

ONTARIO COUNTY PLANNING BOARD

Referrals for Review at the: **Coordinated Review Committee Meeting –August 13, 2019 at 3:30pm**
County Planning Board Meeting –August 14, 2019 at 7:00pm
 2nd Floor, Conference Room 200, 20 Ontario Street, Canandaigua, NY 14424 - Telephone: 585-396-4455

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 Planning Department Website

<http://www.co.ontario.ny.us/index.aspx?nid=516>

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Results Key - Recommended referring body action: A = approve, A-M = Approve with Modification, D = disapproval

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156 - 2019	Town of Phelps	Zoning Board of Appeals	Ramon Howard	Use Variance	2/A	3
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159 - 2019	Town of Victor	Planning Board	Kettle Ridge Farm LLC	Site Plan	1	6
160 - 2019	Town of Phelps	Planning Board	Vanderwall, Elizabeth	Subdivision	1	6
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162 - 2019	Town of Victor	Town Board	Town of Victor	Comprehensive Plan	2/A	9
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163.1 - 2019	Town of Victor	Town Board	Town of Victor	Comprehensive Plan	2/A	12
163.2 - 2019	Town of Victor	Town Board	Town of Victor	Text Amendment	2/A	12
164 - 2019	Town of Farmington	Zoning Board of Appeals	Crowley, Dan	Area Variance	AR-2	12
165 - 2019	Town of Farmington	Planning Board	Finger Lakes Wildlife Center	Site Plan	1	13
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166 - 2019	Town of Farmington	Planning Board	Lyons National Bank	Site Plan	1	14
167 - 2019	Town of Victor	Planning Board	Poole, Zachary & Alyssa	Site Plan	1	15
167.1 - 2019	Town of Victor	Planning Board	Poole, Zachary & Alyssa	Special Use Permit	1	15
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Cities	Member name in bold if on local legislative, planning, or zoning board	P-Present, E – Excused Absence, A – Absent, V – Vacant		
Canandaigua	Thomas Lyon		E	
Geneva	Paul Passavant	P		
Towns				
Bristol	Joe Crane		E	
Canadice	Stephen Groet	P		
Canandaigua	David Wink	P		
East Bloomfield	Mike Woodruff	P		
Farmington	Patti Wirth		E	
Geneva	Steven High	P		
Gorham	Jack Dailey	P		
Hopewell	Bill Namestnik			A
Manchester	Ruby Morrison	P		
Naples	Carol O'Brien	P		
Phelps	Glen Wilkes	P		
Richmond	Leonard Wildman	P		
Seneca	Timothy Marks			A
South Bristol	Albert Crofton	P		
Victor	Marty Avila		E	
West Bloomfield	Sue Boardman	P		

Call To Order/Roll Call: Chair Wildman called the 8/14/19 CPB meeting to order at 7:02, and requested Ms. Phillips to do roll call. Ms. Phillips presented roll call and reported that there were twelve (12) members present, meeting the quorum requirement.

Minutes:

*Motion made by Steve Groet to approve the July 10, 2019 minutes as revised to reflect Ruby Morrison Abstention on 144-2019, seconded by Steve High. **Motion** carried.*

154 - 2019	Town of Victor Planning Board	Withdrawn
Referral Type:	Site Plan	
Applicant:	Paul Colucci	
Property Owner:	Angelo, Edward	
Representative:	Marathon Engineering	
Tax Map No(s):	28.000-1-51.000	
Brief Description:	Revised site plan for 63,000 SF Horsepower Motorworks building at 1256 Brace Road in the Town of Victor.	

155 - 2019	Town of Victor Planning Board	Class: 1
Referral Type:	Area Variance	
Applicant:	Bell Atlantic DBA Verizon	
Property Owner:	7385 Willowbrook Road LLC	
Representative:	Lusk, Jared	
Tax Map No(s):	15.00-2.33.000	
Brief Description:	Area variance to construct and operate a "micro cell" wireless telecommunications facility at 7385 Willow Brook Road in the Town of Victor.	

The site consists of a 5’x5’ area at the southeast corner of an existing industrial building leased for installation of a 43’ utility pole and 56”x12” pole mounted antennas with a combined height of 50’ and associated ground equipment. Some existing trees to be removed. Electrical service will be routed along the roof and rear wall of the existing building.

The pole and proposed antennae will be visible from portions of Willowbrook Road and the private drive providing access to other undeveloped lots in the office/ industrial park. The pole will be partially visible from a portion of the exit 45 ramp, Rowley Road and likely a future dedicated public road in the vicinity of the proposed Fishers Ridge development.

The proposed telecommunications facility requires an area variance because of the location 46’ from the property line when 68’ 2” is required to accommodate a 20’ ice fall zone around the tower. The Town zoning code allows Planning Board to authorize telecommunication facilities exceeding district height limit of 35’ based on documentation of need.

Comments

Is co-location possible in the case of micro cell facilities?

Board Motion: A motion to retain referrals 155-2019, 155.1-2019, 158-2019, 159-2019, 165-2019, 165.1-2019, 165.2-2019, 167-2019, 167.1-2019, 168-2019, and 168.1-2019 as Class 1s and return them to the local boards with comments.

Motion made by: David Wink

Seconded by: Steve Groet

Vote: 12 in favor, 0 opposed 0 abstentions Motion carried.

155.1 - 2019	Town of Victor Zoning Board of Appeals	Class: 1
Referral Type:	Area Variance	
Applicant:	Bell Atlantic DBA Verizon	
Property Owner:	7385 Willowbrook Road LLC	
Representative:	Lusk, Jared	
Tax Map No(s):	15.00-2.33.000	
Brief Description:	Area variance to construct and operate a "micro cell" wireless telecommunications facility at 7385 Willow Brook Road in the Town of Victor.	

See information at 155-2019.

156 - 2019	Town of Phelps Zoning Board of Appeals	Class: 2
Referral Type:	Use Variance	
Applicant:	Ramon Howard	
Property Owner:	SAA	
Tax Map No(s):	35.00-2-25.000	
Brief Description:	Use variance to convert a pre-existing non-conforming commercial building in an R-1 district to a home while allowing continued commercial storage on property at 1339 SR 88 north of Stafford Road in the Town of Phelps.	

There are 3 existing buildings on the property all previously used as part of a home improvement business since before adoption of current Residential zoning. Though no longer operating the business, the owner has preserved the pre-existing, non-conforming status of the commercial use by leasing storage space in one of the buildings to another business.

The applicant is now proposing to convert the single story former office/showroom to a residence and add approximately 1,250 SF to the building footprint. The applicant is seeking a use variance to allow continuation of commercial storage once the principal use has been converted to a conforming residential use.

CRC comments

The referring body may wish to include conditions with the use variance to ensure future commercial storage on the property does not negatively impact on-site or adjacent residential uses. Condition may include use of existing storage building or other limits on the size or location of replacement storage buildings.

CPB Comment The referring body may wish to include condition that the continued use as a commercial storage operation be limited to use by the current property owner.

