

ONTARIO COUNTY PLANNING BOARD

Referrals for Review at the: **Coordinated Review Committee Meeting – January 11, 2022 @ 3:30 pm**
County Planning Board Meeting –January 12, 2022 at 7:00pm Virtual Meeting Click Join Meeting hyperlink below
 Telephone: 585-396-4455

	Municipality	Applicant	Application Type	Class/Action	Page
1	Town of Naples		Map Amendment	2/A	10
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3	Town of Manchester		Area Variance	1	4
4	Town of Manchester	Church of Jesus Christ of Latter Day Saints	Other"	1	4
5	Town of Manchester	Tim Crowley	Use Variance	2/D	9
6	Town of Farmington	A Safe Place Storage	Special Use Permit	1	3
7	Town of Canandaigua	Venezia Associates	Site Plan	exempt	17
8	Town of Canandaigua	Venezia Associates	Area Variance	AR 2	14
9	Town of Richmond	John & Maria Martens	Area Variance	AR 2	16
10	Town of Farmington	Town Board	Comprehensive Plan	2/A	7
11	Town of Farmington	Town Board	Text amendment	2/A	8
13	Town of West Bloomfield	Simple Self Storage LLC	Subdivision	2/A-M	11
14	Village of Victor	Mike Perrilleon	Site Plan	1	5
15	Village of Victor	Mike Perrilleon	Special Use Permit	1	6
16	Town of Phelps	Town Board	Text Amendment	2/A	11
17	Town of Farmington	A Safe Place Storage	Site Plan	1	4
There is no referral #12-2022					

Action key of CPB recommendations: A=approval; D= Denial; A-M=Approval with Modification

This document will serve as both the **draft** minutes for the Ontario County Planning Board and as the **Official Notice of Findings and Decision** for the applications reviewed by the CPB. It can also be viewed at the Ontario County Agenda Center for Ontario County Planning Board <https://ontariocountyny.gov/agendacenter>

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Call To Order/Roll Call: Mike Woodruff, Nominating Committee member called the 1/12/22 CPB meeting to order at 7:05 and requested Ms. Holley to do roll call. Ms. Holley presented roll call and reported that there were ten (10) members present virtually and one (1) member physically at 20 Ontario Street, meeting the quorum requirement.

Guests: Paul Gillette & Don Lewis for A Safe Place Moving & Mini Storage; Tim Crowley Use variance referral # 5-2022.

OCPD: Linda Phillips, Senior Planner; Erin Holley, Senior Clerk

Cities	Member name in bold if on local legislative, planning, or zoning board	P-Present, E – Excused Absence, A – Absent, V – Virtual		
Canandaigua	Doug Dello-Stritto	V		
Geneva	Paul Passavant	V		
Towns				
Bristol	AJ Magnan	V		
Canadice	Stephen Groet PB		E	
Canandaigua	Shawna Bonshak		E	
East Bloomfield	Mike Woodruff PB	V		
Farmington	Ted Liddell	V		
Geneva	Steven High	P		
Gorham	Jack Dailey PB		E	
Hopewell	VACANT	---	---	---
Manchester	VACANT	---	---	---
Naples	Marion Mueller	V		
Phelps	Glen Wilkes PB		E	
Richmond	Leonard Wildman PB	V		
Seneca	VACANT	---	---	---
South Bristol	Bessie Tyrrell	V		
Victor	Mike Crowley	P		
West Bloomfield	Ruth Cahn	P		

Presentation of slate of officers and vote on slate

Nominating Committee nominated Leonard Wildman as Chair and Water Resources Council representative and Paul Passavant as Vice Chair.

- Motion made by AJ Magnan to approve the recommended slate of officers; seconded by Doug Dello Stritto
Motion Carried.

Minutes

- Motion made by Mike Woodruff to approve the December 9, 2021 minutes **as revised**, seconded by AJ Magnan (abstentions Glen) **Motion carried**

Join from the meeting link

<https://ontariocountyny.webex.com/ontariocountyny/j.php?MTID=m0c6b7acd59ce5ad0c5232c1aba577a87>

Join by meeting number

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Meeting password: ukM3dt22m4Z

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6. 2022 Town of Farmington Planning Board

Class: 1

Type: *Special Use Permit*

Related Referrals: *17-2022 & 148-2021*

Applicant: *A Safe Place Storage*

Property Owner: *Paul Gillette*

Tax Map Parcel #: *29.00-2-1.121*

Brief Description: *Special use permit for expansion of mini storage on the northern parcel at 6025 Denny Drive in the Town of Farmington and 20 space parking lot along Denny Drive for moving company employee parking.*

<https://ontariocountyny.gov/DocumentCenter/View/32457/6-2022-aerial>

<https://ontariocountyny.gov/DocumentCenter/View/32501/6-2021-site-plan-PB-0803-21-A-Safe-Place-Storage---UPDATED>

<https://ontariocountyny.gov/DocumentCenter/View/32502/6-2022-landscaping-0803-21-A-Safe-Place-Storage---UPDATED>

A previous site plan was reviewed as referral 148-2021 in July 2021. Relevant comment from previous review are repeated below. The development subject to this referral would continue to disturb 4.7 acres of the 9.8 acre site. Site modifications include 49,292 SF of new mini storage area in 7 new buildings of various sizes including 1 climate controlled building with bathroom and 150' extension of Commercial Drive. The site plan shows landscaping along Collett Road and Commercial Drive.

July 2021 Comments

1. Does the site plan provide minimum required green space, given that the existing sanitary sewer easement area cannot be used in the calculation of green space?
2. What pedestrian facilities are planned to allow access by residents southwest of Collett and Hook Roads to the commercial facilities along SR 332?

