

ONTARIO COUNTY PLANNING BOARD

Referrals for Review at the: **Coordinated Review Committee Meeting –Tuesday November 7, 2023, at 3:30pm**
County Planning Board Meeting –November 8, 2023 at 7:00pm **20 Ontario St., Canandaigua**

Telephone: 585-396-4455

Referral No / Tax Map No	Municipality	Referring Board	Applicant	Application Type - Class	Page Number
215-2023	Town of Farmington	Town Board	Town of Farmington	Map Amendment - 2	8
29.11-3-15.000	Map amendment to amend Local Law No. 5 of 2015, affecting the redesign of remaining lands located within Phase 3 of the approved Overall Preliminary Site Plan for the Redfield Grove Incentive Zoning Project, at 5998 SR 96 in the Town of Farmington, just east of SR 332.				
228-2023	Village of Phelps	Village Board	Village of Phelps Planning Board	Text Amendment - 2	9
n/a	Local Law Amending Village of Phelps Zoning Law to add regulations for the installation and use of solar-energy-generating systems and equipment.				
232-2023	Town of West Bloomfield	Planning Board	John Anderson Construction Comm Holdings, LLC	Site Plan - 1	9
65.00-1-8.121	Site Plan to construct an approximately 1,200 SF addition for administration offices to an existing equipment shop building at the corner of SR 5&20 and Olmstead Rd., at 2388 Olmstead Rd., in the Town of West Bloomfield.				
233-2023	Town of Victor	Planning Board	7321 State Route 251 LLC	Site Plan - 1	10
15.00-1-9.111	Site Plan for the construction of a 20,000 SF steel building and 71 new parking spaces with associated utilities and drainage at 7321 SR 251 in the Town of Victor.				

Referral No / Tax Map No	Municipality	Referring Board	Applicant	Application Type - Class	Page Number
234-2023	Town of Victor	Zoning Board of Appeals	Billone, John	Area Variance - Exempt	10
7.00-1-78.200	Area variance for a (partially constructed) 7' high gate erected forward of the front-line of the principal building when a height of no greater than 2 ft. is allowed (in the front yard) at 378 CR9, on the corner of CR9 and Cobble Creek Road, in the Town of Victor.				
235-2023	Town of Victor	Zoning Board of Appeals	Daley, Terrence	Area Variance - AR 1	11
15.00-1-10.210	Area Variance for a (existing) permanent brand advertising sign when such signs are prohibited at 7273 SR 96, the corner of SR 251 and SR 96 in the Town of Victor.				
236-2023	Town of Canandaigua	Zoning Board of Appeals	Bogojevski, Michael	Area Variance - 1	12
84.00-1-44.200	Site Plan and Area Variance(s) for six (6) separate proposed apartment buildings (Phase II) for setbacks from roadways, parking, and driveways closer than the required 15 ft., at Creekview Apartments along CR 10 in the Town of Canandaigua.				
237-2023	Town of Canandaigua	Planning Board	Bogojevski, Michael	Site Plan - 1	13
84.00-1-44.200	Site Plan and Area Variance(s) for six (6) separate proposed apartment buildings (Phase II) for setbacks from roadways, parking, and driveways closer than the required 15 ft., at Creekview Apartments along CR 10 in the Town of Canandaigua.				
238-2023	Town of Canandaigua	Town Board	Westbrook, Greg	Map Amendment - 2	14
113.13-1-9.000; 113.13-	Map amendment to rezone subject properties (3904, 3907, 3935 CR 16) from Residential Lake District to Incentive				

Referral No / Tax Map No	Municipality	Referring Board	Applicant	Application Type - Class	Page Number
1- 10.000; 113.13- 1-11.000	Zoning at the German Brothers marina (and adjoining parcels) in the Town of Canandaigua.				
239- 2023	Town of Canandaigua	Planning Board	Burley, Keith	Subdivision - Exempt	18
153.00- 1-23.100	Subdivision of a 9.7-acre parcel into two lots (Lot 1 - 3.985 acres; Lot 2 5.797 acres), just east of the CR16 and Seneca Point Rd. intersection, at 5173 CR16 in the Town of Canandaigua.				
240- 2023	Town of Canandaigua	Zoning Board of Appeals	Driskell, Melissa	Area Variance - AR 2	18
98.00-1- 46.100	Special Use Permit and Area Variance for a 184.26 SF building mounted, face lit, channel letter commercial speech (building-mounted) sign when the maximum area of such sign shall be no greater than 95 SF, at Widewaters Plaza, 3225 SR364 in the Town of Canandaigua. SUP application includes placement of a temporary 32 SF, free-standing commercial speech sign.				
241- 2023	Town of Canandaigua	Planning Board	Driskell, Melissa	Special Use Permit - 1	18
98.00-1- 46.100	Special Use Permit and Area Variance for a 184.26 SF building mounted, face lit, channel letter commercial speech (building-mounted) sign when the maximum area of such sign shall be no greater than 95 SF, at Widewaters Plaza, 3225 SR364 in the Town of Canandaigua. SUP application includes placement of a temporary 32 SF, free-standing commercial speech sign.				
242- 2023	Town of Canandaigua	Zoning Board of Appeals	Striker, Brandon	Area Variance - Exempt	18
112.02- 4-31.000	Area variance for an existing 96 SF shed to be placed 7 ft. from the rear property line when a minimum rear setback of				

Referral No / Tax Map No	Municipality	Referring Board	Applicant	Application Type - Class	Page Number
243-2023	Town of Canandaigua	Zoning Board of Appeals	VanDerEems, Karen	Area Variance - Exempt	19
139.00-1-38.000	15 ft. is required at 3705 Timberline Drive in the Town of Canandaigua.				
244-2023	Town of Canandaigua	Zoning Board of Appeals	Ashdown , Adrian	Area Variance - 1	19
126.20-1-17.400	Area variance to make an accessory structure a habitable space by installing a toilet in said accessory structure at 6245 Goff Road, along the T. Bristol / T. Canandaigua town line in the Town of Canandaigua.				
245-2023	Town of Canandaigua	Planning Board	Ashdown, Adrian	Site Plan - 1	19
126.20-1-17.400	Site Plan and Area Variance for the construction of a 16' x 32' swimming pool in the front yard. Other improvements include 4' tall surrounding fence and 160 SF shed. Subject Parcel is located at 4464 CR 16 in the Town of Canandaigua.				
246-2023	Town of Gorham	Zoning Board of Appeals	Smith, Thomas	Area Variance - Exempt	20
127.11-1-33.000	Area variance for the subdivision of a 0.51-acre parent parcel into two parcels (Lot 1 - 10,466 SF; Lot 2 - 11,541 SF) less than the required minimum of 15,000 SF at 4260 SR 364, north of Deep Run Beach, in the Town of Gorham.				
247-2023	Town of Geneva	Planning Board	Missick, Greg	Subdivision - 1	20
133.00-1-20.000	Subdivision of a 148.2-acre parent parcel into 3 parcels (Lot 1 - 15.1 acres, Lot 2 - 12.5 acres, Lot 3 - 120.6). Lot 1 is proposed to contain an event center, 50-unit condominium, and 120 room hotel. Lot 2 proposed to contain the entrance				