Board Motion: A motion to retain referrals 156-2019 as Class 2 and return it to the local board with comments and a recommendation of approval.
Motion made by: Ruby Morrison
Seconded by: David Wink
Vote: 11 in favor, 0 opposed 1 abstention (Glen Wilkes) Motion carried.

157 - 2019	Village of Victor Village Board	Class: 2
Referral Type:	Text Amendment	
Applicant:	Village of Victor	
Brief Description:	Text amendments to adopt a new code chapter on access management; integrate it with existing site plan; zoning, and subdivision regulations; and adopt access management comprehensive plan element and official map in the Village of Victor. VAM Plan , Access Management LL, amend-Village-170--and-174,-V-Victor-Official-Map-	

The Access Management Plan is intended to preserve the safety and capacity of state, county and local roads. The Plan includes a sample cross access agreement, though it does not address cost shares for future maintenance.

Principles of Access Management

- Establish a roadway classification system
- Limit direct access to major roadways
- Provide supporting interconnected street system and on-site circulation
- Promote roadway and intersection hierarchy
- Preserve the functional area of intersections
- Limit the number of driveways/conflict points
- Separate driveways and other conflict points
- Design driveways to accommodate operational needs
- Remove turning vehicles from through traffic lanes
- Locate traffic signals in accordance with desired signal control strategies
- Use medians to manage left turns

Table D-1 Desirable Access Connection Spacing

Posted Speed Limit	Connection Spacing (ft)	
	Arterial	Collector and Local Through
35 or less	245	125
40	440	245
45 or greater	660	440

The Access Management Plan includes maps that identify opportunities for access consolidations when properties are redeveloped, integrates the Route 96 corridor modifications recommended in the Route 96 Transformative Corridor Strategic Infrastructure Plan, provides a plan for managing access also the new village roadway in the railroad ROW, and laid the groundwork for preparation of the Official Map.

Village of Victor Access Management regulations control the location, spacing, design and operation of access connections to state, county, and local roads. Compliance with the access management regulations is required in the granting of all building permits, site plans, subdivisions, and other development permits as well as rezonings, variances, and special use permits. Regulations apply to all public roads and to any private driveway providing access to developments generating 100 or more peak hour trips.

The regulations outline standards and procedures to be used by the Planning Board to judge whether development/redevelopment proposals merit a waiver from standards or should be required to adjust density and/or design to comply with letter and intent of the regulations.

The Village of Victor is also adopting an Official Map which identified location and width of existing and future public roads and parks. This action is not subject to CPB review, but provides an important tool for documenting recommendations and requiring applicants and Planning Board to incorporate linkages as recommended.

CPB Comments

1. The Route 96 Transformative Corridor Strategic Infrastructure Plan identified large and small investments that when combined can expand vehicle capacity of the Route 96 Corridor to improve operations and safety. The CPB applauds the Village, Town, County and State for implementing access management in the corridor and throughout the Town and Village; access management is a key tool for the roadway authorities to coordinate to preserve these operational improvements in the face of future corridor development and redevelopment.
2. The CPB asks all roadway authorities to adhere faithfully to the adopted access management standards to minimize deterioration of roadway operations and to continue to add non-vehicle connections and infrastructure to support bicycle and pedestrian transportation.

Board Motion: A motion to retain referral 157-2019, 157.1-2019, 157.2-2019, 163-2019, 163.1-2019 and 163.2-2019 as Class 2s and return them to the local boards with recommendation of approval with comments.
Motion made by: Ruby Morrison
Seconded by: Mike Woodruff
Vote: 12 in favor, 0 opposed, 0 abstention Motion carried

157.1 - 2019	Village of Victor Village Board	Class: 2
Referral Type:	Comprehensive Plan	
Applicant:	Village of Victor	
Brief Description:	Text amendments to adopt a new code chapter on access management; integrate it with existing site plan, zoning, and subdivision regulations; and adopt access management comprehensive plan element and official map in the Village of Victor.	

See information at 157-2019.

157.2 - 2019	Village of Victor Village Board	Class: 2
Referral Type:	Text Amendment	
Applicant:	Village of Victor	
Brief Description:	Text amendments to adopt a new code chapter on access management; integrate it with existing site plan, zoning, and subdivision regulations; and adopt access management comprehensive plan element and official map in the Village of Victor.	

See information at 157-2019.

158 - 2019	Town of Victor Planning Board	Class: 1
Referral Type:	Site Plan	
Applicant:	Gallagher, Conor	
Property Owner:	Sacco, Rocco	
Tax Map No(s):	7.02-1-79.000	
Brief Description:	Amendment of site plan condition for Song Hill Winery at 521 CR 9 in the Town of Victor to require renewal of site plan approval every 5 years instead of annually.	

This start-up winery is allowed based on location in a NYS agriculture district; otherwise the use would not be allowed in the zoning district. Failure to transition to wine making with grapes grown on the property would make the winery a farm winery by the State Liquor Authority but not under Ag and Markets rules.

Comments

1. The Planning Board should consider a reporting frequency and content that documents progress over a 5 year start up period.
2. The Planning Board could add a condition that the site plan approval is conditioned on their operation conforming to the provisions of NYSDAM Art. 25AA – Agricultural Districts. That way, the zoning officer can always ask NYSDAM to review a draft determination made by the Zoning Officer that an operation or activity is not consistent with NYSDAM law. Since the zoning code doesn't really address NYSDAM issues, this would be a useful way to incorporate NYSDAM laws into a site plan approval.

Board Motion: A motion to retain referrals 155-2019, 155.1-2019, 158-2019, 159-2019, 165-2019, 165.1-2019, 165.2-2019, 167-2019, 167.1-2019, 168-2019, and 168.1-2019 as Class 1s and return them to the local boards with comments.
Motion made by: David Wink
Seconded by: Steve Groet
Vote: 12 in favor, 0 opposed 0 abstentions Motion carried.

159 - 2019	Town of Victor Planning Board	Class: 1
Referral Type:	Site Plan	
Applicant:	Kettle Ridge Farm LLC	
Tax Map No(s):	5.04-1-62.000	
Brief Description:	Site plan for 2,848 SF pole barn with kitchen and restroom for use in production of maple syrup and related maple products at 515 Log Cabin Road in the Town of Victor. -Aerial-site-plan-Aerial	

The applicant proposes to construct a 2,848 SF wood sided pole barn for a sugar house with a kitchen to be used to prepare value added maple and honey items, an accessible bathroom, and a large area to be used for maple syrup production, product and equipment storage, and flexible sheltered space for tours, demonstrations, and pancake events. The building will have a new septic system and public water extended from the existing home on the site. The building will be located near an existing 750 SF metal pole barn on a level portion of the site with access off the existing gravel drive. There is an existing parking area for 35 cars or 5 school buses and lawn area north of the parking area with additional parking for 35 to 80 cars depending on the ground conditions.

The Town of Victor draft Official Map shows a future road connection to Fishers Run through this property.

