

ONTARIO COUNTY PLANNING BOARD

Wednesday, April 8, 2026, Time: 7:00 PM

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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 www.ontariocountyny.gov/97/Planning

1. Call to Order

Chair Passavant called the Wednesday, April 8, 2026, Ontario County Planning Board meeting to order at 7:04 PM.

2. Roll Call

Upon roll call, the following members were:

Present:

Ruth Cahn

Burch Craig

Dan Crowley

Lisa Grefrath

Stephen High

Thomas Kugris

Ted Liddell

A.J. Magnan

Chris Mergler

Paul Passavant

Jamie Purdy

Leonard Wildman

Ryan Wilmer

Ben Wickham

Absent:

Jack Dailey

Excused:

Ed Kaiser, Paul Lambiase, Tammy Worden

Present (Voting): 14, Present (Not Voting): 0, Absent: 1, Excused: 3

Guests: Guests (2) - 50.0-2026 & 50.1-2026; Joe Trabold (MRB Group) - 52.0-2026 & 52.1-2026

3. Approval of Minutes:

Burch Craig motioned to approve the minutes of the March 11, 2026 County Planning Board meeting. The motion was seconded by Chris Mergler. The motion passed.

4. Old Business:

PLEASE BE AWARE OF A RECENT SCAM THAT IS GOING AROUND. THERE ARE NO FEES FOR COUNTY PLANNING BOARD REVIEW. YOU SHOULD NEVER RECEIVE AN INVOICE FROM THE ONTARIO COUNTY PLANNING BOARD.

5. New Business:

6. Town of Canandaigua

43-2026 (AR2) Area Variances (2) for the tear down/ rebuild a single-family dwelling with associated site improvements — at 4699 North Menteth Drive. Area variances are for: (1) building coverage of 15.9% when no greater than 15% is permitted, and (2) lot coverage of 29.0% when no greater than 25% is permitted.

Municipality: Town of Canandaigua
Referring Board: Zoning Board of Appeals
Application Type: Area Variance
Class: AR2
Property 140.11-1-16.000
Information
(Address & ID):

Description & Review Comments:

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 on 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 the over development of lakefront lots and support the clearly stated interests 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 surfaces lead to increased runoff and pollution.
4. Runoff from lakefront development is more likely to impact water quality.
5. It is the position of this Board that the legislative bodies of lakefront communities have enacted setbacks and limits on lot coverage that allow reasonable use of lakefront properties.
6. Protection of community character, as it relates to tourism, is a goal of the CPB.
7. It is the position of this Board that numerous variances can allow over development of properties in a way that negatively affects public enjoyment of the Finger Lakes and overall community character.
8. It is the position of this Board that such incremental impacts have a cumulative impact that is of countywide and intermunicipal significance.

Final Recommendation: Denial

Comments:

1. The referring body is encouraged to grant only the minimum variance necessary to allow reasonable use of the lot.
2. The applicant and referring agency should consult with the Ontario County Highway Department and ensure that the sight distances for the proposed driveway comply with standards established by the American Association of State Highway and Transportation Officials (AASHTO).
3. The applicant and referring agency are strongly encouraged to involve the Canandaigua Lake Watershed Inspector or the Ontario County Soil and Water Conservation District as early in the review process as possible to ensure proper design and placement of onsite septic.
4. The applicant and referring agency are strongly encouraged to involve Canandaigua Lake Watershed Manager as early in the review process as possible to ensure proper design and implementation of storm water and erosion control measures.

OCSWCD Comment

1. A new onsite wastewater system is required for the tear down/rebuild of this proposed residence. A soil investigation has not been conducted to identify the size and scope of this wastewater system. Given the size of the proposed residence and the limited area allocated to a wastewater system, this office cautions any approvals being granted prior to a soil investigation/preliminary wastewater system design.

Attachments:

1. Aerials

2. Site Plan
3. Existing Conditions
4. Test Questions
5. ZBA App
6. March 2026 SEAF
7. DEC Letter
8. Grading Release Statement
9. ZLD

44-2026 (Class 2 /A) Amendments to Town Code Chapter 220-32 - Uptown Canandaigua Form-Based Code.

Municipality: Town of Canandaigua
Referring Board: Town Board
Application Type: Text Amendment
Class: Class 2 / A
Property Information (Address & ID): N/A

Description & Review Comments:

The Town of Canandaigua submitted their Uptown Canandaigua Form-Based Code for technical review to the Ontario County Planning Board in November 2025 as referral # 178-2025.