Referral No / Tax Map No	Municipality	Referring Board	Applicant	Application Type - Class	Page Number
	road from Turk Rd. to Glass Factory Bay Heights subdivision. Lot 3 to contain a winery (previously approved), and a proposed; 9-hole golf course, club house, 120 townhome units, and an 8,700 SF commercial pad site. Subdivision location is at the intersection of Turk Rd. and SR14, 226 Turk Rd., in the Town of Geneva.				
248-2023	Town of Manchester	Zoning Board of Appeals	Abbot, Joseph	Use Variance - 1	21
32.00-1-2.113	Use Variance and Site Plan to operate a motorcycle repair shop (commercial use on a residential property) in an existing 1,200 SF accessory structure at 4305 SR96, south of the SR 96 and Kyte Rd./Pratt Rd. intersection, in the Town of Manchester.				
249-2023	Town of Manchester	Planning Board	Abbot, Joseph	Site Plan - Exempt	22
32.00-1-2.113	Use Variance and Site Plan to operate a motorcycle repair shop (commercial use on a residential property) in an existing 1,200 SF accessory structure at 4305 SR96, south of the SR 96 and Kyte Rd./Pratt Rd. intersection, in the Town of Manchester.				
250-2023	City of Geneva	City Council	City of Geneva	Other - 2	23
n/a	Map Amendment and Zoning Code Update to completely repeal and replace the City of Geneva Zoning Law and Map (Chapter 350 of City Code).				
251-2023	City of Geneva	City Council	City of Geneva	Map Amendment - 2	23
n/a	Map Amendment and Zoning Code Update to completely repeal and replace the City of Geneva Zoning Law and Map (Chapter 350 of City Code).				
252-2023	City of Geneva	City Council	City of Geneva	Text Amendment - 2	23

Referral No / Tax Map No	Municipality	Referring Board	Applicant	Application Type - Class	Page Number
n/a	Amendment of Chapter 351-3 of the Geneva City Code to reference City of Geneva Traditional Urban Design District (TUDD) Map, extending the boundaries of the TUDD to include the historic sections centered in Pulteney Park.				
253-2023	City of Geneva	City Council	City of Geneva	Map Amendment - 2	24
n/a	Amendment of Chapter 351-3 of the Geneva City Code to reference City of Geneva Traditional Urban Design District (TUDD) Map, extending the boundaries of the TUDD to include historic sections centered in Pulteney Park.				
254-2023	Town of Hopewell	Planning Board	Templar, Jeromie	Special Use Permit - 1	24
100.00-1-27.000	Special Use Permit to allow for existing chicken coop (9 chickens, 3 turkeys, 1 goose, 5 ducks) where parcel does not meet the size requirements for such special use, at 3194 SR 5&20 in the T. of Hopewell.				
255-2023	Town of Hopewell	Planning Board	DeHamm Properties, LLC	Site Plan - 1	25
99.00-2-31.110	Site Plan to construct a new 5,680 SF commercial building and coal storage facility. Site improvements include grading, drainage, and utilities, at 3783 Route 5&20 in the Town of Hopewell (just north of Gorham Town line).				
256-2023	Town of Richmond	Planning Board	Cassara, Anthony	Site Plan - Exempt	25
135.20-1-13.120	Site Plan to operate a commercial space containing multiple businesses (Brewery, Sculpture Gallery, future tenant to rent office space) at the intersection of SR20A and CR36, at 8732 Main St. in the Town of Richmond.				
257-2023	Town of Richmond	Planning Board	Duvall, Kim and Ryan	Site Plan - 1	26

Referral No / Tax Map No	Municipality	Referring Board	Applicant	Application Type - Class	Page Number
135.14-1-17.000	Site Plan to place and operate a 200 SF farm stand along the south side of Doc's parking lot, east of the CR37 and SR20A intersection, at 8960 Main St. in the Town of Richmond.				
258-2023	Town of Richmond	Zoning Board of Appeals	Potter, Mark	Area Variance - Exempt	26
149.19-1-12.000	Area Variance to build a 360 SF deck and replace the existing stairs within the required minimum rear (lake) setback of 50' at 5345 CR36 in the Town of Richmond.				
259-2023	Town of Richmond	Zoning Board of Appeals	Darrer, Elmer	Area Variance - Exempt	26
149.11-1-30.000	Area variance for a side setback of 3.5' when 5' is required for a 160 SF home addition at 5135 CR36 in the Town of Richmond.				
260-2023	Town of Richmond	Planning Board	Gillen, Scott	Site Plan - 1	26
135.20-1-17.000; 135.20-1-15.100	Site Plan to construct a 900 SF addition to the primary structure, a 1,200 SF storage barn, to clean up and add 12-16 parking spaces to the parking lot, and associated improvements on 8728 Main St. Also to replace current white event tent on 8716 Main St. with a more permanent pavilion structure. Proposed work is in the T. Richmond, east of the SR20A and CR36 intersection.				
261-2023	Town of Naples	Town Board	Town of Naples	Text Amendment - 2 (Late Referral)	27
n/a	Town Board of the Town of Naples enacts a temporary moratorium on certain energy systems for six (6) months.				

215-2023	Town of Farmington	Town Board	Town of Farmington	Map Amendment - 2
29.11-3-15.000	Map amendment to amend Local Law No. 5 of 2015, affecting the redesign of remaining lands located within Phase 3 of the approved Overall Preliminary Site Plan for the Redfield Grove Incentive Zoning Project, at 5998 SR 96 in the Town of Farmington, just east of SR 332.			
https://ontariocountyny.gov/DocumentCenter/View/40716/215-2023-Aerial--t-farmington-IZ-referral https://ontariocountyny.gov/DocumentCenter/View/40717/215-2023-t-farmington-IZ-referral https://ontariocountyny.gov/DocumentCenter/View/40718/215-2023bw-old-coler-new-concept-paln				

The Town of Farmington re-submitted this referral with clarification of the three items of concern: statement of currently applicable amenities and incentives. potential changes to allowable uses, and addressing adequacy of stormwater management facility in light of currently proposed impervious surfaces. The additional information indicates there are no changes to the incentives or amenities, the patios are for employee lunch tables and no change in allowable uses, and the re-subdivision and site plan approval by the Farmington Planning Board will address the adequacy of the stormwater management facility.

228-2023	Village of Phelps	Village Board	Village of Phelps Planning Board	Text Amendment - 2
n/a	Local Law Amending Village of Phelps Zoning Law to add regulations for the installation and use of solar-energy-generating systems and equipment.			
https://ontariocountyny.gov/DocumentCenter/View/40719/228-2023-LL-Amending-Zoning-Re-Solar				

The local law identifies 3 tiers of solar facilities and allowable location/approval process as outlined in the follows table:

Tier	Type and size of solar facility	Location and approval process
1	Ground or building mounted solar energy generation systems for on-site use	In any district with building permit
2	≤ 25kW AC AND ≤ 4,000 SF of panels AND for on-site consumption	Building Permit and Site Plan approval
3	All other solar energy systems	Site plan and special use permit required Photo simulations required If on Class 1-4 soils, Ag conservation easement & base line soil testing required 100' setback, landscape screen if adjacent to lot(s) which has or allows residential use.

		Access roads to V Phelps private road standard Limits on cut/fill/changes to drainage Annual report and 3 yr update of soil sampling and surety.
The proposed regulation require a construction letter of credit, post construction maintenance bond and decommissioning surety with 2 year post decommissioning monitoring.		
Comments		
<ol style="list-style-type: none"> 1. Any limit on where the land subject to Agricultural Conservation Easement must be located? Within the Town of Phelps? Within Ontario County? Within specified distance? 2. Regulations define 3 types of tier 3 solar site roadways, though all three are required to be built to the Village of Phelps private road standards. Reconcile/clarify G 4 6) and G 4 9) to clarify which type(s) of access road (solar system site or solar system solar panel) is intended to be 24' and paved OR 24' and paved within 100' of the public highway. 		