According to OnCor, the property is in an agricultural district and has areas of steep slopes 16 to 30 % and 31 to 60 %. The property contains a pond and some likely wetland areas. Adjacent property to the west across Log Cabin Road is in the floodplain. To the north in the NYS Thruway to the south are several homes

Comments

1. Any approval should clearly establish conditions relating to any standards (Parking, stormwater, water, sewer, public health, etc.). The rationale for such standards (i.e. existing standards for a similar type of restaurant or retail use) should also be documented. The allowed uses should also be carefully and clearly spelled out particularly in context of NYSDAM Art. 25 AA.
2. Conditions should also incorporate special event standards and conditions (how many, duration, year round/seasonal etc.), since proposed activities are not subject to a stand-alone special event permit.
3. Since site activities are not otherwise allowed uses, the site plan approval should be contingent on the land remaining in the State Agricultural District and part of an agricultural operation under Art. 25-AA. If not an agricultural operation, the building cannot be used as a restaurant or special event facility or retail uses.

Board Motion: A motion to retain referrals 155-2019, 155.1-2019, 158-2019, 159-2019, 165-2019, 165.1-2019, 165.2-2019, 167-2019, 167.1-2019, 168-2019, and 168.1-2019 as Class 1s and return them to the local boards with comments.
Motion made by: David Wink
Seconded by: Steve Groet
Vote: 12 in favor, 0 opposed 0 abstentions Motion carried.

160 - 2019	Town of Phelps Planning Board	Class: 1
Referral Type:	Subdivision	
Applicant:	Vanderwall, Elizabeth	

Property Owner:	Vanderwall, Elizabeth
Tax Map No(s):	35.00-1-2-100
Brief Description:	Subdivision of 8.28 acres from 98 acre parent parcel at 2118 McBurney Road east of Stryker Road in the Town of Phelps. Subdivided land is south of I-90, remaining land is north of I-90. Aerial-

The subdivision also involves combining the new parcel with property to east parcel #35.00-1-35.

Comments The parcel will have no road access. Referring body should require an access easement from the jointly owned lot at 1981 Spafford Road.

Board Motion: A motion to retain referral 160-2019 as a Class 1 and return it to the local board with comments.

Motion made by: Ruby Morrison

Seconded by: Sue Boardman

Vote: 12 in favor, 0 opposed, 0 abstention **Motion carried**

161 - 2019	Town of Victor Town Board	Class: 2
Referral Type:	Text Amendment	
Applicant:	Morrell Builders	
Representative:	Marathon Engineering	
Tax Map No(s):	6.00-1-58.310, 6.00-1-58-320	
Brief Description:	Text and map amendment to rezone 2 parcels with 18.6 acres from LI to PDD to accommodate a 162 unit mixed type rental development at 7652 CR 42 in the Town of Victor. -Aerial- concept-site-plan -highline-color	

The proposed Highline Park PDD would allow a mix of 162 single family, 2-family, and multifamily dwellings. All units are anticipated to be rental units with private internal driveways. This represents 8.7 units per acres. Units within 100' of the existing R-A residential zoning district to the west would be a maximum of 2 stories or 35' in height and must include a 25' buffer to the property line; other areas could be developed with 4 stories or 65'. Setbacks are 60' from CR 42/Main Street Fishers and 25' to other property lines. The proposed PDD requires a minimum of 35 % open space. This area may include landscape buffers and stormwater management facilities.

The Preliminary Development Plan anticipates the development of 18 SF, 24 TH, and 120 apartment units and a 5,000 SF club house resulting in disturbance of 14.1 or 75% of the project site and conversion of 8.7 acres of forest to impervious roads and buildings (6.2 acres), grass (1.6 acres), and stormwater ponds (1 acre). The Plan indicates 67 % green space including 3 stormwater management ponds. The Plan shows required parking and 10 additional parking spaces which could be constructed within the open space in the center of the 4 large multiple family apartment buildings if needed.

The EAF indicates 30 percent of the project area has slopes greater than 15% (5.5 acres), the presence of 12 acres of wetlands, and a 5 acre significant natural community consisting of a rich shrub fen. The EAF indicates the project will include pedestrian and bicycle facilities but no interconnections are indicated in the PDD regulations or Plan. The rezoning report indicates the proposed development would generate 143 peak hour trips, less than the 401 peak hour trips possible if the site were developed for maximum allowable LI use.

According to OnCOR, there are areas of 15 to 30 % and 31 to 60 % slope. These steep slope areas include high banks along the CR 42 frontage and the proposed access drive and areas shown as trees in the northwest and southeast corners of the site. OnCOR does not indicate any areas of DEC or NWI wetlands. Soil characteristics are as follows:

- Palmyra fine sandy loam, 3 to 8 percent 10.96 acres
- Permeability:** High **Erodibility: medium**
- Prime Farmland**
- Hydrological B** **Not Hydric**
- Palmyra and Howard soils 25 to 45 percent slope 5.7 acres
- Permeability:** High **Erodibility: medium**

**Not Prime Farmland
Hydrological B**

Not Hydric

Adjacent land uses include Finger Lakes Roofing and a professional office use to the east along CR 42 and industrial uses in the Fishers Run industrial park including Heritage Packaging, ADP Engineering & Architects, and Gorbel Cleveland Tramrail to the east and north. There is also vacant land zoned LI to the north. To the east are single family residential homes zoned Residential A along CR 42 and Sauer Farms Drive. To the south across CR 42 within the LI zoning district are areas of agricultural and LI use including Brite Computers, Opposite Sauers Drive are PDD lands associated with the 94 acre Pinnacle Athletic Campus. The Pinnacle PDD Plan indicates a future access point opposite Sauer Farms Drive.

Comments

1. Preliminary development plan should clearly indicate the location of sensitive resources. It is not appropriate to set overall allowable density without a clear indication of the number of developable acres.
2. The statement of residential building types allowed includes “and the like”. Could this be interpreted to mean mobile homes? Tiny houses? The definitions of allowed residential types also include townhomes in all unit types (single family, 2-family, and multiple –family. Only Single-family and multiple dwelling unit types are defined in the zoning code. Consider defining and using consistent terms in the PDD and zoning code. The PDD may also include minimum or maximum number of different use types.
3. The PDD regulations allow the clubhouse area to include Personal Service Retail such as “beauty/ barbershops, bakery, coffee shop, restaurant, and dry cleaning drop off/pick up. Such uses are not included on the concept plan. Consider including a limit on the scale of such accessory uses. Consider using allowable use term(s) that are defined in the zoning code.
4. The draft Town of Victor Access Management Plan and regulations discourage additional single entry development projects. In addition, the regulations specify access connection spacing standards. Before accepting a preliminary development plan, the Town Board should evaluate the project’s compliance with the access management regulations and the standards under which the Planning Board can issue waivers. In particular, the entrance should be aligned or off set with access to Brite Computers. Also evaluate how best to accomplish traffic safety and roadway capacity objectives with regard to access connection spacing to other existing uses.
5. The PDD regulations should specify no disturbance to the 5 acre significant natural community and may reference the tree line or an appropriate setback from the top of the slope as the limit of disturbance.
6. Many of the dwellings proposed appear to be located along the ridgeline. Such locations do not minimize project visual impacts.
7. There are no buffer/plantings around the townhomes between the club house and the apartments.

