permit for any proposed work within a County highway right-of-way and shall pay all necessary fees & comply with all permit conditions and restrictions. Highway Work Permit forms can be found on Ontario County website at <https://www.co.ontario.ny.us/1260/Highway-Work-Permits>. In addition, the Applicant's contractors will also be required to provide insurance per attached insurance schedule; proof of Worker's Comp & Disability insurance must be on appropriate forms, we cannot accept on ACORD form.
2. Will project have a Stormwater Pollution Prevention Plan (SWPPP)? If so, County cannot issue a highway work permit until the following information is provided related to coverage under the current SPDES General Permit for Construction Activity:
 - Complete Notice of Intent, signed by the owner; and
 - Evidence that the applicant has received coverage under the current SPDES General Permit for Construction Activity; and
 - A fully executed SWPPP with all certifications provided
3. Applicant's engineer must provide a site plan and profile of the proposed access driveway within 50-feet of the CR 37 edge of pavement. The applicant shall demonstrate that the configuration of the driveway is suitable for proposed vehicles.

125 -2023 Town of Richmond Zoning Board of Appeals Class: 1
Type: *Area Variance*

Applicant: *Jeremy and Karen Malone*

Property Owner: *same*

Tax Map Parcel #: *150.38-1-1.000*

Brief Description: *Area variance for a lot coverage greater than maximum allowed of 25% and to extend front porch in line with the front of the house (4.8' from front parcel line) at 8522 W Buckingham St., in the Times Union Tract, in the Town of Richmond.*

- <https://ontariocountyny.gov/DocumentCenter/View/39079/125-2023-Aerial-Times-Union-Deck>
- <https://ontariocountyny.gov/DocumentCenter/View/39081/125-2023-Front-Setback-Times-Union-Deck>
- <https://ontariocountyny.gov/DocumentCenter/View/39083/125-2023-Wide-View-Times-Union-Deck>
- <https://ontariocountyny.gov/DocumentCenter/View/39082/125-2023-Sketch-Plan-Times-Union-Deck>

Comment

1. In addition to the lot coverage variance from the Zoning Board of Appeals, the garage encroachment into the subdivision roadway requires an easement.

126 -2023 Town of Richmond Zoning Board of Appeals Class: 2
Type: *Special Use Permit*

Applicant: *Anthony Cassara*

Property Owner: *same*

Tax Map Parcel #: *136.00-1-82.111*

Brief Description: *Special Use Permit for the construction of an accessory structure on a parcel located on the north side of SR 20A, 8350 SR 20A, in the Town of Richmond.*

- <https://ontariocountyny.gov/DocumentCenter/View/39085/126-2023-Aerial-Honeoye-Ventures>
- <https://ontariocountyny.gov/DocumentCenter/View/39086/126-2023-LOI-Honeoye-Ventures>

Comments

1. The proposed accessory building is not connected to the electric grid, water supply or a wastewater treatment system and is not suitable for overnight accommodation.
2. The proposed building could be considered a permitted accessory use not requiring a special use permit just required to meet rear setback of 5’ and a maximum size of 200 SF as specified in 200-12 (2). As a permitted accessory use, the building would not require site plan review (see 200-69 A.).

2. While making changes to its zoning regulations, the referring body may want to consider amending the list of zoning districts to reflect previous amendment to consolidate 3 mixed use districts into the MU Mixed Use district.

129 -2023 Town of Farmington Planning Board Class: 1
 Type: *Subdivision*

Related Referrals: 58-2023; 59-2023

Applicant: *APD Engineering & Architecture*

Property Owner: *Fowler Family Trust*

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

Brief Description: *Proposed subdivision application to divide 2 parcels totaling 12.1-acres into 3 separate parcels, along Pheasants Crossing in the Town of Farmington.*

<https://ontariocountyny.gov/DocumentCenter/View/39093/129-2023-Aerial-Pheasants-Crossing-Subdivision>

<https://ontariocountyny.gov/DocumentCenter/View/39095/129-2023-Site-Plan-Pheasants-Crossing-Subdivision>

This subdivision was reviewed as referral 58-2023 and 59-2023 in April 2023. The subdivision with lot width variance should have been reviewed by the Planning Board prior to review by the Zoning Board of Appeals. This referral from the Planning Board remedies that omission.