232-2023	Town of West Bloomfield	Planning Board	John Anderson Construction Comm Holdings, LLC	Site Plan - 1
65.00-1-8.121	Site Plan to construct an approximately 1,200 SF addition for administration offices to an existing equipment shop building at the corner of SR 5&20 and Olmstead Rd., at 2388 Olmstead Rd., in the Town of West Bloomfield.			

<https://ontariocountyny.gov/DocumentCenter/View/40720/232-2023-Full-Survey-Anderson-Addition>
<https://ontariocountyny.gov/DocumentCenter/View/40899/232-2023-Aerial-Anderson-Addition>

Addition will be on the south side of the existing shop building. Parcel use is commercial - lumberyard/mill. Surrounding uses vary; residential (including a mobile home park), agricultural, or vacant. There is an existing septic just west of the shop and barn. Zoning is General Mixed-Use (MU). In OnCor, the 2021 imagery indicates 7 buildings on the parcel. Town has indicated that multiple barns have been torn down, leaving 3 total buildings on the parcel (see site plan).
Parcel has gentle to no slope (0-9% gradient), sloping from east to west. Soil is Schoharie silty clay loam: not hydric, moderately high permeability, very high erodibility, is an area of prime farmland, and is hydrologic soil group C/D. Parcel (and adjacent parcels to the west and north) is in Ontario County Agricultural District #1.
Comments
It appears the stone driveways from SR 5/US 20 are no longer used/necessary. Consistent with typical access management standards, all future access to this property should be from Olmstead Road. This access restriction should be added to the site plan and included in any resolution of action on this property

233-2023	Town of Victor	Planning Board	7321 State Route 251 LLC	Site Plan - 1
15.00-1-9.111	Site Plan for the construction of a 20,000 SF steel building and 71 new parking spaces with associated utilities and drainage at 7321 SR 251 in the Town of Victor.			

<https://ontariocountyny.gov/DocumentCenter/View/40725/233-2023-Full-Plans-Lite-Coms-Expansion>

<https://ontariocountyny.gov/DocumentCenter/View/40724/233-2023-Design-Images-Lite-Coms-Expansion>

<https://ontariocountyny.gov/DocumentCenter/View/40729/233-2023-Submittal-Letter-Lite-Coms-Expansion>

<https://ontariocountyny.gov/DocumentCenter/View/40900/233-2023-Aerial-Lite-Coms-Expansion>

Proposed 20,000 SF building to be used for storage. There are an existing 24 parking spots, in addition to the 71 proposed. When complete there will be 3 ADA Accessible parking spaces. An existing sign will be maintained near the entrance of the property. An 8’ high chain link fence with sliding gates will surround the northern (rear) of the building. Two sliding overhead doors will be placed on the east side of the building, with a loading dock and overhead sliding door on the west side. The property will continue to have access via State Route 251.

Proposed plans include a new gravity sanitary sewer to be installed and to serve both the existing and new building. The existing building will continue to use an existing sanitary sewer as well. Water service will be provided by extension of the existing private fire and domestic services that are connected to an existing 6’’ main along the access drive within an easement to the Town of Victor. Stormwater drainage and management will include a system of storm sewers with discharge into a proposed stormwater management facility on the southern portion of the parcel. The stormwater management facility has been designed to meet the NYSDEC requirements for both water quantity and quality. A bioretention area is also proposed just south of the parking lot.

The property is 9.7-acres and is zoned light industrial. Use is commercial (warehouse) and surrounding parcel uses are predominately commercial and industrial. Auburn Creek Apartments lie behind (to the south) the subject parcel. A railroad line runs along the north side of the parcel, and a gas line runs along the southern parcel boundary line.

A stream runs through the eastern side of the parcel. Proposed building maintains at least 75’ from required stream setback. NY DEC and National Wetland lie on the surrounding parcels to the north and south. The slope in the area of disturbance is predominantly gentle to no slope (4-9% gradient), with the ditch (to the west of existing building) and stream sloping towards the Auburn Creek parcel. Soil is predominately Lamson mucky fine sandy loam: hydric, high permeability and erodibility, is not prime farmland, and is in hydrologic soil group B/D. Landcover to be disturbed is mostly successional old field or deep emergent marsh/successional shrubland.

A silt fence will surround the project area (limits of disturbance 0.4-acres). The stormwater management facility is to be used as a sediment trap. A temporary interceptor swale is proposed as well to lie between the disturbance and stream to the east. Construction entrance and staging area to be located on the southern portion of the proposed parking lot, and the topsoil stockpile to go in the northwest corner of the property. Six wall mounted lights (Luminaires) are to be attached to the perimeter of the building, with 2 area (light poles) luminaires are to illuminate the parking lot. Existing trees surrounding the parcel are to remain. Two trees (Native Flame American Hornbeam) are to be planted along the southern side of the new building, along with 28 shrub plantings surrounding the parking lot and bioretention area.

Comments

1. Will one access road be enough? There 95 total parking spaces proposed (71 proposed, 24 existing).
2. How visible will the building be? From SR 251? From SR 96? From the Auburn Creek Apartments?
3. Should there be more landscaping/screening from the apartments?

Are there enough ADA accessible spaces?

234-2023	Town of Victor	Zoning Board of Appeals	Billone, John	Area Variance - Exempt
7.00-1-78.200	Area variance for a (partially constructed) 7' high gate erected forward of the front-line of the principal building when a height of no greater than 2 ft. is allowed (in the front yard) at 378 CR9, on the corner of CR9 and Cobble Creek Road, in the Town of Victor.			

<https://ontariocountyny.gov/DocumentCenter/View/40730/234-2023-5-Variance-Questions-Billone-Fence>

<https://ontariocountyny.gov/DocumentCenter/View/40731/234-2023-Images-Billone-Fence>

<https://ontariocountyny.gov/DocumentCenter/View/40734/234-2023-Sketch-Billone-Fence>

235-2023	Town of Victor	Zoning Board of Appeals	Daley, Terrence	Area Variance - AR 1
15.00-1-10.210	Area Variance for a (existing) permanent brand advertising sign when such signs are prohibited at 7273 SR 96, the corner of SR 251 and SR 96 in the Town of Victor.			

<https://ontariocountyny.gov/DocumentCenter/View/40736/235-2023-Images-Hadlock-Sign-Variance>

<https://ontariocountyny.gov/DocumentCenter/View/40739/235-2023-Variance-Criteria-Hadlock-Sign-Variance>

<https://ontariocountyny.gov/DocumentCenter/View/40901/235-2023-Aerial-Hadlock-Sign-Variance>

The applicant is updating the Hadlocks Paint/Benjamin Moore sign to comply with franchise standards. The proposed sign is smaller than the existing sign.

AR policy TBA

236-2023	Town of Canandaigua	Zoning Board of Appeals	Bogojevski, Michael	Area Variance - 1
84.00-1-44.200	Site Plan and Area Variance(s) for six (6) separate proposed apartment buildings (Phase II) for setbacks from roadways, parking, and driveways closer than the required 15 ft., at Creekview Apartments along CR 10 in the Town of Canandaigua.			