July 2021 OCSWDC Comments

1. SWPPP not provided, difficult to make comments.
2. Does silt fence enclose all disturbed areas?
3. Plant species for bio-retention facility and planting plan not shown on landscape plans

January 2022 Comment

1. Clarify whether building F is 4,200 SF as stated on site plan or 5,400 SF as indicated on Erosion Control Plan, Landscape Plan, and Utility Plan.
2. The landscape plan appears to show tree and shrub planting very close or within steeply banked stormwater management facilities.

January 2022 OCSWCD Comments

1. Concrete truck washout should be located a minimum of 100 feet from all stormwater inlets, streams or waterbodies.
2. Pocket pond outlets to a regulated class C stream. Use extreme caution during construction to prevent any water quality violations.

Board Motion: To retain referral 6-2022, as class 1 and return it to the local board with comments. **Motion made by:** Mike Woodruff **Seconded by:** Ruth Cahn
Vote: 11 in favor, 0 opposed, 0 abstentions **Motion carried.**

Board Motion: To retain referral 17-2022, as class 1 and return it to the local board with comments. **Motion made by:** AJ Magnan **Seconded by:** Mike Woodruff
Vote: 11 in favor, 0 opposed, 0 abstentions **Motion carried.**

17 -2022 Town of Farmington Planning Board Class: 1
Type: *Site Plan*

Related Referrals:6-2022 &148-2021

Applicant: *A Safe Place Storage*

Property Owner: *Paul Gillette*

Tax Map Parcel #: *29.00-2-1.121*

Brief Description: *Special use permit and site plan for expansion of mini storage on the northern parcel at 6025 Denny Drive in the Town of Farmington and 20 space parking lot along Denny Drive for moving company employee*

See information at 6-2022.

3 -2022 Town of Manchester Zoning Board of Appeals Class: 1
Type: *Area Variance*

Related Referrals: 4-2022

Applicant and owner::*Church of Jesus Christ of Latter Day Saints*

Tax Map Parcel #: *11.00-1-17.100*

Brief Description: *Area variance and sign permit to allow 4.66 SF per sign face for parking directional signs when 2 SF is allowed at Visitor Center at 603 SR 21 in the Town of Manchester.*

Speed limit along relevant section of SR 21 is 45 MPH.

Board Motion: To retain referrals 3-2022, and 4-2022 as class 1s and return them to the local board with comments.

Motion made by: Paul Passavant **Seconded by:** AJ Magnan

Vote: 11 in favor, 0 opposed, 0 abstentions **Motion carried.**

4 -2022 Town of Manchester Planning Board Class: 1
Type: *Other"*

Related Referrals: 3-2022

Applicant & owner: *Church of Jesus Christ of Latter Day Saints*

Tax Map Parcel #: *11.00-1-17.100*

Brief Description: *Area variance and sign permit to allow 4.66 SF per sign face for parking directional signs when 2 SF is allowed at Visitors Center at 603 SR 21 in the Town of Manchester .*

See information at 3-2022.

14 -2022

Village of Victor Planning Board

Class: 1

Type: *Site Plan*

Related Referrals: *15-2022*

Applicant & Owner: *Mike Perrilleon*

Representative: *Marathon Engineering*

Tax Map Parcel #: *16.17-2-2.0*

Brief Description: *Site plan and special use permit fo r720 SF drive-thru retail grocery store at 290 West Main Street in the Village of Victor.*

<https://ontariocountyny.gov/DocumentCenter/View/32465/14-2022-aerial>

<https://ontariocountyny.gov/DocumentCenter/View/32466/14-2022-site-plan-with-proposed-topo>

The proposed drive-thru retail grocery will disturb .5 acres of the 1.2 acre. Site soils are Palmyra fine sandy loam with slopes of 3 to 8 percent for the first 70’ of depth and Palmyra and Howard soils with slopes of 25 to 45 percent for the remaining 80 percent of the lot. Within the area of Palmyra and Howard soils there is an area of 16 to 30 percent slope nearest the road, then an area of 3 to 8 percent slope in the middle of the parcel, and the rear of the parcel has slopes of 30 to 60 %. Both soils have high permeability and medium erodibility.

Appendix B of the Engineers Report submitted with this referral includes operation information from 4 Farm Stores in Florida in a traffic impact letter submitted in conjunction with a proposed store in Brick township, Ocean County, NJ. The letter indicates the typical visit time is under 2 minutes. Peak hour trip generation is 14 to 16 trips per hour allowing an average spacing of 3 to 4 minutes between entering vehicles. The letter concludes that the proposed NJ store will not result in any undue traffic conjection or additional delay in the neighborhood.

Comments

1. In accordance with Village of Victor Chapter 40 Access Management, SR 96 in this area is an arterial roadway and required access connection spacing is 245’. The applicant should evaluate the desirability and feasibility of future shared access with adjacent parcels to meet the access connection spacing requirements or seek a waiver. Victor Access Management Plan Appendix A Map 2 indicates the driveway on the adjacent lot to the east and a driveway further east as potential access consolidations, presumably replaced by share rear access interconnection as sites are developed/redeveloped.
<https://ontariocountyny.gov/DocumentCenter/View/20047/Victor-Access-Management-Plan-FINAL-9-17-2019>
2. How will the business accommodate walk up business?
3. The site organization standards of 50-16 require building placement within 15’ of the ROW/front property

line

- 4. In compliance with 50-17C (2) and 170-25 D, concrete sidewalk should continue across the asphalt driveway and be a minimum of 7’ wide with a 3’ brick accent strip.
- 5. Sidewalk pedestrian traffic should be buffered by landscaping from both on-street parking/travel lanes and on-site vehicle circulation. In compliance with 50-17 C (3) street trees shall be planted between the curb and the building with 1 tree for each 40’ of lot frontage. Some site landscaping should also be provided between the sidewalk and areas of the site devoted to circulation and parking.
- 6. 50-17 F (2) and 170-25 G (2) encourage outdoor dining. If the use will sell prepared foods, seasonal accommodations for outdoor on-site dining should be provided.
- 7. In accordance with 50-18, uses in the Gateway Corridor Business District should appear to be two story buildings
- 8. 50-18 D and 170-26 D. allow canvas awnings to project a maximum of 7’ from the building façade.
- 9. 50-18 F and 170-26 F lists metal siding as an unacceptable material.