OC Economic Development Department Comments

Properties such as these, which are appropriately zoned with excellent highway access, are a valuable asset for county economic development. While the road and sewer network at this location may not be able to support employee intensive business development and there are currently vacant buildings available in the area, the Town should carefully consider the long term impact of removing this property from future potential light industrial development.

OCSWCD Comments

Preliminary development plans indicate 6.1 acres of impervious surface to be added. This project is south of Fishers Run which has experienced major issues with stormwater management. Any further plans should fully address stormwater management and retention on-site.

OCDPW Comments

Applicant shall provide a Traffic Impact Study (TIS) for the project and submit for our review. The applicant’s traffic consultant should contact the Town of Victor and Ontario County DPW (OCDPW) to coordinate the selection of the study area for the TIS. The County will retain an outside consultant to complete a technical review of said TIS. As a condition of the County highway work permit application and in consideration of the issuance of the permit, the permittee will be required to reimburse the County for all cost of said consultant TIS review services. Once more detailed plans for the development are made available, please forward to

OCDPW for review and approval. At a minimum, applicant must provide TIS, engineering report, drainage report, and detailed drawings for our review prior to the issuance of a County highway work permit.

CRC comments

The PDD should document additional intended project features such as extension of sidewalks along CR 42 to Fishers Run/Phillips Road.

CPB Comments

1. Since the project has not completed site plan review, the development plan is likely to change. The referring body should ensure any significant project features shown on the preliminary development plan that are important to project success are also specified in the PDD text. This may include a specific open space percentage higher than 35%, exclusion of stormwater management facilities from open space calculation, and/or specific acres/areas of sensitive features to remain undisturbed. It may also include minimum or maximum percent or number of units by type (SF/TH/Apts). The PDD should also establish road, and building to building setbacks. The referring body should consider establishing a maximum site development density based on site developable acreage and excluding acres not developable due to steep slopes or other natural resources.
2. In accordance with draft Victor Access Management Plan and Local Law, single access developments should be discouraged. New roads should enhance road network connections. It may be appropriate to include a public road in the development that loops Fishers Run back to CR 42.
3. Existing Town zoning regulations require 25 % (Multiple Dwelling District) to 40% (senior housing) landscaped open space including 10' frontage and perimeter landscape buffer areas and tenant storage or public assembly areas.

Board Motion: A motion to retain referral 161-2019 and 161.1-2019 as Class 2s and return them to the local board with recommendation of approval with comments.

Motion made by: Paul Passavant

Seconded by: David Wink

Vote: 12 in favor, 0 opposed, 0 abstention Motion carried

161.1 - 2019	Town of Victor Town Board	Class: 2
Referral Type:	Map Amendment	
Applicant:	Morrell Builders	
Representative:	Marathon Engineering	
Tax Map No(s):	6.00-1-58.310, 6.00-1-58-320	
Brief Description:	Text and map amendment to rezone 2 parcels with 18.6 acres from LI to PDD to accommodate a 162 unit mixed type rental development at 7652 CR 42 in the Town of Victor.	

See information at 161-2019.

162 - 2019	Town of Victor Town Board	Class: 2
Referral Type:	Comprehensive Plan	
Applicant:	Town of Victor	
Brief Description:	Comprehensive Plan amendment to incorporate new Parks and Recreation Master Plan in theTown of Victor. -overall-park-trail-map -rec-plan -rec-plan-appendices-1-3	

The Plan process involved a community survey, outreach at community events, and stakeholder interviews; analysis of facilities and conditions at each of the 10 developed parks and recreation sites and trails; and identification of recommended priority and longer term investments in the parks and trail system. The Town of Victor parks system includes 457 acres of parkland in Victor, an additional 330 acres of shared parkland at Boughton Park, 65 miles of trails, and a recreation center. Victor has 28 acres of parkland per 1,000 residents.

The community interest survey identified residents age 30 to 49, 5-12, and 50-69 as the most populous age groups and special events, youth activities, and aquatics program as the programs with the greatest participation.

Most used public recreation facilities

1. Dryer Road Park
2. Auburn Trail
3. Lehigh Valley Trail
4. Victor Municipal Park
5. Victor Recreation Center

Top 5 recreational needs from residents:

1. Trails/bikeways
2. Outdoor pool/splash park
3. Nature Center/Pond
4. Dog Park
5. Lodges/picnic shelters.

Most used other recreation facilities

1. Victor Schools
2. Pinnacle Athletic Campus
3. Ganondagan Historic Site
4. Perinton Community Center
5. Area YMCAs

Top recreation needs from stakeholder organizations

1. Indoor athletic fields
2. Full-size soccer & lacrosse fields
3. Additional outdoor fields & practice spaces
4. Additional turn fields
5. Bleachers
6. Indoor ice rink

The goals of this Parks and Recreation Plan include:

1. Adapt and evolve with the recreation needs of the community
2. Create a balance between active and passive recreation
3. Increase connectivity within the Town and with adjacent communities
4. Continue to strengthen community partnerships such as Victor Hiking Trails and Genesee Regional Off Road Cyclists
5. Explore the opportunity of a Town-owned recreation facility
6. Build an identify through branding
7. Activate the community through programming
8. Create an asset management plan for improvements and maintenance
9. Strengthen and enhance the parks and recreation department

General park and recreation improvement recommendations include:

- Inclusivity and accessibility
- Identification and wayfinding
- Trails and connectivity
- Athletic fields
- Promoting education and awareness of Town’s natural and cultural resources

The Plan identifies 3 key areas for investment:

- Paparone Park and Community Recreation Center (± 40,000 SF rec center and ±60,000 SF field house)
- Town-wide Connectivity – including on-road bike segments
- Harlan Fisher Park facilities and

3 to 5 priority projects with order of magnitude cost estimates at other park. Many priority projects relate to vehicle access and parking, improving connectivity to nearby neighborhoods and trails, and calls for developing new fields and trails, a splash pad, and an outdoor classroom.

The Plan also benchmarks Victor Park and Recreation facilities and operations using the National Recreation and Parks Association On-line “Parks Metrics” tool. This analysis documents that Victor’s acres of parkland exceeds national and comparison town average and their ratio of employees to residents, expenditures per capita, and percent of budget funded with user fees are in line with national and comparison town averages.

Board Motion: A motion to retain referral 162-2019 as a Class 2 and return it to the local board with recommendation of approval.
Motion made by: Carol O’Brien
Seconded by: Mike Woodruff
Vote: 12 in favor, 0 opposed, 0 abstention **Motion carried**

163 - 2019	Town of Victor Town Board	Class: 2
Referral Type:	Text Amendment	
Applicant:	Town of Victor	
Brief Description:	Code amendment to add chapter with access management regulations; integrate them with zoning and subdivision chapters; and adopt the Victor Access Management Plan as an amendment to the Town of Victor Comprehensive Plan. VAM Plan , Access Management LL , amend zoning & subdivision LLs , -Official-Map-	

The Access Management Plan is intended to preserve the safety and capacity of state, county and local roads. The Plan includes a sample cross access agreement, though it does not address cost shares for future maintenance.