<https://ontariocountyny.gov/DocumentCenter/View/40746/236-2023-and-237-LOI-Creekview-Apt>

<https://ontariocountyny.gov/DocumentCenter/View/40743/236-2023-and-237-Elevation-Drawings-Creekview-Apt>

<https://ontariocountyny.gov/DocumentCenter/View/40744/236-2023-and-237-Engineers-Report-Creekview-Apt>

<https://ontariocountyny.gov/DocumentCenter/View/40748/236-2023-and-237-Phase-II-Final-Subdiv-Full-Plans-Creekview-Apt>

<https://ontariocountyny.gov/DocumentCenter/View/40902/236-2023-and-237-Aerial-Creekview-Apt>

Applicant is proposing a revised Phase 2 site plan of the Creekview Apartments at Woodland Park development. There are 9 proposed apartment buildings with 8 units per building for a total of 72 apartment units. Originally, Phase 2 consisted of 12 apartment buildings (8 units per building) for a total of 96 units and received final site plan approval for the T. Canandaigua Planning Board in May 2020. The Phase 2 unit density has been reduced to 4 unit/acre.

The Zoning Board of Appeals granted area variances in April 2020 to reduce the required internal setback from buildings to roadways, parking, and driveways (to allow for building orientation shift for solar/geothermal heating). These six variances (for a setback from roadways, parking, and driveways less than 15 ft.) for building 15 (12.2 ft. setback), 17 (10.9 ft. setback), 18 (10.9 ft. setback), 19 (6.7 ft. setback), 20 (7.3 ft. setback), and 21 (7.4 ft. setback) have expired and will need to be granted prior to Planning Board approval.

The lot area of phase 2 is 18.4-acres, and is within the Mixed-Use Overlay (MUO) zoning district. Phase 2 was designed per the approved Preliminary Plans and the conditions of the preliminary approval (preliminary approval granted in June 2017, Phase 1 being approved in July 2017). A SEQR negative declaration was issued by the T. Canandaigua Planning Board at their June 2017 meeting. As a part of the preliminary approval process, the lot standards for the project were established, and the Town Board adopted Local Law #15 of 2017, changing the MUO district and adopting the setback, dimensional, and area requirements for the project parcels.

The overall layout of this phase has not changed from the preliminary approvals, just the building orientation (buildings rotated to maximize solar panels and geothermal heating

efficiency) and distribution of building types has been updated from the preliminary approved plans. The original Phase 2 Site Plans were approved by the Planning Board in May 2020, with subsequent Planning Board approval extensions granted. The number of parking spaces in Phase 2 was adjusted with the removal of the 3 buildings and their associated parking areas. Currently, proposed parking spaces for Phase 2 is 144 spaces (2 spaces per unit). There are also 22 land banked spaces existing, so there are a total of 166 spaces proposed for Phase 2. Utilities will be extended from existing utilities constructed in Phase 1. The watermain (public water provided by the Town) will be extended from the dedicated main along Woodland Park Circle. It will be extended to serve Phase 2, and per the direction of the Town Highway and Water Superintendent, will be offered for dedication to the Town. Sanitary sewer will connect to the existing sewer and be conveyed to the pump station constructed in Phase 1. It will be offered for dedication to Ontario County Public Works. Phase 2 also consists of the construction of a second storm water management facility. Catch basins will be installed along the roadways and parking areas and a system of field inlets, and storm sewers will convey stormwater to the stormwater management facilities. Phase 2 will consist of three dry swales to provide necessary water quality treatment volumes. Additionally, a portion of the project will flow directly into the floodplain area west of development by using roof downspouts. Subject parcel contains 100- and 500-year FEMA flood zones and floodways and NYS DEC wetlands (and national wetlands) on the rear (western) half of the property.

The limit of disturbance is outside the floodplain. According to OnCor, rear portion of the parcel is a floodplain forest while the front of the parcel contains mostly mowed lawn and some successional shrubland and silver maple ash swamp. Proposed landscaping will consist of 41 trees to be planted, and 459 shrubs throughout the parcel. For lighting, 4 light poles are to be distributed in parking areas between buildings, along with 52 building mounted lights. Erosion control measures include: installation and maintenance of a silt fence, stone check dams, a sediment trap, stabilized construction access, and inlet protection. Disturbed areas will be seeded and mulched as soon as possible to control erosion. The site contains various soil types. The majority of the site includes Lakemont silty clay loam, Schoharie silty clay loam, and Palmyra gravelly loam (as well as others). The property contains primarily Class C/D soils, which indicates potential seasonal high-water table and somewhat poorly drained soils. There is little to no slope on the property (0-3% gradient). An Ontario County Agricultural District #1 lies on the parcel to the east (across CR10) of the subject parcel. Surrounding land use is commercial, residential, or vacant.

Related Referrals: 145-2018

237-2023	Town of Canandaigua	Planning Board	Bogojevski, Michael	Site Plan - 1
84.00-1-44.200	Site Plan and Area Variance(s) for six (6) separate proposed apartment buildings (Phase II) for setbacks from roadways, parking, and driveways closer than the required 15 ft., at Creekview Apartments along CR 10 in the Town of Canandaigua. Related Referral 236-2023			

See 236-2023

238-2023	Town of Canandaigua	Town Board	Westbrook, Greg	Map Amendment - 2
113.13-1-9.000;				
113.13-1-10.000;	Map amendment to rezone subject properties (3904, 3907, 3935 CR 16) from Residential Lake District to Incentive Zoning at the German Brothers marina (and adjoining parcels) in the Town of Canandaigua.			
113.13-1-11.000				

<https://ontariocountyny.gov/DocumentCenter/View/40751/238-2023-Context-Map-German-Bros-Rezone>

<https://ontariocountyny.gov/DocumentCenter/View/40756/238-2023-Site-Plan-German-Bros-Rezone>

<https://ontariocountyny.gov/DocumentCenter/View/40752/238-2023-IZ-Zoning-Narrative-German-Bros-Rezone>

<https://ontariocountyny.gov/DocumentCenter/View/40903/238-2023-Aerial-German-Bros-Rezone>

The properties proposed for re-zoning from RLD Residential Lakefront District to IZ Incentive Zoning include land east and west of CR 16 south of Wyfells Road. The IZ map amendment is to allow modernization of the marina use. The applicant letter submitted with the referral indicates a 1,500 SF retail building housing a store and ice cream/coffee shop will be built on the footprint of the lakeside structures currently on the property. A new two-story 3,800 SF restaurant with roof deck will replace the current marina service building.

The first page of the context sketches shows the area proposed for rezoning and upland area of an approved undeveloped subdivision with open space and walking trail owned by RSM. The concept sketches also show 150 boat docks, 115 parking spaces, an improved shoulder to accommodate walkers, runners, and bikers, a stepped seating area by the boat launch, and a rain garden landscape area at the small parking area east of CR 16 by the retail building.

The IZ narrative mentions the upland RMS development site. The overall context sketch shows an adjacent residential subdivision previously platted on 3 parcels owned by RSM. OnCor indicates the following 3 parcels owned by RMS West Lake Road LLC: 113.13-2-66.00 10.9 acres vacant, 13.13-2-61.00 1.8 acres with SF, 113.13-2-61.000 1.6 acres vacant home, This 14.3 area is not proposed for re-zoning to IZ at this time.