OCSWCD Comments

- 1. Majority of impermeable surface drains to roadway, not stormwater management facility.
- 2. Outlet of stormwater management facility not shown on plans.
- 3. Stabilized construction entrance, concrete truck washout, and topsoil stockpile location not indicated on plans.
- 4. Additional erosion control measures needed for steep slopes such as rolled erosion control fabric and site specific seeding mix – not indicated.
- 5. Sequencing and phasing plan not provided, consider stabilizing slopes before beginning construction of stormwater management facility.
- 6. Will roof water be discharged directly to pavement or will it be directed to stormwater management facility?

CRC Comments

- 1. How many stacked vehicles can the on-site circulation system accommodate and is stacking sufficient?
- 2. Site plan documents do not include scale.
- 3. No landscaping plan is provided.
- 4. The applicant should provide some estimate of peak hour traffic generation for this use at this location.

CPB Comment

- 1. The referring body should request the applicant to provide market demographic information and adjacent roadway(s) daily and peak hour directional trips for store locations used to estimate traffic generation/no traffic impact to allow the referring body to judge the relevance of the traffic operation conclusions, sufficiency of the proposed site plan, and suitability of the proposed site for a drive-thru specially permitted use.
- 2. Is parking available for customers who chose to enter the sales area?
- 3. The dominant traffic flow during the likely pm peak hour of the adjacent road will mean peak hour customers will turn left in/left out. Is site vehicle staking space sufficient to allow exiting vehicle to wait for a suitable gap in traffic and to avoid site grid lock that interferes with entering vehicles?

Board Motion: To retain referrals 14-2022, and 15-2022 as class 1s and return them to the local board with comments.

Motion made by: AJ Magnan **Seconded by:** Len Wildman

Vote: 11 in favor, 0 opposed, 0 abstentions **Motion carried.**

15 -2022

Village of Victor Planning Board

Class: 1

Type: *Special Use Permit*

Related Referrals: 15-2022

Applicant & Owner: *Mike Perrilleon*

Representative: *Marathon Engineering*

Tax Map Parcel #: *16.17-2-2.0*

Brief Description: *Site plan and special use permit for 720 SF drive-thru retail grocery store at 290 West Main Street in the Village of Victor.*

See information at 14-2022.

10 -2022

Town of Farmington Town Board

Class: 2

Type: *Comprehensive Plan*

Applicant: *Town Board*

Brief Description: *Updated Comprehensive Plan for the Town of Farmington. The Plan recommends a master plan for the Community Center area southwest of SR 96/SR 332; transportation master plan including plan to fill gaps in the sidewalk, bike lane and trail system; and revising zoning to encourage a tourist destination at and around the Finger Lakes Gaming and Race Track and adding environmental protection overlay districts to protect natural features.*

<https://ontariocountyny.gov/DocumentCenter/View/32461/10-2022>

[*REDUCED SIZE Farmington Comprehensive Plan DRAFT January 25 2022-002*](#)

<https://ontariocountyny.gov/DocumentCenter/View/32506/10-2022-fig-5-existing-zoning>

<https://ontariocountyny.gov/DocumentCenter/View/32507/10-2022-fig-6-existing-land-use>

<https://ontariocountyny.gov/DocumentCenter/View/32508/10-2022-fig-10-future-land-use>

Adjacent lands in the Town of Canandaigua are primarily zoned AR 2 with 2 acre lots. Adjacent lands along SR 332 are zoned Community Commercial and there are areas of R-1-20 and R-1-30 zoning along CR 8 and Town Line Road. Adjacent lands in the Town of Manchester are also primarily zoned for Agriculture (A-1) with areas of M-1 at Fox Road, an R-1 district south of the Village of Manchester, and R-2 districts at South Stafford Road and at Shortsville Road. Most of the Village of Manchester lands adjacent to the Town of Farmington are zoned I-2 (Oldcastle property). Other zoning districts in the Village of Manchester include a C-1 Commercial district north and south of State Street and an R-1 district north of the C-1 district. Adjacent lands in the Town of Victor are primarily zoned for low density residential use, with lands from the south side of SR 96 to I-90 zoned for more intensive commercial, light industrial, and residential uses. The proposed Town of Farmington Future Land use Plan is compatible with adjacent area zoning.

The 2021 Comprehensive Plan amendment chronicles changes in the Town since the 2011 Comprehensive Plan was developed, revises Goals and Objectives to guide future investments and development, and recommends activities to be undertaken by the Town and others. Recommended high priority actions to be pursued during the first 5 years of Plan implementation include:

1. Seek grant funding to construct sidewalks, trail connections, and bike lanes shown on the Sidewalk Trail Master Plan.
2. Complete priority sewer projects to support development in the town center area southwest of SR 96/SR 332 including installing a 12" sewer on the west side of Mertensia Road that will connect to the interceptor sewer and installing a force main on the east side of Beaver Creek Road to redirect the race track pump station to deliver sewage south to the interceptor.
3. Revise land use regulations to provide housing and other features to accommodate an aging

- population, show agricultural conservation areas as a zoning district, and add environmental protection overlay districts.
4. Update the Open Space Inventory and prepare an Open Space Master Plan, update the Parks & Recreation Master Plan and update the Water Service Master Plan
 5. Consider establishing a Town-wide drainage district. Such a district would be key to clearing the main channel of Black Brook to facilitate draining and re-classifying 3,000 additional acres as prime farmland.
 6. Complete Master Plan for town center area southwest of SR 96/SR 332.