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.

Comments

1. The referring body in considering the reasonableness of the re-subdivision with lot width variance 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.

130 -2023 Town of Richmond Zoning Board of Appeals Class: AR2

Type: *Area Variance*

Applicant: *Richard Dunne*

Property Owner: *same*

Tax Map Parcel #: *149.19-1-21.000*

Brief Description: *Area variance for setback of 38' when 50' is required for a proposed covered deck and patio addition at 5381 CR 36, on the west side of Honeoye Lake in the Town of Richmond.*

<https://ontariocountyny.gov/DocumentCenter/View/39096/130-2023-Aerial-Dunne-Addition>

<https://ontariocountyny.gov/DocumentCenter/View/39098/130-2023-Survey-Plan-Dunne-Addition>

**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 should Consult with the Ontario County Highway

Department and ensure that the sight distances for the proposed driveway comply with standards established by the American Association of State Highway and Transportation Officials (AASHTO).

3. The applicant and referring agency are strongly encouraged to involve the Canandaigua Lake Watershed Inspector or the Ontario County Soil and Water Conservation District as early in the review process as possible to ensure proper design and placement of on-site septic.

4. 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.

131 -2023 Village of Manchester Planning Board

Class: 1

Type: *Site Plan*

Related Referrals: 132-2023

Applicant: *Angel Montanez*

Property Owner: *same*

Representative: *Marks Engineering*

Tax Map Parcel #: 44.05-1-14.000

Brief Description: *Site Plan and Area variance (for a side setback of 9.3' when 20' is required) for the construction of a proposed restaurant at 114 S Main St, on the corner of S Main St and Lehigh Ave, in the Village of Manchester.*

<https://ontariocountyny.gov/DocumentCenter/View/39100/131-2023-and-132-Aerial-Restaurant>

<https://ontariocountyny.gov/DocumentCenter/View/39103/131-2023-and-132-Site-Plan-Restaurant>

The project site is on the west side of SR 21 just north of Leigh Avenue. The property also fronts on a private road, Gilligan Drive to the west. The site was re-zoned from R-1 to C-1 at the request of the applicant in 2021 (referral 118-2021 in June 2021). Adjacent land uses include residential uses to the north, south, and west and a shopping center across South Main Street/SR 21 to the east. According to OnCor the 0.24-acre site is not constrained by floodplain, wetland, or steep slopes. The site's Dunkirk fine sandy loam is well drained and highly erodible.

Comments

1. According to Village of Manchester Zoning Code Chapter 290-29 L., on corner lots and lots extending through between two parallel streets all portions of such lots which front on a public street shall be subject to the front yard requirements of the applicable zoning district. Therefore, the Main Street and Leigh Avenue frontages are subject to the 10' front setback/yard requirement.

2023 OCSWD Comment

1. Locations of additional erosion and sediment control practices not included such as topsoil and concrete truck washout.

132 -2023 Village of Manchester Zoning Board of Appeals Class: 1
 Type: *Area Variance*

Related Referrals: 131-2023

Applicant: *Angel Montanez*

Property Owner: *same*

Representative: *Marks Engineering*

Tax Map Parcel #: 44.05-1-14.000

Brief Description: *Site Plan and Area variance (for a side setback of 9.3' when 20' is required) for the construction of a proposed restaurant at 114 S Main St, on the corner of S Main St and Lehigh Ave, in the Village of Manchester.*

See information at 132-2023

133 -2023 Town of Manchester Planning Board Class: 1
 Type: *Site Plan*

Related Referrals: 144-2019; 117-2021; 37-2023

Applicant: *Cabbage Patch Lane LLC*

Property Owner: *same*

Tax Map Parcel #: 44.00-2-65.100

Brief Description: *Site Plan to construct a gravel pad (with 0.63-acres of disturbance) to accommodate the unloading of rail cars for the Leonard's Express Cold Storage Buildings at 20 Cabbage Patch Lane in the Town of Manchester.*

<https://ontariocountyny.gov/DocumentCenter/View/39104/133-2023-Aerial-Leonards-Express>

<https://ontariocountyny.gov/DocumentCenter/View/39106/133-2023-Site-Plan-Leonards-Express>

The proposed gravel unloading area is approximately 8,750 SF. Related modifications shown on the site plan include installation of a silt fence on the downslope side of the .63 area of disturbance, perforated pipe to disperse stormwater shedding from the pad toward the rail siding, and a stabilized track crossing/construction entrance.