The Town of Canandaigua is proposing amendments to Chapter 220-32 (Uptown Canandaigua Form Based Code) based on several years of implementation experience since its 2021 adoption. The amendments aim to maintain the original vision of a vibrant, walkable, mixed-use corridor, as outlined in the 2018 Uptown Corridor Study and Comprehensive Plan, while improving clarity, efficiency, and feasibility of the regulations.

Key updates address procedural complexity, approval timelines, and design standards that have proven difficult or cost-prohibitive, with an emphasis on expanding administrative review, refining development thresholds, and increasing flexibility in site and building design.

The changes are intended to promote reinvestment and redevelopment along the Route 332 corridor, strengthen walkability and public realm design, support economic development and housing opportunities, and enhance environmental stewardship through improved landscaping, lighting, and site design standards.

The amendments also clarify the roles of the Town Board, Planning Board, Zoning Board of Appeals, and Environmental Conservation Board, reducing the need for variances and streamlining inter-board coordination. Overall, the revisions are characterized as implementation-focused refinements that improve usability and predictability of the code while preserving the Town's adopted policy direction and community vision.

Relevant November 2025 Staff Comments

1. Does the code text make clear whether FBC subareas are shown on the zoning map?
2. Use caution regarding statements of the same or similar standards in multiple locations to avoid future inconsistencies.
3. Avoid multiple similar definitions by cross-referencing and use terms defined.
4. Specify the many uses of landscaping to provide desirable street scape, foundation plantings, sign and parking area landscaping, and use of landscaping to screen and buffer use from adjacent uses and/or the public ROW.

Comment

1. The Town should consider strengthening requirements for buffering and transitions between mixed-use areas and adjacent residential uses.

CRC Comments

1. The Town is encouraged to incorporate provisions within the form-based code that promote energy efficiency, energy use reduction, and onsite renewable energy generation (e.g., building orientation, design standards, and solar readiness), consistent with State and regional sustainability goals.
2. Has the Town has adopted, or is considering adoption of, the currently enforced New York State Energy Code to further advance high-performance building practices and energy conservation.

Attachments:

1. Form Based Code (2026 Final)
2. CEO Memo
3. ECB Memo
4. Application
5. Subareas from 2025 Tech Review

CPB Comments

1. The County Planning Board recommends that the Town incorporate provisions within the form-based code to address ADA compatibility. Specifically, the Board encourages the inclusion of design standards that promote accessible features such as zero-step entries and minimum 36-inch-wide doorways to enhance usability for individuals of all abilities.
2. The County Planning Board recommends that the Town ensure balconies and upper-story stepbacks are designed and constructed in accordance with the New York State Uniform Fire Prevention and Building Code. The Board emphasizes adherence to applicable safety standards to protect occupants and pedestrians, including requirements related to structural integrity, railings, and safe building design.
3. The Town of Canandaigua is commended for the timely review and refinement of its Uptown Form-Based Code.

Board Motion: To retain referral 44-2026 as a class 2 and return to the local board with recommendation for approval with comments.

Motion made by: Dan Crowley, **seconded by:** Chris Mergler. **Vote:** Yes 14, No 0, Abstained 0.
The motion: Passed.

45-2026 (Class 2 / A) Amendments to Town Code Chapter 165 — Soil, Erosion, and Sediment Control.

Municipality: Town of Canandaigua
Referring Board: Town Board
Application Type: Text Amendment
Class: Class 2 /A
Property Information (Address & ID): N/A

Description & Review Comments:

A summary of the edits is as follows:

- Lowered permit thresholds: Reduces (stripping/grading) disturbance trigger from 10,000 to 500 square feet and (excavating/filling) disturbance from 100 to 5 cubic yards, expanding applicability of the law.
 - The Town's definition for disturbance is, "*The removal of vegetation, any and all excavation (including but not limited to the use of motorized machinery on soil), grading, grubbing, excavation, stockpiling, filling, removal of soil or rock, demolition of existing structures, access created for construction purposes, drilling, trenching, benching, terracing, backfilling, storm and erosion control work, embankment stabilization, installation or construction of catch basins, culvert piping, swales, ditches, rip rap, construction entrances, driveways (including shared), retaining walls or improvements of a similar nature, utility work, placing or filling soil on top of the natural vegetative cover and the conditions resulting from any of such activities. Land disturbance does not include routine maintenance that is performed to maintain the original line and grade, hydraulic capacity, or original purpose of a facility or agricultural use*".
- According to Town Code Section 165-8, exemptions to the permit include:
 - Agricultural operations;
 - Activities subject to permits for commercial excavation under Chapter 220, Zoning;
 - Governmental activities to the extent such activities are exempted by law;
 - Household gardening and activities on existing developed lots related to the maintenance of landscape features, septic disposal systems, wells, water systems, walks and driveways, provided the thresholds of
- Expanded oversight in sensitive areas: Maintains stricter controls for steep slopes, wetlands, floodplains, and areas near Canandaigua Lake, now affecting smaller-scale activities.
- Clarified review authority: Distinguishes between Administrative Official and Planning Board review; integrates permit review with subdivision, site plan, and special use permit processes.
- Standardized application procedures: Establishes consistent submission requirements,