Principles of Assess Management

- Establish a roadway classification system
- Limit direct access to major roadways
- Provide supporting interconnected street system and on-site circulation
- Promote roadway and intersection hierarchy
- Preserve the functional area of intersections
- Limit the number of driveways/conflict points
- Separate driveways and other conflict points
- Design driveways to accommodate operational needs
- Remove turning vehicles from through traffic lanes
- Locate traffic signals in accordance with desired signal control strategies
- Use medians to manage left turns

Table D-1 Desirable Access Connection Spacing

Posted Speed Limit	Connection Spacing (ft)	
	Arterial	Collector and Local Through
35 or less	245	125
40	440	245
45 or greater	660	440

The Access Management Plan includes maps that identify opportunities for access consolidations when properties are redeveloped, integrates the Route 96 corridor modifications recommended in the Route 96 Transformative Corridor Strategic Infrastructure Plan, provides a plan for managing access also the new village roadway in the railroad ROW and laid the groundwork for preparation of the Official Map.

Town of Victor Access Management regulations control the location, spacing, design and operation of access connections to state, county, and local roads. Compliance with the access management regulations is required in the granting of all building permits, site plans, subdivisions, and other development permits as well as rezonings, variances, and special use permits. Regulations apply to all public roads and to any private driveway providing access to developments generating 100 or more peak hour trips.

The regulations outline standards and procedures to be used by the Planning Board to judge whether development/redevelopment proposals merit a waiver from standards or should be required to adjust density and/or design to comply with letter and intent of the regulations.

The Town of Victor is also adopting an Official Map which identified location and width of existing and future public roads and parks. This action is not subject to CPB review, but provides an important tool for documenting recommendations and requiring applicants and Planning Board to incorporate linkages as recommended.

CPB Comments

1. The Route 96 Transformative Corridor Strategic Infrastructure Plan identified large and small investments that when combined can expand vehicle capacity of the Route 96 Corridor to improve operations and safety. The CPB applauds the Village, Town, County and State for implementing access management in the corridor and throughout the Town and Village; access management is a key tool for the roadway authorities to coordinate to preserve these operational improvements in the face of future corridor development and redevelopment.
2. The CPB asks all roadway authorities to adhere faithfully to the adopted access management standards to minimize deterioration of roadway operations and to continue to add non-vehicle connections and infrastructure to support bicycle and pedestrian transportation.

Board Motion: A motion to retain referral 157-2019, 157.1-2019, 157.2-2019, 163-2019, 163.1-2019 and 163.2-2019 as Class 2s and return them to the local boards with recommendation of approval with comments.
Motion made by: Ruby Morrison
Seconded by: Mike Woodruff
Vote: 12 in favor, 0 opposed, 0 abstention Motion carried

163.1 - 2019	Town of Victor Town Board	Class: 2
Referral Type:	Comprehensive Plan	
Applicant:	Town of Victor	
Brief Description:	Code amendment to add chapter with access management regulations, integrate them with zoning and subdivision chapters, and adopt the Victor Access Management Plan as an amendment to the Town of Victor Comprehensive Plan.	

See information at 163-2019.

163.2 - 2019	Town of Victor Town Board	Class: 2
Referral Type:	Text Amendment	
Applicant:	Town of Victor	
Brief Description:	Code amendment to add chapter with access management regulations; integrate them with zoning and subdivision chapters, and adopt the Victor Access Management Plan as an amendment to the Town of Victor Comprehensive Plan.	

See information at 163-2019.

164 - 2019	Town of Farmington Zoning Board of Appeals	Class: AR-2
Referral Type:	Area Variance	
Applicant:	Crowley, Dan	
Property Owner:	Farmington United Methodist Church	
Tax Map No(s):	29.00-2-23.121	
Brief Description:	Area variance to allow sign with electronic message at Farmington United Methodist Church 5925 CR 41 in the Town of Farmington.	

Policy AR-7: Signs

The County Planning Board has long taken an interest in supporting local efforts to limit excessive signage. The Board has identified SR 96 as a primary travel corridor for tourists visiting Ontario County: The intent is to protect the character of development along these corridors by encouraging local boards to adhere to their adopted laws as much as possible.

A. All applications for signs located on property adjoining primary travel corridors that do not comply with local limits on size and or number.

Final classification: Class 2

Findings:

1. The proposed sign is on land along a corridor identified by the Board as being a primary travel corridor for tourists visiting Ontario County.
2. Protection of the community character along these corridors is an issue of countywide importance.

3. Local legislators have standards for signage that allows for business identification sufficient to safely direct customers onto the specified site.
4. It is the position of this Board that the proposed signage is excessive.
5. Excessive signage has a negative impact on community character.

Final Recommendation – Denial

Comment The referring board should consider the precedent setting impact of their decision and grant the minimum variance necessary to achieve the applicant’s objectives while protecting the character of this key community corridor.

165 - 2019	Town of Farmington Planning Board	Class: 1
Referral Type:	Site Plan	
Applicant:	Finger Lakes Wildlife Center	
Property Owner:	Lord-Astles, John & Erin	
Tax Map No(s):	10.00-1-42.000	
Brief Description:	Site plan, area variance, and temporary use permit for establishment of Finger Lakes Wildlife Center, a wildlife education center on 20 acres at 4949 Fox Road just west of CR 28 in the Town of Farmington. Aerial- site-plan	

The non-profit wildlife center’s mission is to function as an ecological visitor center of the Finger Lakes region through environmental education programs and exhibition of native NYS flora and fauna. The Center is currently a USDA licensed Class 3 Wildlife Exhibitor. All animal enclosures and perimeter fences will be constructed in compliance with USDA and NYSDEC regulations. Such facilities are subject to periodic inspection by USDA.

The 20 acre property currently has a residence, 2,600 SF pole barn with small parking area, large pond and two 300 SF fenced exhibit areas containing potbelly pigs and Nigerian dwarf goats. The currently proposed development project involves construction of a 1,280 SF pavilion and enclosure for a fox exhibit. The pavilion will be half solid roof and half fencing material with 2 additional holding areas with solid walls. The enclosure will be 11.5-9 gauge chain link fencing on all walls, roof and floor. There will also be a 4’ visitor fence designed to keep visitors 3’ from the enclosure and 8-10’ perimeter fencing as a secondary security measure. Phase 1 site modifications will also include two barnyard exhibits and a wetland trail. Initial hours of operation will be weekends and several weekdays 11-4.

The property is zoned A-80 which allows a mix of agricultural, residential, and recreational uses. The submitted site plan materials also indicate full build out plan to accommodate 15 native and domestic species exhibits; a dock by the pond; classroom/gift shop/visitor center; amphitheater; and transition to solar/wind energy source.