134 -2023 Town of Canandaigua Planning Board Class: 1
 Type: *Site Plan*

Applicant: *Sarah Costich King, Costich Engineering, DPC*

Property Owner: *Karen Kosten*

Tax Map Parcel #: 126.16-2-3.310

Brief Description: *Site Plan to clear and grub approximately 3.6-acres for an open passive private recreation area at 4417 CR16, on the west side of CR16, in the Town of Canandaigua.*

<https://ontariocountyny.gov/DocumentCenter/View/39107/134-2023-Aerial-CR16-Clearing>

<https://ontariocountyny.gov/DocumentCenter/View/39110/134-2023-Site-Plan-CR16-Clearing>
<https://ontariocountyny.gov/DocumentCenter/View/39111/134-2023-SWPP-CR16-Clearing>
<https://ontariocountyny.gov/DocumentCenter/View/39108/134-2023-Parcel-Detailed-Report->

According to OnCor, the uphill portion of the site is approximately 600' from Canandaigua Lake. On the uphill portion of the lot there are areas of steep 16 to 30 percent slope in a u shape along the south, east, and north edge of the wooded area. There is an area of very steep 31 to 60 percent slope near the center the southern property line. The upland portion of the site is not constrained by wetlands or floodplains. OnCor and the 2018 Town of Canandaigua Open Space, Conservation, and Scenic Views Master Plan identify the uphill portion of the site as encompassing the Successional Northern Forest ecological community.

The proposed SWPPP indicates no stormwater management facilities are required because this is a residential lot and disturbance will be kept under 5 acres. The SWPPP also indicates the existing site drains to 18" and 30" culverts under West Lake Road/CR 16 and that the change in land cover from woods to meadow will increase peak flow rates (cf/s) from 54 to 70 percent.

The property is visible from Canandaigua Lake and therefore the Scenic Viewshed Overlay district provisions apply. The purpose and intent of the Scenic Viewshed Overlay regulations are to provide for use and development of properties while maintaining the existing landscape features to the greatest extent feasible and considering protection of elements and natural resources identified in Town planning documents. The property is not within the Strategic Forest Protection Area intended to conserve forest and wildlife habitat.

Comments

1. NYS regulations may not require stormwater management, however, given the scale of the clearing and grubbing and the slope of the lands, the referring body should consider what is necessary to minimize erosion and preserve the scenic quality of the site.

2023 OCDPW Comment

1. The Applicant (Owner of Record) is required to obtain a highway work permit for any proposed work within a County highway right-of-way and shall pay all necessary fees & comply with all permit conditions and restrictions. Highway Work Permit forms can be found on Ontario County website at <https://www.co.ontario.ny.us/1260/Highway-Work-Permits>. In addition, the Applicant's contractors will also be required to provide insurance per attached insurance schedule; proof of Worker's Comp & Disability insurance must be on appropriate forms, we cannot accept on ACORD form.

2023 OCSWD Comments

1. In terms of stormwater, there are concerns with the amount of open area created (all at once) on such a steep slope. Applicant could consider the installation of diversion channels rather than relying on just silt fence to break up the slope. Any channel that runs perpendicular to the slope will require stone check dams as well.
2. Will all grubbed material be removed from the site? Depending on if/where this material is staged on site could also alter surface water flows.
3. Due to its' proximity to the lake, it is recommended to hydroseed the area to ensure quick and effective vegetation establishment.