Additional priorities for completion by 2030 include:

1. Update the population and housing element of the Comprehensive Plan and prepare a Housing Plan.
2. Conduct a survey of Town residents and update and adopt a 2030 edition of the Town Comprehensive Plan.

Activities requiring on-going action include:

1. Exploring benefits of improving the Town’s rating under the Federal Emergency Management Agency’s Flood Insurance Community Rating System.
2. Pursue funding to extend affordable high-speed internet service.
3. Explore benefits of creating an Historic Sites and Buildings Preservation local law.
4. Pursue intermunicipal drainage, solid waste, and recycling programs.
5. Create a Transportation Master Plan including a Bicycle, Sidewalk, and Trail System Master Plan.

The Comprehensive Plan calls for annual review and reporting on implementation activities.

Comment The Town of Farmington is to be commended for their consistent Comprehensive Planning efforts and current plans to permanently preserve historic resources, farmland, and other natural features; to provide transportation options, to plan for an aging population, and to develop a master plan for a community center area in the southwest quadrant of the Town that integrates residential, commercial, and recreational uses

Board Motion: To retain referral 10-2022, as class 2 and return it to the local board with comments and a recommendation for approval. **Motion made by:** Paul Passavant **Seconded by:** Mike Woodruff
Vote: 11 in favor, 0 opposed, 0 abstentions **Motion carried.**

11 -2022 Town of Farmington Town Board Class: 2
Type: *Text amendment*
Applicant: *Town Board*

Brief Description: *Text amendment to revise zoning regulations for solar energy systems in the Town of Farmington.*

https://ontariocountyny.gov/DocumentCenter/View/32462/11-2022-farmington-LL_Solar_PV_Systems_Final-Draft_Version_4_Formatted_Dec_14_2021

The proposed text amendment replaces Solar PV System regulations adopted in September 2017 based on the Town of Farmington’s review of a large-scale
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ground-mounted solar PV system on prime agricultural soils. The proposed amendment:

1. revises definitions for decommissioning and decommissioning agreement and other solar PV system related terms and some other definitions.
2. references NYS climate Leadership and Community Protection Act passed in 2020,
3. adds standards for mounting on flat roofs,
4. requires applicants to provide an off-site agricultural conservation easement for the number of acres of class 1-4 agricultural soils allowed for development of solar energy system based on a PB finding that no other suitable location exists on the proposed lot/parcel. Both the developed and preserved land must be identified on the Town’s Strategic Farmland Preservation Map.
5. requires replacement of damaged surface and subsurface drainage infrastructure,
6. require annual report, which every 3rd year, includes updated surety estimate and soil testing if solar PV system is on prime farmland,
7. clarifies requirements for letter of credit for initial site development, a maintenance bond during the life of the project, and a decommissioning surety until site is restored to its original condition or as requested by landowner,
8. clarify abandonment as failure to submit required reports or to comply with special use permit or site plan conditions, or producing less than 10 percent of rated capacity for a period of 12 months, excluding lack of production due to circumstances beyond the operator’s control,
9. requires 2 year post construction and 2 year post decommissioning monitoring to ensure appropriate drainage, erosion control and other site conditions.

Board Motion: To retain referral 11-2022, as class 2 and return it to the local board with comments and a recommendation for approval. **Motion made by:** AJ Magnan **Seconded by:** Ruth Cahn

Vote: 11 in favor, 0 opposed, 0 abstentions **Motion carried.**

5 -2022 Town of Manchester Zoning Board of Appeals Class: 2
 Type: *Use Variance*

Related Referrals: *n/a*

Applicant: *Tim Crowley*

Property Owner: *same*

Tax Map Parcel #: *32.00-2-16.100*

Brief Description: *Use variance for operation of portable saw mill business at 3808 SR 96, a residential lot in the R-1 district in the Town of Manchester.*

<https://ontariocountyny.gov/DocumentCenter/View/32505/5-2021-aerial>

The proposed use would not comply with existing and proposed home occupation standards regarding conducting business in a building. The majority of the business activity would take place at client’s property, however, some milling and furniture fabrication would take place outdoors on the subject property. The applicant also owns an adjacent 9 acre vacant property with an additional several hundred feet of frontage and extending north to I-90.

The application materials include financial information on home purchase price, mortgage, and cost of maintenance and taxes but not documentation of inability to market the residential property without the use variance.

CPB Comments

1. The applicant indicated 80 percent of saw mill activity will occur off-site. CPB recommend the Town of Manchester consider allowing the applicant to submit an area variance request from the home occupation standards prohibiting outdoor activity and/or limiting such uses to 180 SF with no more than 40 percent of an accessory structure devoted to the use. The applicant should provide the size of the existing barn, the size building required to house the sawmill activity, and the size building required if the home occupation can only occupy 40 percent of the building. The referring body should consider the accommodation of the proposed use on the lot proposed not the applicant’s entire holding unless the applicant is proposing to combine the lots. An Area Variance would allow the local board to balance the benefit to the applicant and the potential for negative impacts of the proposed use on neighborhood properties.

Comments

1. The referring body is encouraged to insert the phrase “hereinafter referred to as the Official Zoning Map in 132-10.
2. The referring body is encouraged to include language explicitly providing for re-issuing of the Official Zoning Map with an updated parcel base without need to amend the map.