including maps, plans, and construction sequencing details

- Updated technical standards: References current New York State Standards and Specifications for Erosion and Sediment Control.
- Improved administrative consistency: Aligns definitions and procedures with other Town Code chapters for ease of use by staff and applicants.
- Enhanced enforcement provisions: Updates (increases) penalty range from \$50-\$100 to \$500 - \$1,000 and a subsequent fine increase from \$250 - \$1,000 to \$1,000 - \$1,500.
- General edits for clarity: Includes formatting, wording, and organizational improvements throughout the chapter.

Comment

1. The referring board may wish to ensure clear criteria are established for waiver allowances, in order to guide consistent application of such waivers.

Attachments:

1. Resolution
2. Soil Erosion and Sedimentation Control DRAFT
3. Application
4. Memo

CPB Comments

1. The proposed reduction in disturbance thresholds (to 500 SF / 5 cubic yards) represents a significant expansion of permit applicability. The referring board should confirm that the Town has adequate administrative capacity to implement and enforce this increased workload.
2. Given the low disturbance thresholds, the Town may wish to consider a simplified or expedited review process for minor projects to reduce administrative burden while maintaining environmental protections.
3. The referring Board is encouraged to ensure exemptions are clear and well defined, as well as what other disturbance types (besides stripping, grading, excavating, filling) are permitted above the 500 SF / 5 cubic yard thresholds.
4. Are gardening/landscaping activities (ex: bringing in soil for a garden, adding mulch around house, removing bushes) regulated under these new thresholds? Do these fall under stripping, grading, excavating, and/or filling?

Board Motion: To retain referral 45-2026 as a class 2 and return to the local board with recommendation for approval with comments.

Motion made by: A.J. Magnan, **seconded by:** Dan Crowley. **Vote:** Yes 14, No 0, Abstained 0.
The motion: Passed.

46-2026 (Class 2 / A) Map Amendment to rezone multiple parcels (7) totaling approximately 75 acres (zoned AR-2, R-1-20, CC, and MUO) to the Planned Unit Development District (PUD) — along State Route 332 and Canandaigua-Farmington

Townline Road.

Municipality:	Town of Canandaigua
Referring Board:	Town Board
Application Type:	Map Amendment
Class:	Class 2 / A
Property Information (Address & ID):	55.02-1-7.100; 55.02-2-14.000; 55.02-3-117.200; 55.02-3-117.300; 55.02-3-119.110; 55.02-3-996.110; 55.02-3-996.130

Description & Review Comments:

This proposal is for the rezoning of ± 75 acres which are located along the west side of NYS Route 332 to the south of Canandaigua Farmington Townline Road at the northern limits and to the north of Purdy Road at the southern limits to the Planned Unit Development District (PUD). The proposed PUD represents a mixed-use development containing the following residential and commercial uses:

- Multi-Family Residential: 226 residential town home rental units in 32 buildings (± 50.9 acres).
- Single-Family Residential: 9 for-sale, single-family lots (± 6.7 acres).
- Commercial (6 lots with access to NYS Route 332):
 1. Lot 1: containing the existing Genecco's Farm Market (± 3.8 acres).
 2. Lot 2: proposed commercial lot (use to be determined) (± 1.2 acres).
 3. Lot 3: proposed commercial lot (use to be determined) (± 1.2 acres).
 4. Lot 4: proposed commercial lot (use to be determined) (± 1.2 acres).
 5. Lot 5: 259 proposed mini-storage units in seven (7) mini-storage buildings (± 3.7 acres).
 6. Lot 6: containing the existing Genecco Produce structures (± 4.3 acres).