According to OnCor the property is in an agricultural district. There are steeply sloped areas along a portion of the Fox Road frontage and bordering the muck land/floodplain area along the western third of the southern property boundary. The on-site muck land/floodplain is part of a large area extending southwest along an unnamed tributary of Ganargua Creek. On-site soils include 10 acres of loam fill and 8.5 acres of muck.

Comments

1. The site plan provided does not clearly indicate the location of the proposed fox enclosure nor delineated wetland areas. The proposed trail appears to be located within the 100’ buffer associated with the DEC wetland.
2. What is the capacity of the existing parking area?

Board Motion: A motion to retain referrals 155-2019, 155.1-2019, 158-2019, 159-2019, 165-2019, 165.1-2019, 165.2-2019, 167-2019, 167.1-2019, 168-2019, and 168.1-2019 as Class 1s and return them to the local boards with comments.

Motion made by: David Wink

Seconded by: Steve Groet

Vote: 12 in favor, 0 opposed 0 abstentions Motion carried.

165.1 - 2019	Town of Farmington Zoning Board of Appeals	Class: 1
Referral Type:	Area Variance	
Applicant:	Finger Lakes Wildlife Center	
Property Owner:	Lord-Astles, John & Erin	
Tax Map No(s):	10.00-1-42.000	
Brief Description:	Site plan, area variance, and temporary use permit for establishment of Finger Lakes Wildlife Center, a wildlife education center on 20 acres at 4949 Fox Road just west of CR 28 in the Town of Farmington.	

See information at 165-2019.

165.2 - 2019	Town of Farmington Planning Board	Class: 1
Referral Type:	Temporary Use Permit	
Applicant:	Finger Lakes Wildlife Center	
Property Owner:	Lord-Astles, John & Erin	
Tax Map No(s):	10.00-1-42.000	
Brief Description:	Site plan, area variance, and temporary use permit for establishment of Finger Lakes Wildlife Center, a wildlife education center on 20 acres at 4949 Fox Road just west of CR 28 in the Town of Farmington.	

See information at 165-2019.

166 - 2019	Town of Farmington Planning Board	Class: 1
Referral Type:	Site Plan	
Applicant:	Lyons National Bank	
Property Owner:	Furfari, Peter	
Representative:	Swedrock, J Lincoln	
Tax Map No(s):	29.73-1-50.000	
Brief Description:	Site plan for new development, demolition and renovation at the Hathaway House, 1423 Hathaway Drive in the Town of Farmington to accommodate Lyons National Bank. Site Plan Air Photo	

This project was previously reviewed in conjunction with an area variance referral in July as 147-2019. The area variance has been granted. The site plan submission includes additional details regarding grading, stormwater management, landscaping, signage, and lighting. A bio-retention basin will treat much of the site stormwater. Lighting will conform to Town and NYS banking standards. The site will have a sign on the new building and a monument sign along SR 332. The applicant will retain existing trees along the CR 41 frontage. The Town historian reviewed the plans and requested minor changes

July 2019 Project Descriptions

Applicant is seeking to redevelop a 1.6 acre property on the northwest corner of State Route 332 and County Road 41 from a farm house with associated farm buildings (the Hathaway House) into a full service bank with parking and drive-through. Access to the site will be via curb cuts onto Hathaway Drive to the east and a potential 2nd curb cut from Hathaway Drive through RG&E owned property associated with an adjacent substation. Hathaway Drive continues north to intersect with Calm Lake Drive and Mercier Boulevard, which provides a traffic signal and access to northbound and southbound SR 332.

The original portion of the 2-story farm house will remain. The large barn and two smaller sheds will be removed and replaced with a large barn like structure attached to the rear of the house. There will be three drive-through lanes with queuing capacity for 32 vehicles and 28 parking spaces. Public water and sewer serve the site.

July 2019 CRC Comment The driveway entrance from Hathaway Drive provides only approximately 100' of corner clearance. A minimum corner clearance of 125' is desired.

August 2019 OCSWCD Comments

1. Topsoil stockpile location should be evaluated based on indicated drop inlet location. It will be difficult to maintain inlet protection in that area as indicated on the plans.
2. Recommend using a low to no phosphorus fertilizer for all seeding
3. Winter stabilization methods have not been specified in the construction erosion control notes as indicated.

CRC Comment Demolition debris should be recycled if possible or disposed of in a licensed facility.

Board Motion: A motion to retain referral 166-2019 as a Class 1 and return it to the local board with comments.

Motion made by: David Wink

Seconded by: Ruby Morrison

Vote: 12 in favor, 0 opposed, 0 abstention **Motion carried**

167 - 2019	Town of Victor Planning Board	Class: 1
Referral Type:	Site Plan	
Applicant:	Poole, Zachary & Alyssa	
Representative:	Pardi Partnership Architects	
Tax Map No(s):	28.03-1-33.00	
Brief Description:	Site plan and special use permit for 12 bed assisted living facility in existing 4,200 SF structure at 1440 SR 444 adjacent to Ganondagan State Historic Site in the Village of Victor. -Aerial -site-plan	

The applicant proposed to convert a single story residence on a .478 acre lot into an assisted living facility. The conversion will involve extensive renovation of the interior of the structure and limited additional asphalt to accommodate 4 parking spaces.

CRC Comment Town code requires 1 parking space per 4 beds plus 1 space per employee or 5 spaces total.

Board Motion: A motion to retain referrals 155-2019, 155.1-2019, 158-2019, 159-2019, 165-2019, 165.1-2019, 165.2-2019, 167-2019, 167.1-2019, 168-2019, and 168.1-2019 as Class 1s and return them to the local boards with comments.

Motion made by: David Wink

Seconded by: Steve Groet

Vote: 12 in favor, 0 opposed 0 abstentions **Motion carried.**

167.1 - 2019	Town of Victor Planning Board	Class: 1
Referral Type:	Special Use Permit	
Applicant:	Poole, Zachary & Alyssa	
Representative:	Pardi Partnership Architects	
Tax Map No(s):	28.03-1-33.00	
Brief Description:	Site plan and special use permit for 12 bed assisted living facility in existing 4,200 SF structure at 1440 SR 444 adjacent to Ganondagan State Historic Site in the Village of Victor.	

168 - 2019	Town of Canandaigua Planning Board	Class: 1
Referral Type:	Site Plan	
Applicant:	Marks, Brennan	
Property Owner:	Marine Blue	
Tax Map No(s):	70.00-1-49.113	
Brief Description:	Site plan and special use permit for 330' of internal roadway and related excavations and drainage accommodations to improve access to existing 3.8 acre grass boat storage area behind Blue Marine at 5350 North Street/ CR 30 in the Town of Canandaigua. Aerial- site-plan-	

This 8.8 acre property is zoned Industrial and currently developed with a 6,700 SF building and asphalt parking/storage area at the front of the lot and a 3.8 acre grass boat and boat accessory storage area to the rear.

The proposed site development activities include disturbance of .95 acres to install 100' of culvert, 330' of gravel driveway, and dig a pond area to improve site drainage.