Findings:

1. County Planning Board has an interest in ensuring local boards carefully consider the implications of granting use variances and adhere to the four prong unnecessary hardship test outlined in NYS statute.
2. The referred materials include some dollars and cents financial evidence, but not documentation that the subject project can’t return a reasonable rate of return for any of the allowed uses.

Board Motion: To retain referral 5-2022, as class 2 and return it to the local with comments and a recommendation for denial of the use variance. . **Motion made by:** AJ Magnan **Seconded by:** Mike Woodruff

Vote: 11 in favor, 0 opposed, 0 abstentions **Motion carried.**

1 -2022 Town of Naples Town Board Class: 2
 Type: *Map Amendment*

Related Referrals: 2-2022

Applicant: *Town of Naples*

Representative: *Ed Brockman*

Brief Description: *Text and map amendment to Town of Naples code to change from zoning code including metes and bounds descriptions of zoning district boundaries to an official zoning map. Proposed code changes include provisions for ZBA to provide interpretation of zoning district boundaries and for application of zoning district regulations when buildings or lots are in more 1 district.*

Board Motion: To retain referral 1-2022 and 2-2022, as class 2s and return them to the local board with comments and a recommendation for approval **Motion made by** Mike Woodruff: **Seconded by:** Steve High

Vote: 11 in favor, 0 opposed, 0 abstentions **Motion carried.**

2 -2022 Town of Naples Town Board Class: 2
Type: *Text Amendment*

Related Referrals: 1-2022

Applicant: *Town of Naples*

Representative: *Ed Brockman*

Brief Description: *Text and map amendment to Tonw of Naples code to change from zoning code including metes and bounds descriptions of zoning district boundaries to an official zoning map. Proposed code changes include provisions for the ZBA to provide interpretation of zoning district boundaries and for application of zoning district regulations when buildings or lots are in more1 district*

See information at 1-2022.

16 -2022 Town of Phelps Town Board Class: 2
Type: *Text Amendment*

Applicant: *Town Board*

Brief Description: *Text Amendment to regulate the location and operations of cannabis establishments in the Town of Phelps.*

<https://ontariocountyny.gov/DocumentCenter/View/32467/16-2021>

The proposed text amendment would allow cannabis retail establishments and cannabis on-site consumption establishments in the C-1, C-2, and M-1 districts provided such uses are 500’ from the boundary of any residential zoning district in the town and 500’ from place of worship, library, school, day care, park or playground in the town and 1,000’ from any other cannabis establishment whether or not such business is located in the Town.

Comments

1. The referring body should consider extending the 500’ distance to residential districts and specific uses whether or not such uses are in the Town.
2. The referring body should consider including substance abuse treatment site in the list of uses requiring separation from cannabis businesses.

Board Motion: To retain referral 16-2022, as class 2 and return it to the local board with comments and a recommendation for approval. **Motion made by:** Mike Woodruff **Seconded by:** Doug Dello Stritto

Vote: 11 in favor, 0 opposed, 0 abstentions **Motion carried.**

13- 2022 Town of West BloomfieldPlanning Board Class: 2
Type: *Subdivision*

Related Referrals: 203-2021

Applicant: *Simple Self Storage LLC*

Property Owner: *Jeremy Fisher*

Representative: *Brenan Marks*

Tax Map Parcel #: 65.00-1-10.000

Brief Description: *Subdivision of 22 acres parcel into 6 lots to allow development of 4 single family homes, a 12 building mini storage facility, and an existing commercial use at 2370 SR 65 at CR 35/Baker Road in the Town of West*

<https://ontariocountyny.gov/DocumentCenter/View/32468/13-2022-Aerial-Topo>

<https://ontariocountyny.gov/DocumentCenter/View/32464/13-2022-21-030-subdivision-Simple-Self-Storage--12292>

<https://ontariocountyny.gov/DocumentCenter/View/32463/13-2022-21-030-1-page-site-plan-Simple-Self-Storage--122921>

A similar subdivision was previously reviewed at referral # 203-2021 in October 2021. The following text and comments were drafted in October 2021. The currently submitted subdivision shows a fire lane along much of the frontage of Lot 4 but no access limitation. Other elements of the project description and comments remain relevant following OCPD and OCSWCD review of revised plans.

The proposed subdivision would cede 2 areas encompassing .5 acres to existing adjacent residential uses at the SR 65 curve and near the southern property boundary. The lot for the existing commercial use (Lot 4) would be 1.2 acres with approximately 200' of frontage and 239' of depth. The existing use has no defined access point.

The 2 proposed residential lots west of the SR 65 curve are approximately 27,000 SF and have 115' and 120' of frontage and 225' of depth. The 2 proposed residential lots south of the SR 65 curve are 20,000 SF lots with 110' of frontage and 182' of depth.

The property is zoned General Mixed Use. The purpose of the district is to ensure town residents are adequately served by retail, service, and office uses. The district allows a range of residential and commercial uses. The district has a minimum lot width of 80' and minimum lot size of 20,000 SF for single family uses and 10,000 SF for non-residential uses. The maximum building is 35% for residential uses and 50% for non-residential uses; the maximum lot coverage is 50% for residential uses and 60% for non-residential uses.

Code section 140-121 requires landscaping on 15 percent of any commercial use lot including 1 shrub for every 10' of lot perimeter and 1 tree (existing or new) for every 40' of lot perimeter and a 25' densely planted vegetative buffer adjacent to any residential use or district.