135 -2023 Town of Canandaigua Planning Board
 Type: *Site Plan*

Class: *Exempt*

Applicant: *Logan Rockcastle, Marks Engineering, PC*

Property Owner: *Walter Turek*

Representative: *Andrew Ramsgard, Ramsgard Architectural Design*

Tax Map Parcel #: *154.09-1-9.000*

Brief Description: *Site Plan application for tear-down existing single-family dwelling, a lot line adjustment turning 3 parcels (5051, 5055, and 5057 CR 16) into 2, and the construction of 2 dwellings on separate parcels w/ shared driveway & improvements.*

<https://ontariocountyny.gov/DocumentCenter/View/39116/135-2023-Aerial-Turek>

<https://ontariocountyny.gov/DocumentCenter/View/39118/135-2023-Main-House-Elevation-Drawings-Turek>

<https://ontariocountyny.gov/DocumentCenter/View/39122/135-2023-Steep-Slope-Map-Turek>

<https://ontariocountyny.gov/DocumentCenter/View/39121/135-2023-Site-Plan-Turek>

<https://ontariocountyny.gov/DocumentCenter/View/39124/135-2023-ZLD-Turek>

<https://ontariocountyny.gov/DocumentCenter/View/39123/135-2023-SWPP-Turek>

Site Plan application for tear-down existing single-family dwelling, a lot line adjustment turning 3 parcels (5051, 5055, and 5057 CR 16) into 2, and the construction of 2 dwellings on separate parcels w/ shared driveway, regrading, and improvements. Proposed work to have 10,000 SF of disturbance and is within 500 ft. of an Ag. District. Also, an area variance for chimney height of 25 ft. is required. The area of the total project is 3.2 acres. Lands across CR16 are primarily residential and agricultural uses. Soil is predominantly Lansing silt loam, either 8-15% or 15-25% slope. Both are not hydric, have moderately high permeability, high erodibility, and are in hydrologic soil group B. 15-25% is considered not prime farmland, while 8-15% is considered farmland of statewide importance. The only area of extremely steep slope to be disturbed is for the proposed house located at 5051 CR16.

In terms of the lot line adjustment, what is currently addressed 5055 CR 16, is to be added to acreage in 5051 and 5057. 0.672-acres are to be added to 5051 (totaling 1.348-acres after lot-line adjustment), and 1.420-acres are to be added to 5057 (totaling 1.862-acres after the adjustment).

Behind (to the west) of the houses, a portion of the private driveway lying on what is now 5055 CR 16 is to be removed. The existing driveway provides access to five properties [5049, 5051, (5055 – to be absorbed), 5057, and 5059], all of which are owned by the Turek's except for 5059 – which is owned by the McAuliffe family. The proposed driveway will provide new access (via access easement) to 5059, separate from the rest of the properties, in an attempt to avoid confusion on maintenance, liabilities, and responsibilities. In addition, the existing driveway is to be re-aligned to provide access to the remaining parcels: 5049, 5051, and 5057 (REMINDER: no longer a 5055 CR16). The garage/timber wall behind the house on 5051 is to be removed and replaced. The boathouse on 5057 is to be reconstructed. The total area of all new impervious surfaces is 24,400 SF (currently at 21,780 SF). The remaining lands will be used for stormwater management, new on-site wastewater treatment facilities and/or maintained as lawn.

5051 will be built within existing footprint and 5057 will be relocated further away from the shoreline than the existing structure. Cottage on 5057 currently 27.6' from MHWL, will be moved to 40.6' away. Structure on 5051 is currently 4' from MHWL, proposed will be 8.5' away. Both will have earth tone colors. Houses are on public water. New septic treatment system proposed for both houses. A new overhead electric service to be put in. For water mitigation, 2' wide infiltration trenches are to be placed along the driveways, along with

other basins/catches that feed through HDPE pipes to a storm manhole. During construction, erosion control measures include: a double row silt fence surrounding the property, four separate sediment traps, stone check dams, and areas of steep slope to be covered by erosion control fabric. For Landscaping, about 30 Shade trees, 16 ornamental trees, and about 13 evergreen trees are to be planted on the two parcels.

Comments

1. How big is square footage of the house, cottage, new garage?
2. How much disturbance in the steep slope area?
3. An area variance needs to be submitted for the height of the primary structure (chimney) being over the maximum allowed height of 25' in the Residential Lake District.
4. What is the actual height of the chimney? The elevation drawings show it is above 25' but doesn't say how much above the maximum it is.