The residential components are located to the west of the proposed commercial uses on the subject property. Access to the residential portion of the project will be via a new public road connection bisecting the property from north to south connecting Canandaigua Farmington Townline Road and Purdy Road.

Private roads serving multifamily residential uses are proposed off the main public road right-of-way. Mobile Road is proposed to be dedicated to the Town of Canandaigua to provide a third access point via the existing connection to NYS Route 332 to serve the single-family residential portion of the development.

The proposed single-family residential lots have been located at the southern end of the proposed PUD development to be adjacent to the existing single-family residential lots which have frontage on Mobile and Purdy Roads. The multifamily residential townhouse structures extend to Canandaigua Farmington Townline Road, mirroring the Stone Hedge Village Townhouses community on the north side of the road.

Public water and sewer connections are proposed. There are two conceptual stormwater management areas shown on the submitted sketch plan.

Resident amenities proposed within the proposed PUD development include:

- Community Clubhouse
- Guest parking areas
- Street trees
- Streetlights
- Cluster mailbox locations
- Open Space areas for active and passive recreation opportunities.
- Public roadway also includes a public concrete sidewalk system for pedestrians to utilize within the right-of-way connecting Canandaigua Farmington Townline Road to Purdy Road. NYS Route 332 currently does not have a sidewalk/path option for pedestrian mobility and connectivity in the vicinity of the proposed PUD development.
- Public stone dust trail connecting Canandaigua Farmington Townline Road to Purdy Road (extension of the Auburn Trail network).

According to Oncor:

- Subject parcels are primarily vacant, with the commercial parcels mentioned previously along State Route 332. Surrounding parcels are primarily residential, with vacant land across State Route 332 to the east.
- Land cover is primarily a successional old field and shrubland combination.
- Subject and surrounding parcels are all in the Ontario County Agricultural District – except for the residential parcels to the south and Stella’s Florist at the corner of State Route 332 and Purdy Road.
- Slope is little to none (0-9% gradient).
- NYS DEC Informational Wetlands are located on the southern edge of the subject parcels along Purdy Road.

Comments

1. The applicant and referring Board should consider development-wide energy generation and energy use reduction strategies, such as solar, geothermal, or high-efficiency materials and equipment? The referring Board/municipality is encouraged to evaluate the feasibility of incorporating such measures and to consider requiring their use where appropriate.
2. The applicant should confirm whether there is sufficient water capacity available for this subdivision.
3. Will Canandaigua City School District provide bus service to the development, and if so, where will designated pickup locations be situated? The Board further asks whether any sheltered pickup areas are proposed, and whether sufficient space exists onsite to safely accommodate school bus traffic, including pick-up and turnaround movements.
4. Is there adequate space for emergency vehicle turnaround if needed?
5. The referring Board should consider requiring that the developer provide a portion of units at costs affordable to average-sized households (families) at or below 100% of the annual median income.
6. How many of the units will be ADA compliant or visitable by providing a zero-step entry, 36’ doorways, and access to a bathroom?
7. At the start of each phase, the referring board is encouraged to require the applicant to adhere to the code/design standards in place at that time – not what was in place at the start of the project.

8. Within/along the parcel are DEC Informational Wetlands and will require a Jurisdictional Determination request from the NYSDEC.
9. The applicant and referring agency should consult with the Ontario County Highway Department and NYSDOT to ensure that the sight distances for the proposed development entrances comply with standards established by the American Association of State Highway and Transportation Officials (AASHTO).

NYSDOT Comments

1. Please provide a Traffic Impact Study, including analysis of the following intersections:
 - o NYS Route 332 / Canandaigua Farmington Townline Road.
 - o NYS Route 332 / Purdy Road.
 - o Proposed site access points at Canandaigua Farmington Townline Road, Purdy Road, and NYS Route 332 (Mobile Road).
2. The traffic study should include an evaluation of signal warrants at the intersection of NYS Route 332 / Purdy Road.
3. Please evaluate opportunities for access management (driveway consolidation, cross access, etc.) for the parcels along NYS Route 332.
4. All work along the NYS Route 332 right-of-way will require a Highway Work Permit.