According to OnCor, adjacent property to the west and south excluding frontage lands are in OC Agricultural Districts #1 and there is a wetland area along the western SR 65 frontage. Site slopes are generally less than 8 percent with small areas of 16-30 percent slope along the southern property boundary and off-site at the western edge of the corner lot. The dominant soil type on the property is Schoharie silty clay loam with 3 to 8 percent slope. The soil is very highly erodible, moderately highly permeable, in hydrologic soil group C/D, and prime farmland.

The NYSDOT functional classification of SR 65 in this section is major collector. Desirable access connection spacing for a collector road with speed limit of 40 mph is 245' including existing and proposed streets and driveways on both sides of the road.

The mini-storage use will require a special use permit.

Comments October 2021

1. The referring body should require applicant to identify a single access point to Lot 4 and eventually to add landscaping to limit access along the remaining frontage.
2. The referring body should require deep hole and percolation tests to document feasibility of septic systems before subdividing the residential lots.
3. The number/spacing of proposed driveways is not desirable. The referring body should consider opportunities for requiring shared/adjacent driveways to minimize the traffic safety impacts of proposed lots and driveways.
4. A cross access easement and maintenance agreement would be required for Lot 1 and Lot 4 to share one or both proposed commercial access connections.
5. The General Mixed-Use district has limits on the number of storage sheds (2) and the number of commercial (1) or recreation vehicle (2) that may be stored on the site. Based on the subdivision plan and OnCor aerial, the existing commercial use appears to exceed these limits. Unless these accessory uses and structures are pre-existing, non-conforming conditions, the referring body should require the applicant to bring existing site activities into compliance with district standards by removing some accessory uses and structures or obtaining variances and comply with associated buffering standards for vehicle storage areas in code section 140-106.
6. The special use permit and site plan must be referred to OC Planning Board.

OCSWCD Comments October 2021

1. Topsoil stockpile area not indicated on plans.
2. Will residential lots be developed at the same time as the commercial lot? Sequencing and phasing not provided
3. Detail not provided regarding storm water management facility.
4. Erosion, and sediment control not shown on residential lots.
5. No soil investigation data provided (deep hole and percolation rates) for every system location.
6. Poor draining soils present (schoharie silty clay loam).

NYSDOT Comments October 2021

1. A NYSDOT highway permit will be required for an additional access point to commercial uses on this site. NYSDOT may or may not grant a second access point for commercial uses.

CPB Comments October 2021

1. The Town Board should request NYSDOT to review design, speed and accident records for the SR 65, CR 35, Baker Road intersection and address whether any curve warning sign or speed limit change is recommended. This analysis should also address whether signage is necessary to alert CR 35 and Baker Road travelers that SR 65 traffic does not stop.
2. Referring body to make applicant aware that any SR 65 driveways require a NYSDOT permit.

Previous Findings

1. Ontario County has a substantial interest in protecting and improving the function of its intermunicipal transportation infrastructure.
2. The Ontario County Planning Board encourages referring bodies to properly consider road capacity and traffic safety of referred projects.
3. This subdivision is situated at the Intersection of SR 65 with CR 35 and Baker Road.
4. Proliferation of access connections may have negative impacts on roadway capacity and safety.
5. The proposed subdivision includes 5 new access connections to SR 65 along this 40 mph segment.

Board Motion October 2021 : To change referral 203-2021 to class 2 in recognition of the potential intermunicipal impact of proposed subdivision at the intersection of a state, county, and local road. **Motion made by:** Glen Wilkes
Seconded by: Mike Woodruff
Vote: 11 in favor, 0 opposed, 0 abstentions **Motion carried.**

Board Motion:October 2021 To retain 203-2021 as a class 2 and return it to the local board with comments and a recommendation of approval with three modifications. **Motion made by:** Ruth Cahn **Seconded by:** Mike Woodruff
Vote: 11 in favor, 0 opposed, 0 abstentions **Motion carried.**

Previous Modifications

Modification #1: The referring body to review state, county, and local accident records for SR 65, CR 35, Baker Road intersection with guidance from professional traffic safety consultant as appropriate.

Modification #2: The referring body to require side by side or shared driveway(s) as recommended by professional traffic safety consultant to proposed lots 5 and 6 located west of the intersection of SR 65, CR 35, and Baker Road.

Modification #3: the referring body with appropriate professional guidance to identify appropriate location and width of single direct access connection from Lot 1 to SR 65 and/or shared access point for commercial lots 1 and 4.

Board Motion: To retain referral 13-2022, as class 2 and return it to the local board with comments and recommendation for approval with three previous modifications **Motion made by:** AJ Magnan **Seconded by:** Mike Woodruff.

Vote: 11 in favor, 0 opposed, 0 abstentions **Motion carried.**

8 - 2022 Town of Canandaigua Zoning Board of Appeals Class: AR 2
Type: Area Variance

Related Referrals: 7-2022

Applicant: Venezia Associates

Property Owner: ABDB Silver Springs

Tax Map Parcel #: 126.16-1-1.100

Brief Description: Site plan and area variance for replacement home at 4351 Tichenor Point Drive in the Town of Canandaigua. Area variance required for building/pool 37' from Tichenor Creek when 100' stream setback is

<https://ontariocountyny.gov/DocumentCenter/View/32459/7-2021-Tichenor-Point-4351--Revised-Site-Plan--12-17-211>

The existing site is a 4 acre site with 2 cottages. The submitted materials indicate the proposed house

was moved 15' to the west to reduce impact to root system of 2 large trees on the property. Arborist report also outlines additional fencing, operating procedures during foundation excavation, and recommendations for long term tree maintenance to reduce impact to the root system and increase likely viability of 2 specimen tree and other mature trees on the property. The limit of disturbance appears to exclude the infiltration meadow and other site modifications.