According to OnCOR, the property is in the Canandaigua Lake watershed and an agricultural district. The site is not constrained by wetland, floodplain or steep slope conditions. Dominant soil characteristics are Odessa silt loam with 1 to 3 percent slope. Site soils are prime farmland if drained; subject to very high erodibility and moderately low permeability and classified as partially hydric and in the C/D hydrologic soil group.

Comments

1. No analysis is provided to evaluate the impact of drainage changes on discharges to neighboring property to the east or existing agricultural drainage systems.
2. Given overall site acres, it appears the boat storage area is greater than 3.8 acres. No information is provided to document compliance with 70 % storage/impervious surface coverage standard or to waive the limit, since the storage area is not paved.
3. No comments received from Canandaigua Lake Watershed Manager.

CRC Comment Care should be taken to avoid leakage of toxic fluids from boats.

Board Motion: A motion to retain referrals 155-2019, 155.1-2019, 158-2019, 159-2019, 165-2019, 165.1-2019, 165.2-2019, 167-2019, 167.1-2019, 168-2019, and 168.1-2019 as Class 1s and return them to the local boards with comments.

Motion made by: David Wink

Seconded by: Steve Groet

Vote: 12 in favor, 0 opposed 0 abstentions Motion carried.

168.1 - 2019	Town of Canandaigua Planning Board	Class: 1
Referral Type:	Special Use Permit	
Applicant:	Marks, Brennan	
Property Owner:	Marine Blue	
Tax Map No(s):	70.00-1-49.113	
Brief Description:	Site plan and special use permit for 330' of internal roadway and related drainage accommodations to improve access to existing 3.8 acre grass boat storage area behind Blue Marine at 5350 North Street/ CR 30 in the Town of Canandaigua.	

169 - 2019	Town of Canandaigua Planning Board	Technical Review
Referral Type:	Technical Review	
Applicant:	Amering, Alex	
Property Owner:	Community Bank National Association	
Tax Map No(s):	84.00-1-28.110	
Brief Description:	Technical review of car wash on 1.9 acre site west of CR 10 in the Town of Canandaigua. Site-Plan	

The proposed car wash is 4,220 SF. Other site development features include 15 vacuum stations in two locations, refuse and recycling enclosure, wastewater reclamation tanks, and 5 parking spaces.

This project would involve demolition of the Community Bank building and elimination of the southernmost access connection located approximately 55' from the CR 10/US 5 & NYS 20 intersection. The site plan shows two 2-way curb cuts: one is within 30' from the northern lot line and an estimated 50' from the next access to the north, the other is minimally off-set from a driveway to a shopping center on the opposite side of the road and in the functional area of the CR 10/US 5 & NYS 20 intersection where southbound vehicles are transitioning to right and left turn lanes.

According to OnCOR, there are no development restrictions related to wetlands, floodplains or steep slopes on the property or along the northern property boundary.

Comments

1. The referring body should seek advice from a traffic engineer regarding how best to maintain road capacity and safety in the face of redevelopment of this area. It would likely be desirable to secure a cross access easement to provide full movement access to this property from the restaurant access on the parcel to the north at 3140 CR 10. This driveway is at a 4 way intersection aligned with an access to the shopping center across the street.

OCDPW Comments

Applicant shall provide a Traffic Impact Study (TIS) for the project and submit for our review. The applicant's traffic consultant should contact the NYSDOT & OCDPW to coordinate the selection of the study area for the TIS. The County will retain an outside consultant to complete a technical review of said TIS. As a condition of the County highway work permit application and in

consideration of the issuance of the permit, the permittee will be required to reimburse the County for all cost of said consultant TIS review services. Applicant must provide justification for the two (2) access points onto CR 10. The accident rate along this segment of CR 10 is elevated and an accident analysis must be made part of the TIS. The proposed northerly access point appears to be the best option because it provides the most separation to the offset existing driveway at #3189/#3211 CR 10 (Gas Station) and is within the area of the 2-way left-turn lane & beyond the transitions to the turn lanes for the 5 & 20.

CRC Comment Demolition debris should be recycled if possible or disposed of in a licensed facility.

170 - 2019	Town of Victor Planning Board	Withdrawn
Referral Type:	Site Plan	
Applicant:	Rand Management LLC	
Property Owner:	Erikson, Soren	
Tax Map No(s):	15.01-1-9.000	
Brief Description:	Site plan for construction of a 2,000 SF pole barn at 7710 Victor-Mendon Road/SR 251 in the Town of Victor.	

171 - 2019	Town of Victor Planning Board	Exempt
Referral Type:	Subdivision	
Applicant:	Christopher, Felix	
Representative:	Thornton Engineering LLP	
Tax Map No(s):	5.01-1-25.006	
Brief Description:	Two lot subdivision with previously referred and approved area variance at 7850 Royal Woods in the Town of Victor.	

172 - 2019	Town of Richmond Planning Board	Class: 2
Referral Type:	Site Plan	
Applicant:	The Broadway Group LLC	
Property Owner:	Kenterprise II, LLC	
Tax Map No(s):	135.20-2-11.2 135.20-2-11.1	
Brief Description:	Site plan for a 10,640 SF Dollar General store at 8673/8677 Main Street in the Town of Richmond. -Aerial-w/Enviro -site-plan -landscape-plan	

These two lots encompass 3.1 acres with 325' of frontage on SR 20A and are currently developed with 2 individual driveways providing access to one single family and one 2 family home. Existing adjacent land uses include a three family home to the east, Mill Creek and Sandy Bottom Park to the south, a professional office building to the west, a Commodore Plastics manufacturing facility to the north and Town Hall to the northwest. The properties are zoned F – Industrial. The westernmost lot includes a bridge to allow passage over an existing drainage way to the rear of the lot.

According to OnCOR, NYS 20A and all lands south of the roadway on both properties and west to Honeoye Creek are in the floodplain. Most of the residential property to the east and the Sandy Bottom Park lands are also in the floodplain. The Sandy Bottom Park lands are also identified as wetlands on the NWI.

The development plan calls for removal of the row of cedar trees in the highway ROW along both property frontages and all other existing trees on the properties. Replacement trees include six 2" caliper deciduous trees along the western property and three 2" trees and 39 ground cover type shrubs along the frontage at the western side of the site. The plan includes a 12' public access easement to Mill Creek along the eastern most property boundary.

The proposed 3 lane access driveway is located 115' from the eastern most property boundary. This location is approximately 115' east of the westernmost Commodore driveway. The speed limit on 20A is 35 MPH. Based on draft Town and Village of Victor access management standards, desirable connection spacing is 245' on an arterial roadway with a posted speed limit of 35 or less. There are 35 proposed parking spaces. One row of parking spaces is located in the 50' front setback.

The finished floor elevation is indicated as 810' and parking lot elevations are in the 808'/809' range. No information is provided on the floodplain elevation. The stormwater collection systems discharges to a retention pond located to the south and west of the proposed building. The grading plan indicates 1,000 CY of cut and 3,600 CY of fill resulting in a 2,600 CY decrease in the flood storage capacity of the area.