The narrative also includes Uniform Dock and Mooring Law (UDML) variances are included in the requested incentives, however, the nature of such variances in not indicted.

The unsigned existing site conditions sketch indicates 61 percent of the site have slopes of 10 percent or more. The existing conditions sketch includes existing moorings extend just beyond 320 feet from shore.

The context sketch indicates the following proposed setbacks:

- 55' front,
- 80' side,
- 80' rear (lake?)

Town of Canandaigua code enumerates Incentive Zoning submission, evaluation, and approval process in section 220-31. All development authorized by Incentive Zoning is also subject to subdivision and site plan regulations. The applicant letter summarizes Town board incentive zoning process in 3 phases:

1. 220-31 (G) preliminary evaluation of adequacy of amenities to be accepted in exchange for requested incentives. Preliminary evaluation application requires sketch plan, project narrative, and statement of value of amenities.
2. TB referral of sketch plan/context plan to Town and County Planning Boards.
3. Town Board review of planning board comments, schedule public hearing, and vote on whether to approve re-zoning to Incentive Zoning.

The following summarizes amenities offered and incentives requested.

Amenities offered:

1. Safety Access management – removal of existing boat/trailer storage from CR 16 ROW, only trailered boat movement at the marina will be loading and unloading boats (launching?) on trailers attached to German Brothers truck or tractor. Provision of 115 parking spaces to serve marina patrons and public guests.
2. Public Lake Access – grant of 30 year license to 60' of lake frontage with 30' of depth (1,600 SF) for public use for picnics, fishing, and scenic viewing. The license will allow use from sunrise to sunset and will not include public swimming access. There will also be a 30 year license for public access to an applicant installed small watercraft launch.
3. Public Transient Boat Slips and Public Parking –the 6 transient boat slips and 10 parking spaces will also be subject to a 30 year license. Transient slip use will be limited to maximum 2 hour use.
4. Public Access for Trail Connector – 30 year license for an access point on the northwest corner of the property for a potential public trail via the HOA open lands on the upland residential portion of the development site. Size and location of trail to be determined; cost to be born by the Town of Canandaigua.
5. Public Restroom – 30 year license for use of applicant built, maintained, and operated public restroom open April 1 to October 30 from sunrise to sunset.
6. Removal of approximately 20 moorings which will surrender 30,000 SF of lake surface area to improve visual sight lines and improve boat safety on the lake.

The estimated value of the offered amenities is \$1,681,000, excluding the safety access management and reduced mooring area.

Requested Incentives

1. Dwelling unit density – approval for 4 dwelling units and a gathering lodge on the south parcel, two dwelling units on the central parcel, and two dwelling units on the north parcel.
2. Subdivision of marina properties (address or tax ID unspecified) into three parcels of 1.84 acres each.
3. Making the marina an approved use. The marina is currently a pre-existing, non-conforming use subject to replacement/expansion restrictions. The applicant is also requesting approval of additional allowable commercial including boat rental and tour services, community recreation, retail, restaurant, and house rental.
4. Uniform Dock and Mooring Law designation and variances: The applicant is requesting Town Board designation as a tier 2 marina to support commercial use of adjoining parcels.

Comments

1. The context sketches should include a north arrow and the number and location of proposed moorings/proposed unused mooring.
2. The IZ narrative should include a date and specify the nature of the UDML variances requested.
3. The existing condition context sketch should indicate the number of existing boat slips, moorings, vehicle and trailer parking including ROW parking, boat storage, and the feet of shoreline and facility lines.
4. Does existing operation involve dry storage/on-demand launch service and will that activity continue?
5. The IZ change is permanent, however, the offered amenities expire in 30 years.
6. The project narrative included in the letter indicates Ontario County has confirmed the adequacy of the sanitary sewers and transportation services but the Town of Canandaigua has not yet confirmed adequacy of public water, waste disposal, and fire protection as required by 220-31 (3) (a) [2] Incentive Zoning regulations
7. Is the public kayak launch and public restroom within the 60' x 30' (1,800 SF) public lake access area? Will the restroom be the primary restroom for marina, store, and ice cream patrons as well?
8. Does the 1,600 SF of public access area include the SF of the fishing/viewing pavilion? What is the SF of land devoted to public lake access?
9. The boundaries and size of the public lake access area should be indicated on the context plan. The number and location of public parking spaces, proposed lot and building coverage, and the potential trailhead location should also be indicated.
10. Will the public access launch be restricted to human powered vessels? Will the launch be ADA compliant and accessible from public parking via an ADA compliant route?
11. Do the access connections for the existing house/garage, rental house/parking, boat launch, and retail building comply with Town of Canandaigua access spacing standards?
12. OCDPW will not allow stripping of crosswalk without stop control. OCDPW does require consolidation of access points to maximize safety of pedestrian crossing. What is the width of the active shoulder and does it include private property or only the public ROW?
13. The detailed context sketch appears to show 3 pedestrian collection points from the rental units to the large parking area, 2 appear to involve steps and end at the side walk along the western side of the parking lot. Does the third access point allow an ADA accessible route

- from the 3 northern rental units to a sidewalk on the east side of the parking lot? See #9 re continuation of pedestrian/ADA route to water side amenities.
14. No pedestrian connections from cross walk in parking area west of CR 16 to “main public access point” or between retail building and stepped seating area are indicated.
 15. No cross walk shown across southern most lake side access point from CR 16. What activity will that access point accommodate? What does shading in that area of context plan indicate?
 16. The incentives requested include approval for three 1.84 acre lots (5.61 acres total). According to OnCor, the 3 parcels referenced in the letter at 3904, 3907, and 3935 CR 16 (parcels 113.13-1-9.00, 113.13-1-10.000, 113.13-1-11.000) include 4.65 acres or three 1.55 acre lots.
 17. Subdivided lots can be sold independently. Will the license agreement bind any future owners for the 30 year term of the public access agreement? What setback requirements will apply to each individual lot?
 18. The proposed lot boundaries should be shown on the context sketch. Depending on the lot boundaries, cross access, parking, and drainage easements may be required.
 19. The letter references 8 homes and a gathering lodge on the 3 marina lots. The context sketch shows 7 buildings on the upland portion of the properties and an existing lakefront house and upland garage at 3904 CR 16. The incentive list and context sketch should match. Are allowable residences single family homes? Two-family? Four-plexes? Will additional residential use be allowed on the lakeside portion of the 3 marina lots?
 20. What building coverage, lot coverage, height, and other IZ standards will guide future re-development or expansion? What is the size of the existing marina services building?.
 21. Will requested allowable commercial uses be permitted uses? Subject to special use permit? Zoning cannot regulate residential rental. Will the proposed 8 residential buildings on the upland side of the 3 marina parcels be subject to the Town’s short-term rental law? Community recreation is not a term defined in the Town code. What types of recreational uses will be allowed? Will lodging be allowed?
 22. Will the restaurant be open to the general public?
 23. Will live and/or amplified music be allowed in the restaurant/on the deck?
 24. How will commercial loading/deliveries and food delivery service pick ups be accommodated?
 25. Town code 1-17 includes ice cream stands in the definition of restaurant, fast-food.
 26. How does parking proposed compare to code requirements for slip, mooring, dry dock and restaurant, retail store, and ice cream use? To applicant projected parking needs of future marina, restaurant, boat rental, boat tours, house rental, and community recreation use?
 27. Will the 10 public parking spaces be available to restaurant and ice cream patrons? Use as business parking may effectively preclude public access for viewing and fishing.
 28. Will there be additional reserved public parking space near the trailhead on the upland portion of the site?
 29. What buffering is required?
 30. What is the area of disturbed steep slopes?