Canandaigua Lake Watershed Manager is working with the applicant and engineer to appropriately balance preservation of trees, stream setback to structure, desired footprint and location, type and character of riparian vegetation added near stream, and ensuring no negative stormwater impact to neighboring property resulting from the stream setback variance.

According to OnCor, the stream along the southern property boundary and the eastern half of the site are in the floodplain. There are also areas of 16 to 30 percent slopes along the CR 16 frontage.

**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 board is encouraged to grant only the minimum variance necessary to allow reasonable use of the lot.
2. The applicant and referring agency are strongly encouraged to involve Canandaigua Lake Watershed Manager as early in the review process as possible to ensure proper design and implementation of storm water and erosion control measures.
3. Demolition debris should be recycled if facilities exist and remaining debris should be disposed of in a licensed facility
4. How does the site plan balance cuts and fills to not impact flooding of adjacent properties?
5. The site plan, planting plan, and grading plan should all include the limit of work and more clearly define what will be disturbed/protected/installed/restored.

CLCSD Comments Have received drawings in the office for review. Permit will be required for renovation.

9 -2022 Town of Richmond Zoning Board of Appeals Class: AR 2

Type: *Area Variance*

Applicant: *John & Maria Martens*

Property Owner: *same*

Representative: *Bob Stowe*

Tax Map Parcel #: *150.17-1-12.100*

Brief Description: *Area variance for 10'x26' deck with steps on lakeside of house at 5270 Cottage Cove in the Town of Richmond . Proposed rear setback is less than the 50' required*

The site plan indicates the proposed deck, excluding the stairs is 36.5' from the edge of a timber retaining wall though the water's edge is noted as approximately 10' closer at the south end of the deck. It also appears the proposed house is within 50' of the water's edge, though the previous house may have been similarly located.

**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 board is encouraged to grant only the minimum variance necessary to allow reasonable use of the lot.
2. The applicant and referring agency are strongly encouraged to involve Canandaigua Lake Watershed Manager as early in the review process as possible to ensure proper design and implementation of storm water and erosion control measures.

7 -2022 Town of Canandaigua Planning Board
Type: *Site Plan*

Class: *Exempt*

Related Referrals: 8-2021

Applicant: *Venezia Associates*

Property Owner: *ABDB Silver Springs*

Representative:

Tax Map Parcel #: *126.16-1-1.100*

Brief Description: *Site plan and area variance for replacement home at 4351 Tichenor Point Drive in the Town of Canandaigua. Area variance required for building/pool 37' from Tichenor Creek when 100' stream setback is required.*

General Information

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

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

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

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

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

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

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

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

General Summary of CPB Review Responsibilities

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

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

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

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

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

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

General Procedures

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

Legal Obligations for Referring Agencies

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

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

Incomplete Applications

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

Reporting back to the CPB

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

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

Administrative Reviews

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

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

- **Reviewed CPB 2021 Annual Report** -Board Motion to submit Annual Report to Board of Supervisors
Motion made by Len Wildman: Seconded by: Mike Woodruff Motion carried.

Referrals

- # referrals reviewed in 2021 was 284 similar to the 279 referrals reviewed in 2020.
- CPB elevated 4 referrals to Class 2 based on potential impact on County & State roads or viability of prime farmland.
- 6 referral recommended for approval with modification such as reducing impact to vehicles, pedestrians, and bicyclists on County & State roads & protecting character of primary tourism corridors.
- All 6 Board recommendations for disapproval were use variances.
- 14 of 17 class 2 Administrative Reviews recommended for disapproval where for lot coverage, side, and/or lakeside setback variance; 3 were for variance for size or # of signs.
- Only 3 Technical Reviews in 2021, down from 18 in 2020.

Trends

- Many communities opted to not allow cannabis businesses; those that allow applied diverse regulations.
- Lakefront and non-lakefront communities adopting/amending Short Term Rental regulations.
- Communities that have reviewed solar developments amending their regulations.

Ad Hoc Committee Report/Requests to Board of Supervisors

Ad Hoc Committee report endorsed by full Board and sent to Board of Supervisors recommended:

- Improving communication between CPB & Board of Supervisors
- Requested Board of Supervisors to
 - complete a County Comprehensive Plan
 - establish a fund for purchase of development rights/conservation easements to maintain the rural character of Ontario County
 - plan for diverse housing stock to support aging population

Resources, Training & Membership

- Update resources section of By-Law to reference updated Economic Development Strategic Plan, Census of Agriculture info, and OCSWCD Strategic Plan
- OCPD organized 2 community virtual trainings on Natural Heritage Feasibility Study and Farmland Protection & Agricultural Viability
- Board welcomed 8 new members in 2021

- **Reviewed CPB By-Laws** - member responsibilities and areas of review

Upcoming Training

Monday January 24 ,2022 from 1-2:30 pm EPA webinar on state level initiatives to increase renewable energy projects on brownfields, landfills, mines, and other contaminated lands

Thursday February 10th from 6:00pm-7:00 PM Large Scale Agrivoltaics; Solar Grazing on Utility Scale Solar Facilities in Western NY- Part 1: Sheep Grazing. This webinar is Part 1 of 2 sessions reviewing the findings of the recently published [Mount Morris Agrivoltaic Study](#). [registration link](#).