Comments

1. The applicant should be required to document that the development activities proposed (removal of trees and impervious surfaces) do not decrease the flood storage capacity in this flood prone area. FEMA is currently updating floodplain information throughout Ontario County and the municipal engineer should consult these maps and studies to assess the appropriateness of building anything in this area.
2. The store parking area is likely to flood periodically. The referring body may want to require a letter of credit to cover any parking area repairs in the first 2 years of operation.
3. This project requires a floodplain development permit. The Town of Richmond Flood Development Permit regulations are not available on-line. See GFLRPC's model flood development permit application ([click here](#)) for type of information that should be reviewed by Board and municipal engineer. The referring Board members and municipal engineer should also at a minimum consider the information/impacts outlined in the NYSDOS Flood Hazard Area application checklist ([click here](#)) and the GFLRPC's site plan checklist for flood prone properties ([click here](#)) that identifies the need to document retention/detention facilities based on the 24 hour 100 year storm.
4. As summarized in the County Planning Board By-Laws and presented in the 5 & 20 Corridor Study West [click here](#) and 5& 20 Corridor Design Guidelines [click here](#) preservation of hamlet character requires attention to the building form and site layout. Desirable character elements include parking to the side or rear; pitched roofs; frontage, foundation, and parking area landscaping and landscaped buffers to residential uses; appropriate building height to width proportions (1:1.5) and appropriate façade elements such as windows and awnings.
5. The proposed building signage is composed of letter 3' 9" tall. Based on a sign manufacturer's website, 42" letter provide readability at a distance of 1,750' and "best" impact at 420'. These numbers do not appear to take into consideration the low 35 MPH speed limit in the site vicinity. <https://www.signazon.com/help-center/sign-letter-height-visibility-chart.aspx>
6. The Town of Richmond is currently updating its Comprehensive Plan and will begin work on a hamlet active transportation plan in September 2019. The Town Board may want to consider a temporary moratorium on land development in the hamlet are pending completion of current planning and associated revised zoning.
7. Will there be any signage in addition to the building signage?
8. The scale of the existing 36" to 48" caliper trees in relation to the 2" replacement trees is deceptive.
9. How does elevation of building above floodplain impact sewage flow?

OCSWCD Comments

1. Stormwater discharge point from detention pond is concentrating flow and directing to adjacent property.
2. Detention pond indicated but outflow pipe set at 805.5 elevation.
3. Pond does not seem to provide adequate volume for stormwater management.
4. FEMA Q3 floodplain elevation not indicated on plans.

OCDPW Comments

NYSDEC must review all connections to sewers in the Honeoye Lake Sewer District, other than connections from single family homes.

NYS DOT There is no reason to remove the existing trees in the ROW.

CRC Comment Demolition debris should be recycled if possible or disposed of in a licensed facility.

Findings:

1. The location of the proposed development is within the 100 year floodplain and has experienced flooding in 3 of the last 6 or 7 years.
2. The applicant proposes to deposit a net of 2,600 CY of fill on the development site.
3. FEMA is in the process of update flood insurance rate maps and the applicant provided no indication of examination of available updated floodplain/stream information.
4. The applicant has not provided a letter from FEMA concluding the proposed development has demonstrated through a detailed engineering study that the proposed fill would not cause any encroachment of floodwaters on adjacent properties.
5. Ontario County Planning Board By-Laws Section 8.3 Other Natural Features presents the Ontario County policy of minimizing fill in floodplains to avoid cumulative impacts from numerous small encroachments.
6. Ontario County Planning Board By-Laws sections 8.4 Transportation and 8.6 Historic and Cultural Resources and Community Character identify corridor studies and summarize desirable design elements for village/hamlet areas such as Honeoye. Key design principles include maintaining the pedestrian character of hamlet areas through appropriately scaled and located buildings with visually appealing architectural features. The purpose of such studies and design guidelines and standards is to guides local communities as they consider development to ensure such development contributes to maintaining Ontario County as a desirable tourism destination and maintains quality of life for residents.

Board Motion: A motion to retain referrals 172-2019 as Class 2 and return it to the local board with comments and a recommendation of disapproval.

Motion made by: Ruby Morrison

Seconded by: Paul Passavant

Vote: 11 in favor, 0 opposed 1 abstention (Len Wildman) Motion carried.

General Information

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

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

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

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

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

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

Note: l, (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).

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 1

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)

- Reminder to members there is authorization for BOS to appoint alternate members. If you know anyone who is interested, please forward contact information.
- Thanks to Bert and Dee Crofton for hosting the summer social.
- Thanks to Linda Frasca, who is retiring, for her years of service.
- Training
Thursday, August 29, 2019, 8am to 12pm. N.Y.S. D.E.C. Endorsed 4 Hour Erosion and Sediment Control Training:
Location: Farmington Town Hall 1000 County Road 8, Farmington, NY 14425. Cost: \$100 per person, non-refundable. Pre-payment required; checks must be received by August 23, 2019. Contact Ontario County Soil & Water Conservation District at (585) 396-1450 to register. Presented by: Ontario County Soil & Water Conservation District Megan Webster, CPESC and Katie Cappiello, NYS E&SCC

- Wed. September 11, 2019** 6 pm before CPB meeting, review of Victor Access Management Plan and related Local Laws
- Other info to share
Livonia –Sept. referral of LL to enact a temporary moratorium on large scale battery storage.

Through September 6, 2019 NYSDEC is accepting public comments. Below link opens a fact sheet that invites public comment about a draft work plan to investigate contamination at the G.W. Lisk Company, Inc. Site #C835026 (Clifton Springs, Ontario County) within New York's Brownfield Cleanup Program:

<http://www.dec.ny.gov/data/der/factsheet/c835026riwp.pdf>.

September 11, 2019, 9:00 am –11:00 am NYS DEC Urban and Community Forestry Grant Information Session, DEC Office, 6274 East Avon-Lima Road, Avon, NY 14414. The NYS Urban and Community Forestry program is pleased to present information sessions to assist potential applicants in preparation for the Round 15 grant. The application for funding is expected to be available in the fall of 2019. Project categories include planting, maintenance, tree inventories, forest management plans and education programs.

Canandaigua Lake Water Trail! On July 18, the Canandaigua Lake Watershed Council, Finger Lakes Visitors connection and several other partners announced the official launch of the trail. The trail has a brand-new website, brochure and full Water Trail brochure. The trail has everything a paddler needs to know about accessing our beautiful lake. From novice to expert the trail map is very helpful, with a comprehensive list of the 20 launch and destination sites along the lake. The map also points out helpful information like emergency access sites, restrooms, and nearby restaurants! Check out the website CanandaiguaLakeWaterTrail.com or stop in to Visitor Connection office for your brochure.

Adjournment: Being no further business for discussion, Chair Wildman requested a motion to adjourn. **Motion to adjourn made by David Wink, seconded by Ruby Morrison. Motion carried.** The August 14, 2019 CPB meeting adjourned at 9:15 PM.

Respectfully submitted,

Linda Phillips

Linda Phillips, AICP
Senior Planning