239-2023	Town of Canandaigua	Planning Board	Burley, Keith	Subdivision - Exempt
153.00-1-23.100	Subdivision of a 9.7-acre parcel into two lots (Lot 1 - 3.985 acres; Lot 2 5.797 acres), just east of the CR16 and Seneca Point Rd. intersection, at 5173 CR16 in the Town of Canandaigua.			

<https://ontariocountyny.gov/DocumentCenter/View/40759/239-2023-Subdiv-Plat-Carson-Subdiv>

240-2023	Town of Canandaigua	Zoning Board of Appeals	Driskell, Melissa	Area Variance - AR 2
98.00-1-46.100	Special Use Permit and Area Variance for a 184.26 SF building mounted, face lit, channel letter commercial speech (building-mounted) sign when the maximum area of such sign shall be no greater than 95 SF, at Widewaters Plaza, 3225 SR364 in the Town of Canandaigua. SUP application includes placement of a temporary 32 SF, free-standing commercial speech sign. Related Referral 241-2023.			

<https://ontariocountyny.gov/DocumentCenter/View/40761/240-2023-and-241-Plans-Widewaters-Sign>

<https://ontariocountyny.gov/DocumentCenter/View/40904/240-2023-and-241-Aerial-Widewaters-Sign>

AR-2 policy TBA

241-2023	Town of Canandaigua	Planning Board	Driskell, Melissa	Special Use Permit - 1
98.00-1-46.100	Special Use Permit and Area Variance for a 184.26 SF building mounted, face lit, channel letter commercial speech (building-mounted) sign when the maximum area of such sign shall be no greater than 95 SF, at Widewaters Plaza, 3225 SR364 in the Town of Canandaigua. SUP application includes placement of a temporary 32 SF, free-standing commercial speech sign.			

TBA

242-2023	Town of Canandaigua	Zoning Board of Appeals	Striker, Brandon	Area Variance - Exempt
112.02-4-31.000	Area variance for an existing 96 SF shed to be placed 7 ft. from the rear property line when a minimum rear setback of 15 ft. is required at 3705 Timberline Drive in the Town of Canandaigua.			

<https://ontariocountyny.gov/DocumentCenter/View/40767/242-2023-Presentation-Striker-Shed-Variance>

<https://ontariocountyny.gov/DocumentCenter/View/40769/242-2023-Variance-Explanation-Striker-Shed-Variance>

243-2023	Town of Canandaigua	Zoning Board of Appeals	VanDerEems, Karen	Area Variance - Exempt
139.00-1-38.000	Area variance to make an accessory structure a habitable space by installing a toilet in said accessory structure at 6245 Goff Road, along the T. Bristol / T. Canandaigua town line in the Town of Canandaigua.			

<https://ontariocountyny.gov/DocumentCenter/View/40774/243-2023-Plans-VandDerEems-Toilet>

<https://ontariocountyny.gov/DocumentCenter/View/40772/243-2023-Existing-Conditions-VandDerEems-Toilet>

<p>Area variance is for the installation of toilet in the upstairs of existing accessory structure (barn). Installation of a toilet makes barn a habitable space. According to the T. Canandaigua zoning code, a habitable space/area is “The horizontal area of any floor of a building designed and intended for living purposes, which includes working, sleeping, eating, cooking or recreation or combination thereof. A floor used only for storage purposes is not a “habitable” floor.” Town Code section 220-9(B)(6) states that accessory buildings shall not be used as habitable space. Plans indicate that water service will come from existing dwelling and electric service will also be connected from existing service. Submitted letters show support from neighbors. Existing home and barn connect to existing septic.</p> <p>Comment</p> <p>1. Will this be considered a second dwelling unit on the parcel? Are there plans to sleep or cook in this barn (and/or rent this space out)?</p>				
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244-2023	Town of Canandaigua	Zoning Board of Appeals	Ashdown , Adrian	Area Variance - 1
126.20-1-17.400	Site Plan and Area Variance for the construction of a 16' x 32' swimming pool in the front yard. Other improvements include 4' tall surrounding fence and 160 SF shed. Subject Parcel is located at 4464 CR 16 in the Town of Canandaigua. Related Referral 245-2023.			

<https://ontariocountyny.gov/DocumentCenter/View/40777/244-2023-and-245-Landscaping-Ashdown-Pool>

<https://ontariocountyny.gov/DocumentCenter/View/40779/244-2023-and-245-Survey-Ashdown-Pool>

<https://ontariocountyny.gov/DocumentCenter/View/40778/244-2023-and-245-Site-Plan-Ashdown-Pool>

<https://ontariocountyny.gov/DocumentCenter/View/40905/244-2023-and-245-Aerial-Ashdown-Pool>

TBA

245-2023	Town of Canandaigua	Planning Board	Ashdown, Adrian	Site Plan - 1
126.20-1-17.400	Site Plan and Area Variance for the construction of a 16' x 32' swimming pool in the front yard. Other improvements include 4' tall surrounding fence and 160 SF shed. Subject Parcel is located at 4464 CR 16 in the Town of Canandaigua.			

See 244-2023

246-2023	Town of Gorham	Zoning Board of Appeals	Smith, Thomas	Area Variance - Exempt
127.11-1-33.000	Area variance for the subdivision of a 0.51-acre parent parcel into two parcels (Lot 1 - 10,466 SF; Lot 2 - 11,541 SF) less than the required minimum of 15,000 SF at 4260 SR 364, north of Deep Run Beach, in the Town of Gorham.			

<https://ontariocountyny.gov/DocumentCenter/View/40781/246-2023-Survey-Smith-Subdiv>
<https://ontariocountyny.gov/DocumentCenter/View/40906/246-2023-Aerial-Smith-Subdiv>

Referral is for area variance only. Applicant is applying for variance before the subdivision. There currently two dwellings on the parcel. Variance request would allow a subdivision to split the parcel down the middle (through middle of current dock).

Comment

1. Will dock be shared? If dock is shared a maintenance, access and use easement should be required.

247-2023	Town of Geneva	Planning Board	Missick, Greg	Subdivision - 1
133.00-1-20.000	Subdivision of a 148.2-acre parent parcel into 3 parcels (Lot 1 - 15.1 acres, Lot 2 - 12.5 acres, Lot 3 - 120.6). Lot 1 is proposed to contain an event center, 50-unit condominium, and 120 room hotel. Lot 2 proposed to contain the entrance road from Turk Rd. to Glass Factory Bay Heights subdivision. Lot 3 to contain a winery (previously approved), and a proposed; 9-hole golf course, club house, 120 townhome units, and an 8,700 SF commercial pad site. Subdivision location is at the intersection of Turk Rd. and SR14, 226 Turk Rd., in the Town of Geneva.			