136 -2023 Town of Canandaigua Planning Board

Class: AR2

Type: *Area Variance*

Applicant: *Natalee Kiesling, Marathon Engineering*

Property Owner: *Tim Ashe*

Representative: *Peter Gorman, Marathon Engineering*

Tax Map Parcel #: *140.11-1-9.000*

Brief Description: *Area variance for: (1) Side-yard setback, (2) Rear (lake) setback, and (3) accessory structure greater than 100 SF for the installation of a 150' tram spanning from the upper patio down to the lakeside-deck at 4629 CR16 in the Town of Canandaigua.*

<https://ontariocountyny.gov/DocumentCenter/View/39125/136-2023-Aerial-Tram-Ashe>

<https://ontariocountyny.gov/DocumentCenter/View/39126/136-2023-Site-Plan-Tram-Ashe>

The site plan shows installation of a 150' tram track along the cliff face at 4629 CR16 in the Town of Canandaigua. One tree is to be removed to make way for the tram, along with one to be transplanted or replaced (if removed). The rest of the surrounding trees are to be protected. Some minor vegetation, saplings, and brush are to be removed if necessary. A silt fence is to surround the area of disturbance, along with a sediment control log at the bottom of the tram (@ Mean High Water Line).

The upper landing will be near the existing patio at the rear (lakeside) of the residence. At the bottom, the tram ends near the lake at a new 4'x4' landing area with stairs, just north of existing lakeside dock. Installation of the tram will require three (3) area variances. The first is for an accessory structure (in the RLD) greater than 100 SF. The second is for the lower section of the tram breaching the mean-high water line when "any structure, including but not limited to gazebos, decks, porches and shelters, not related to docking and mooring or providing reasonable navigational access is prohibited waterside of the mean high-water mark". The rear (lake) setback requirement is 15' for accessory structures in the RLD. The final (3rd) area variance is for the trams side setback of 2.68' when 12' is required.

0.70-acre parcel is single-family residential; all surrounding parcels are residential use. Parcel has a mowed lawn cover type with steep slopes (16-30%) to excessively steep slopes (greater than 60%), the closer you get to the lake. Area of disturbance is in Lansing silt loam (15-25% slope) and Lordstown-Manlius-Towerville complex (35-80% slope). Lansing silt loam is not hydric, has moderately high permeability, high erodibility, is

not prime farmland, and is in hydrologic soil group B. Lordstown-Manlius-Towerville is not hydric, has moderately high permeability, medium erodibility, not prime farmland, and is hydrologic soil group C.

Comments

1. How much steep slope disturbed? How much disturbance in general?

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 should Consult with the Ontario County Highway Department and ensure that the sight distances for the proposed driveway comply with standards established by the American Association of State Highway and Transportation Officials (AASHTO).
3. 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.

The site plan shows installation of a 116' tram track with .002-acres to be disturbed at 4606 Cedar Cliff Dr, just east of CR16, in the Town of Canandaigua. Existing trees are to be protected, with one to be removed. Minor vegetation, saplings and brush to be cleared if necessary. A silt fence will surround the area of disturbance, an erosion control blanket on disturbed steep slope areas, and with a sediment control log placed at the bottom of the work area, near the lake. An existing storage structure (just south of the deck) in the area of proposed work is to be removed or relocated. The upper loading station will be located adjacent to an existing stairway, just off to the east (lakeside) of Cedar Cliff Drive (private drive). The tram will extend to the lower loading station at the existing lakeside dock.

1.30-acre parcel is single-family residential; all surrounding parcels are residential use. Parcel has a mowed lawn cover type with steep slopes (16-30%) to excessively steep slopes (greater than 60%), the closer you get to the lake. Area of disturbance is in Lansing silt loam (15-25% slope), and Ontario/Honeoye/Lansing soils (35-55% slopes). Lansing silt loam is not hydric, has moderately high permeability, high erodibility, is not prime farmland, and is in hydrologic soil group B. Ontario/Honeoye/Lansing soils not hydric, has moderately high permeability, medium erodibility, is not prime farmland, and is in hydrologic soil group C.