4th Thursday 2022 Monthly Municipal Boot Camp Program presented by MRB Group and Hancock Estabrook

<https://www.hancocklaw.com/events/the-2022-municipal-bootcamp/>

January 27, 2022- 6:00 to 7:00 pm Getting it Together - the Basics of Running a Meeting
February 24, 2022- 6:00 to 7:00 pm Planning for Success - the PB Role in community development
March 24, 2022- 6:00 to 7:00 pm How Appealing- the role of the ZBA in community development
April 28, 2022 – 6:00-7:00 pm Here Comes the Sun – shaping solar and battery storage projects
May 19, 2022 – 6:00 to 7:00 pm Keep the Grass Green and the Water Clean – SEQR review
June 23, 2022 – 6:00-7:00 pm How it All Fits Together – long-range plans and near-term challenges
July 28, 2022 – 6:00-7:00 pm Ask Us Anything – hot topics in planning, zoning, & community development
September 22, 2022 – 6:00-7:00 pm What Not to Say & What Really Not to Do – avoiding sexual harassment
October 27, 2022 – 6:00 to 7:00 pm A History Lesson – managing projects with historic significant
December 22, 2022 - 6:00 to 7:00 pm Santa’s Nice and Naughty List – the best and worst of 202

New York Planning Federation trainings are free if your municipality is a member. Call or e-mail with membership number or to pay and participate as a non-member. 518-512-5270 or email nypf@nypf.org

NYPF Recorded Webinars

THE ESSENTIALS OF PLANNING AND ZONING

Introduction to Planning, Zoning and Land Use
Everything You’ve Ever Wanted to Know About Preparing a Comprehensive Plan
Understanding and Applying SEQRA (NY State Environmental Quality Review Act)
The What, Why, and How of Site Plan Review
Common Mistakes and Mishaps in Site Plan Review

MEETING PROCESS AND COMMUNICATION

Enhancing Transparency Effectiveness in Planning Proceedings
Innovations and Best Practices for Planning/Zoning Boards
Engaging Diverse Communities and Dealing with Difficult People
Working with Elected Officials and Understanding Everyone’s Role in Planning
The Open Meetings Law for Zoning and Planning Boards, Part 2
Working with Developers to Foster Investment in the Community
Communication, the Media and Social Media
Open Government and Planning and Zoning Decision Making

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

NYSCOM Annual Convention Sagamore Hotel May 4-6, 2022

**NYSCOM Fall Village and City Officials Training School September 12-16, 2022 Saratoga Hilton,
Saratoga Springs**

NYSCOM Recorded webinars

ACCESSING FEDERAL FUNDING FROM FEMA (recorded 7-29-20) | Speakers: Robert T. Kennedy, Mayor of the Village of Freeport and NYCOM President; J. Andrew Martin, CFM, Public Assistance Section Chief, NYS Division of Homeland Security and Emergency Services; Janet Plarr, Village Administrator, Village of Blasdell; and Donna Lyudmer, Village of

Saltaire

ADOPTING LOCAL LAWS AND CONDUCTING REFERENDA | (recorded 6-24-21) | Speaker: Rebecca Ruscito, NYCOM Counsel

ARPA FUNDING: OVERVIEW OF ALLOWABLE USES AND OTHER REQUIREMENTS (recorded 8-3-21) | Speakers: Peter Baynes, NYCOM Executive Director and Barbara VanEpps, NYCOM Deputy Executive Director

CELL TOWERS AND WIRELESS REGULATIONS AND A CASE LAW UPDATE (recorded 12-15-20) | Speakers: Wade Beltramo, NYCOM General Counsel and Rebecca Ruscito, NYCOM Counsel

CONDUCT MEETINGS NOW AND DOWN THE ROAD: NAVIGATING THE FUTURE OF MEETINGS AND HEARINGS AS COVID NUMBERS DROP (recorded 3-18-21) | Speakers: Wade Beltramo, NYCOM General Counsel; John Mancini, NYCOM Counsel and Rebecca Ruscito, NYCOM Counsel

ETHICS FOR ZBA AND PLANNING BOARD PROCEEDINGS (recorded 12-9-21) | Speaker: Wade Beltramo, NYCOM General Counsel

FAIR HOUSING CONSIDERATIONS FOR MUNICIPALITIES (recorded 12-16-21) | Speakers: Charles Grieco, Bond, Schoeneck & King; Moderator: Wade Beltramo, NYCOM General Counsel

GRANTS TRAIN IS AT THE STATION: GET READY FOR THE RIDE AHEAD! | (recorded 5-6-21) | Speaker: Jim Thatcher, Manager, Community Development, C.T. Male Associates

LAWYERS AND ETHICS FOR ZBAS AND PLANNING BOARDS (recorded 12-10-20) | Speaker: Wade Beltramo, NYCOM General Counsel

NEW YORK'S MARIJUANA LEGALIZATION: WHAT DOES IT MEAN FOR LOCAL GOVERNMENTS? | (recorded 4-15-21) | Speakers: Wade Beltramo, NYCOM General Counsel; John Mancini, NYCOM Counsel; Rebecca Ruscito, NYCOM Counsel

PLANNING AND ZONING HOT TOPICS AND CASE LAW UPDATE (recorded 12-14-21) | Speakers: Terry Rice, Partner, Law Office of Terry Rice; Moderator: Wade Beltramo, NYCOM General Counsel

REGULATING CANNABIS OPERATIONS (recorded 12-7-21) | Speakers: Wade Beltramo, NYCOM General Counsel; Corey Auerbach, Barclay Damon, LLP

SOLAR PANELS, LARGE SCALE ENERGY GENERATION SITING, AND LOCAL ZONING (recorded 12-17-20) | Speakers: Wade Beltramo, NYCOM General Counsel and Rebecca Ruscito, NYCOM Counsel

- **Privilege of the Floor**

- **Adjournment:** Being no further business for discussion, Chair Wildman requested a motion to adjourn. **Motion to adjourn made by AJ Magnan seconded by Len Wildman Motion carried** 1/12/22 CPB meeting adjourned at 9:15 PM.