<https://ontariocountyny.gov/DocumentCenter/View/40787/247-2023-Submittal-Letter-Subdiv-Golf-Course>
<https://ontariocountyny.gov/DocumentCenter/View/40783/247-2023-Local-Law-Subdiv-Golf-Course>
<https://ontariocountyny.gov/DocumentCenter/View/40786/247-2023-Site-Plan-Subdiv-Golf-Course>
<https://ontariocountyny.gov/DocumentCenter/View/40907/247-2023-Aerial-Subdiv-Golf-Course>

Referral is for a subdivision application. Provided plan is a concept plan. Local Law No. 3 of 2019 was filed approving with conditions the rezoning of a parcel of land to planned unit development (PUD) and amending the official zoning map of the Town of Geneva in accordance with such approval. Tax parcel 133.00-1-20.000 contains a total of 151.45 acres of land (including Turk Road right-of-way), consisting of 146.5-acres of Agriculturally (AG) zoned and 4.95-acres of R-3 Residential Lake front district, that was rezoned to PUD.

Lot 1 is at the corner of SR14 and Turk Rd., split by SR14. Lot 2 is the proposed parcel just west of Lot 1 (north of Turk Rd.). Lot 3 is the largest proposed lot to the south of Turk Rd. Current land use of the parcel is recreation/entertainment (golf course). Application materials indicate that the golf course will be reconfigured in the future. Surrounding land use is predominantly residential. An agricultural lot (Ontario County Ag. District #1) is on the adjacent property to the west (buffered by woods and MacNaughton Run). Parcel slopes from west to east (towards Seneca Lake) and is predominately gentle to no slope (0-9% gradient) with some steep slopes (16-30% gradient) bordering White Springs Brook that runs through the center of the parcel. MacNaughton Run also runs along the western parcel boundary. 3 separate national wetlands are located within the parcel, connected by White Springs Brook.

Comments

1. Can the proposed subdivision comply with the setback and open space acreages set forth in the 2019 PUD approval?

248-2023	Town of Manchester	Zoning Board of Appeals	Abbot, Joseph	Use Variance - 1
32.00-1-2.113	Use Variance and Site Plan to operate a motorcycle repair shop (commercial use on a residential property) in an existing 1,200 SF accessory structure at 4305 SR96, south of the SR 96 and Kyte Rd./Pratt Rd. intersection, in the Town of Manchester. Related Referral 249-2023.			

<https://ontariocountyny.gov/DocumentCenter/View/40908/248-2023-and-249-Aerial-Motorcylce-Repair>

<https://ontariocountyny.gov/DocumentCenter/View/40789/248-2023-and-249-Survey-Motorcylce-Repair>

<https://ontariocountyny.gov/DocumentCenter/View/40790/248-2023-and-249-Variance-Questions-Motorcylce-Repair>

According to Manchester Town Code Section 325-40.20(2), “prohibited home occupations include those that would generate adverse impacts to or are incompatible with the existing character of a residential district. These uses include, but are not limited to, the following: ambulance services, animal care services, and motorized vehicle sales or repair”.

Project site is 5 acres and currently contains primary residence and existing 1,200 SF pole barn. Applicant claims that the pole barn can hold 8-10 vehicles at a time. There are no employees at this time. Applicant estimates they will have 5 to 10 clients per week. See

applicant use variance test questions attached. The mentioned tools that the applicant would use include, “motorcycle lifts, tire changer, balancer, air compressor, hand tools, diagnostic equipment, etc.”. The existing pole barn has finished concrete floors, electric, security, insulation, and heat. Applicant claims all motorcycles will be kept inside and safely secured, and that they will never be left outside and unattended.

Subject parcel is zoned agricultural. Surrounding uses are commercial (All Clean Power Wash, Simply Installs, vacant commercial property) and residential. Applicant also mentions property is roughly half a mile from many other commercial establishments (Dunkin Doughnuts, McDonald’s Roy’s Restaurant, Sanford Industrial, Manchester Mart, B&L Auto wash).

Slope of the parcel is little to none (0-3% gradient), and soils (predominately Homer fine sandy loam, Lakemont silty clay loam, and Phelps gravelly silt loam) are highly permeable (except for silty clay loam – moderately low) and are considered areas of prime farmland or of statewide importance. According to imagery, landcover is successional old field, surrounding by woods. A stream runs through the northern half of the property (under driveway), and is buffered by a national wetland that runs up near to the existing pole barn.

What must be proven in order to be granted a use variance?

If requesting a use variance, that is, permission to establish a use of property not otherwise permitted in the zoning district, the applicant must prove "unnecessary hardship."

To prove this, State law requires the applicant to show *all* of the following:

- (1) that the property is incapable of earning a reasonable return on initial investment if used for any of the allowed uses in the district (actual "dollars and cents" proof must be submitted);
- (2) that the property is being affected by unique, or at least highly uncommon circumstances;
- (3) that the variance, if granted, will not alter the essential character of the neighborhood; and
- (4) that the hardship is not self-created.

If *any one or more* of the above factors is not proven, State law requires that the ZBA must deny the variance.

Comments

- 1. The dollars and cents hardship should include whether the property can be sold at a reasonable price give the current allowable uses. Variance hardship is not related to an owners personal financial situation.
- 2. Was the property zoning Ag with the current use restriction when purchased? This information is relevant to whether the hardship was self created
- 3. How will waste and any hazardous materials be disposed of? How will oil/spills be contained?
- 4. Does the applicant plan on hiring employees in the future?
- 5. Does the applicant plan on signage?
- 6. What are the hours of operation? Will the noise level be appropriate for the area?

249-2023	Town of Manchester	Planning Board	Abbot, Joseph	Site Plan - Exempt
32.00-1-2.113	Use Variance and Site Plan to operate a motorcycle repair shop (commercial use on a residential property) in an existing 1,200 SF			

accessory structure at 4305 SR96, south of the SR 96 and Kyte Rd./Pratt Rd. intersection, in the Town of Manchester.
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See 248-2023

250-2023	City of Geneva	City Council	City of Geneva	Local Law- 2
n/a	Map Amendment and Zoning Code Update to completely repeal and replace the City of Geneva Zoning Law and Map (Chapter 350 of City Code). Related Referral 251-2023.			

<https://ontariocountyny.gov/DocumentCenter/View/40792/250-2023-and-252--C-Geneva-Zoning-Update>

Summary of code and map changes TBA

251-2023	City of Geneva	City Council	City of Geneva	Map Amendment - 2
n/a	Map Amendment and Zoning Code Update to completely repeal and replace the City of Geneva Zoning Law and Map (Chapter 350 of City Code).			

See 250-2023

252-2023	City of Geneva	City Council	City of Geneva	Other - 2
n/a	Amendment of Chapter 351-3 of the Geneva City Code to reference City of Geneva Traditional Urban Design District (TUDD) Map, extending the boundaries of the TUDD to include the historic sections centered in Pulteney Park. Related Referral 253-2023.			

<https://ontariocountyny.gov/DocumentCenter/View/40793/252-2023-and-253-City-of-Geneva-TUDD>

The Traditional Urban Design District (TUDD) was created in 1998, and was designed to impose a variety of restrictions on changes to historic buildings to protect these areas as an amenity and part of the cultural heritage of the community and also to provide an exemption from minimum parking requirements in the underlying zoning that clash with the historic practices for those areas and are impractical to meet without destroying the best qualities of those areas. Extension of the TUDD to cover more areas that are characterized by the high

density and high walkability that is indicative of Geneva’s historic core forwards the goals of the 2016 Comprehensive Plan and allows for continued investment in the South Main and Pulteney Park vicinity.