139 -2023 Town of Canandaigua Planning Board

Class: *Exempt*

Type: *Site Plan*

Applicant: *Scott Harter*

Property Owner: *Michael Baker*

Representative: *Paul Morabito*

Tax Map Parcel #: *98.09-1-24.000*

Brief Description: *Site plan to reconstruct/rebuild 3,212 SF single-family dwelling damaged by fire, at 4952 Adams Dr., east of CR 16, in the Town of Canandaigua.*

<https://ontariocountyny.gov/DocumentCenter/View/39135/139-2023-Aerial-Baker-Rebuild>

<https://ontariocountyny.gov/DocumentCenter/View/39138/139-2023-Site-Plan-Baker-Rebuild>

<https://ontariocountyny.gov/DocumentCenter/View/39139/139-2023-Survey-Baker-Rebuild>

Site plan to reconstruct/rebuild 3,212 SF single-family dwelling damaged by fire, at 4952 Adams Dr., east of CR 16, in the Town of Canandaigua. The replacement house is to agree with prior house dimensions and placement. Disturbance is 0.10-acres, some of which is within the FEMA 100-year floodplain. Existing public sewer and water to be used, overhead electric present. For erosion control, a silt fence will surround the area of disturbance, and temporary swales will be implemented to intercept surface water and direct it away from the work area. Property contains a sanitary sewer easement, a gas easement, and a watermain easement to the front (road-side) of the proposed house.

0.38-acre subject parcel is located in the Residential Lake District. Subject parcel is residential use, with surrounding land uses predominately residential with a few vacant. All parcels in area have mowed lawn cover type. Area of disturbance is in Ovid Silty Clay Loam soil type 8-15% slope. This soil type is partially hydric, has moderately high permeability, high erodibility, is farmland of statewide importance, and is in hydrologic soil group C/D.

2023 CLCSD Comment

1. Renovation permit will be required.

2. Drawings to be submitted for review and approval.
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140 -2023 Town of Canandaigua Planning Board

Class: *Exempt*

Type: *Site Plan*

Related Referrals: *141-2023*

Applicant: *Logan Rockcastle, Marks Engineering*

Property Owner: *Ann Wall*

Tax Map Parcel #: *98.11-1-9.000*

Brief Description: *Site Plan and Area variances for (1) building coverage of 35.5% (max allowed 25%) and (2) lot coverage of 44.9% (max allowed 40%) for the construction of a new deck and reconstruction of garage, at 3318 Fallbrook Park, in the Town of Canandaigua.*

<https://ontariocountyny.gov/DocumentCenter/View/39141/140-2023-and-141-Aerials-Fallbrook>

<https://ontariocountyny.gov/DocumentCenter/View/39174/140-2023-and-141-Site-Plan-Fallbrook>

The project site is .17 acres. According to OnCor the lake front 1/3 of the site has gentle 4-9 percent slopes and is in the 100-year floodplain.

**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.

142 -2023 Town of Bristol Zoning Board of Appeals Class: 1
Type: *Area Variance*

Applicant: *Robert & Linda Green*

Property Owner: *same*

Tax Map Parcel #: *124.00-2-8.111*

Brief Description: *Subdivision of parent parcel into 2 parcels, with the 1.5-acre parcel requiring area variances for front setback for (1) principal structure and (2 & 3) 2 separate accessory structures, and (4) lot size variance, at 6557 CR 32 in Town of Bristol.*

<https://ontariocountyny.gov/DocumentCenter/View/39147/142-2023-Aerial-Green-Subdiv>

<https://ontariocountyny.gov/DocumentCenter/View/39149/142-2023-Subdiv-Plan-Green-Subdiv>

The 57-acre property is located at the northwest corner of CR 32 and Montanye Road. The leach field for the existing home is located north of the house and both the house and the leach field are approximately 85' from the proposed lot line. The existing 1,350 SF metal pole barn is 145' east of the proposed lot line.

The required front setback to CR 32 and Montanye Road is 75'. The existing home is located 66' from CR 32 and 38' from Montanye Road. The accessory buildings are located 10' and .3' from Montanye Road. The garage is 31' from the lot line near the SW corner of the lot. The existing driveway is from Montanye Road between the accessory buildings.

According to OnCor there are areas of 16 to 30 percent slope in the southwest corner of the parent lot/along the proposed lot line and in the wooded area across the rear 1/3 of the property.