This is an amendment to Chapter 351-3 of the Geneva City Code, extending the boundaries of the TUDD to include the historic dense small-lot urban fabric centered on Pulteney Park in recognition of the area’s important and historic contribution to downtown Geneva’s walkability and accessibility. This ordinance is adopted in conformance with the City of Geneva Comprehensive Plan to connect the City’s values—which include stewardship of natural resources, a strong economy, its “uniquely urban” setting and recreational assets—with its vision of being a “beautiful, prosperous, equitable, connected, and sustainable” city.

253-2023	City of Geneva	City Council	City of Geneva	Map Amendment - 2
n/a	Amendment of Chapter 351-3 of the Geneva City Code to reference City of Geneva Traditional Urban Design District (TUDD) Map, extending the boundaries of the TUDD to include historic sections centered in Pulteney Park.			

See 252-2023

254-2023	Town of Hopewell	Planning Board	Templar, Jeromie	Special Use Permit - 1
100.00-1-27.000	Special Use Permit to allow for existing chicken coop (9 chickens, 3 turkeys, 1 goose, 5 ducks) where parcel does not meet the size requirements for such special use, at 3194 SR 5&20 in the T. of Hopewell.			

<https://ontariocountyny.gov/DocumentCenter/View/40909/254-2023-AerialTmplar-Animals>

TBA

255-2023	Town of Hopewell	Planning Board	DeHamm Properties, LLC	Site Plan - 1
99.00-2-31.110	Site Plan to construct a new 5,680 SF commercial building and coal storage facility. Site improvements include grading, drainage, and utilities, at 3783 Route 5&20 in the Town of Hopewell (just north of Gorham Town line).			

<https://ontariocountyny.gov/DocumentCenter/View/40797/255-2023-Site-Plan-Dehamm-Coal>

<https://ontariocountyny.gov/DocumentCenter/View/40910/255-2023-Aerial-Dehamm-Coal>

Proposed storage facility will be 5,680 SF and will be less than the maximum allowed height (<35 ft.). In addition to the proposed building, there will be 25 parking spaces (which includes 1 ADA accessible parking space). A bio-retention area is proposed in the northwest corner of the parcel (just north of the proposed parking lot). A stone diaphragm with an under drain will surround the parking lot. A 7,500 SF coal bunker will lie 100 ft. to the south of the proposed building. Behind the coal bunker will be a new leach field to the south, and a deep pool and pre-treatment forebay south of that. A silt fence will surround limits of disturbance.

Construction staging area and concrete washout will be located to the north of the proposed building. Ten trees are proposed to surround the parking lot to the west and north, buffering the view from SR5&20. Three light poles are proposed to illuminate the parking lot. Current land use is undeveloped (vacant commercial). Parcel is zoned Ag (agricultural) and C-2 (low intensity commercial). Surrounding parcels are predominately commercial and residential. One agricultural parcel (in Ontario County Agricultural District #1) is just to the southwest of subject parcel as well. A draft 100-year FEMA flood zone and National wetland lie on the parcels directly to the south and west of the subject parcel. Parcel has gentle to no slope (0-9% gradient, sloped from west to east) and soil is predominately Darien Silt Loam: partially hydric, moderately high permeability, high erodibility, is prime farmland if drained, and is in hydrologic soil group C/D.

Comments

1. What precautions will be taken to contain coal sediment/waste (if there is any)?
2. What will traffic look like? How many trucks will be coming in/out on a daily basis?

256-2023	Town of Richmond	Planning Board	Cassara, Anthony	Site Plan - Exempt
135.20-1-13.120	Site Plan to operate a commercial space containing multiple businesses (Brewery, Sculpture Gallery, future tenant to rent office space) at the intersection of SR20A and CR36, at 8732 Main St. in the Town of Richmond.			

<https://ontariocountyny.gov/DocumentCenter/View/40798/256-2023-Floor-Layout-Cassara-Commercial-Space>

<https://ontariocountyny.gov/DocumentCenter/View/40800/256-2023-thru-260-2023-T-Richmond-Oct-PB-Minutes>

<https://ontariocountyny.gov/DocumentCenter/View/40801/256-2023-thru-260-2023-T-Richmond-Oct-ZBA-Minutes>

257-2023	Town of Richmond	Planning Board	Duvall, Kim and Ryan	Site Plan - 1
135.14-1-17.000	Site Plan to place and operate a 200 SF farm stand along the south side of Doc's parking lot, east of the CR37 and SR20A intersection, at 8960 Main St. in the Town of Richmond.			
https://ontariocountyny.gov/DocumentCenter/View/40804/257-2023-Survey-Duvall-Farm-Stand https://ontariocountyny.gov/DocumentCenter/View/40911/257-2023-Aerial-Duvall-Farm-Stand				

The lot is .4 acres with 90' of frontage. The 10'x20' farm stand has been located along the southern edge of existing parking area since May. The additional uses is accessed from e existing access point.

258-2023	Town of Richmond	Zoning Board of Appeals	Potter, Mark	Area Variance - Exempt
149.19-1-12.000	Area Variance to build a 360 SF deck and replace the existing stairs within the required minimum rear (lake) setback of 50' at 5345 CR36 in the Town of Richmond.			
https://ontariocountyny.gov/DocumentCenter/View/40806/258-2023-Survey-Potter-Deck https://ontariocountyny.gov/DocumentCenter/View/40912/258-2023-Aerial-Potter-Deck				

259-2023	Town of Richmond	Zoning Board of Appeals	Darrer, Elmer	Area Variance - Exempt
149.11-1-30.000	Area variance for a side setback of 3.5' when 5' is required for a 160 SF home addition at 5135 CR36 in the Town of Richmond.			
https://ontariocountyny.gov/DocumentCenter/View/40808/259-2023-Sketch-Darrer-Addition https://ontariocountyny.gov/DocumentCenter/View/40913/259-2023-Aerial-Darrer-Addition				

260-2023	Town of Richmond	Planning Board	Gillen, Scott	Site Plan - 1 (Late Referral)
135.20-1-17.000; 135.20-1-15.100	Site Plan to construct a 900 SF addition to the primary structure, a 1,200 SF storage barn, to clean up and add 12-16 parking spaces to the parking lot, and associated improvements on 8728 Main St. Also to replace current white event tent on 8716 Main St. with a more permanent pavilion structure. Proposed work is in the T. Richmond, east of the SR20A and CR36 intersection.			

<https://ontariocountyny.gov/DocumentCenter/View/40811/260-2023-Survey-Birdhouse-Brewing>

<https://ontariocountyny.gov/DocumentCenter/View/40914/260-2023-Aerial-Birdhouse-Brewing>

The 1,200 SF storage building and 900 SF building addition on are the western most lot just east of the existing parking area. The easternmost property borders the creek. Both properties are located in the floodplain.

Comments

1. All proposed structures are within the floodplain and will require elevation/flood proofing.
2. Will the storage building be protected from vehicle damage by curb stops or bollards?
3. The proposed addition required a front setback variance. The existing building is partially in the NYS ROW; the addition is setback 1.4 feet from the ROW. The proposed pavilion is located 25’ from the ROW and also requires a setback variance which may have been referred and/or approved by the Richmond Zoning Board.
4. The site plan should show not only the floodplain, but also the floodway.

261-2023	Town of Naples	Town Board	Town of Naples	Text Amendment – 2 Late Referral
n/a	Town Board of the Town of Naples enacts a temporary moratorium on certain energy systems for six (6) months.			

<https://ontariocountyny.gov/DocumentCenter/View/40895/261-2023-Naples-Moratorium>

TBA