CRC Comments

1. Will the recent \$3 million state grant awarded to the Town of Canandaigua for electric grid infrastructure improvements serve this project/area? Has the applicant received confirmation from NYSEG that capacity will be available for full build out? In 2024, utility providers began notifying developers of electric and gas delivery capacity limitations. Local municipal building and zoning staff are requested to encourage those planning developments with significant new energy use to notify RG&E or NYSEG as appropriate. See utility provider (RG&E and NYSEG) intake form below.
<https://www.ontariocountyny.gov/DocumentCenter/View/47729/NYSEG-RGE-Eco-Dev-Intake-Form2020-rev1>
https://www.ontariocountyny.gov/DocumentCenter/View/47728/NYSEG-RGE-Housing-Intake-Form_2024
2. The referring agency is recommended to consider the inclusion of site amenities as conditions of PUD approval. Some suggestions are: to include pedestrian connectivity (such as a crosswalk linking to existing Town of Farmington sidewalks to the north), installation of EV charging infrastructure within parking areas, and incorporation of onsite energy generation and/or energy efficiency measures to reduce overall energy demand.
3. What is the status of the site plan (referred to as 78-2025 in May 2025) for the proposed wedding / event center at 1880 State Route 332 (corner of SR332 and Purdy Rd.)? The applicant and referring board are recommended to evaluate traffic impacts associated with the project in relation to the proposed PUD, in consultation with the Ontario County Highway Department and NYSDOT, and ensure that sight distances for all proposed access points meet AASHTO standards.
4. Protection of water quality/quantity is a stated goal of the Ontario County Planning Board. The referring board should consider whether the proposed stormwater management infrastructure is adequate given the significant proposed increase in impervious surface.
5. It is recommended that the referring agency verify the residential density calculations

prior to establishing density standards for the proposed PUD. The currently cited density of 3 units per acre may be underestimated and should be confirmed. Adoption of a low unit/acre density could inadvertently constrain the applicant's ability to accommodate the proposed number of residential units within the approved framework.

Attachments:

1. Aerial
2. Sketch Plan
3. LOI
4. Application

CPB Comments

1. As a condition of approval, the County Planning Board recommends that the referring board establish a defined time limit for the Planned Unit Development (PUD) approval. In the event that the approved PUD is not substantially commenced or acted upon within the specified timeframe, the subject parcels should revert to their original underlying zoning classification. This ensures timely project implementation and prevents the indefinite continuation of approvals that may no longer reflect current planning objectives or conditions.
2. Prior to taking action on the proposed PUD, the County Planning Board recommends that the referring board carefully evaluate and clearly define the range of commercial uses to be permitted within the development. Consideration should be given to the potential impacts associated with such uses, including but not limited to traffic generation, site circulation, noise, and compatibility with surrounding land uses. Specific attention should be paid to whether uses such as drive-through facilities will be allowed, and how different activities may influence the overall character and functionality of the development.
3. State Route 332 is considered a primary travel corridor for tourists visiting Ontario County, and it is the intent of the County Planning Board to protect the character of development along these corridors. The Board recommends that any proposed mini-storage facilities be sited toward the rear of the subject parcels, away from State Route 332, to the maximum extent practicable. Additionally, appropriate landscaping and visual buffering should be incorporated to effectively screen these uses from the roadway and preserve the corridor's community character.

Board Motion: To retain referral 46-2026 as a class 2 and return to the local board with recommendation for approval with comments.

Motion made by: Dan Crowley, **seconded by:** Burch Craig. **Vote:** Yes 14, No 0, Abstained 0.
The motion: Passed.

47-2026 (Exempt) Area Variance (for a side setback of 7 ft. when no less than 15 ft. is permitted) for the addition of a new 280 SF detached accessory structure (garage) at 5043 North Road.

Municipality:	Town of Canandaigua
Referring Board:	Zoning Board of Appeals
Application Type:	Area Variance
Class:	Exempt
Property Information (Address & ID):	70.16-4-27.000

Description & Review Comments:

Exempt (See Exemption #1 of Appendix B of the OCPB Bylaws).

Two of the three area variances mentioned in the CRC Agenda/Minutes are no longer required: (1) a rear setback of 3 ft. when no less than 15 ft. is permitted, and (2) an overall building coverage of 22% when no greater than 20% is permitted. Based on the definitions of “lot” and “setback” in Town Code §1-17, it was determined that the entire property is considered a single lot, including the portion located within the City. Accordingly, the municipal boundary between the Town and City is not treated as the lot line for setback purposes, and the proposed building coverage complies with applicable zoning requirements for the overall lot area.

Attachments:

1. Aerial
2. Sketch
3. Test Questions
4. ZBA App

48-2026 (Class 1) Area variance for a proposed lot area of 1.3-acres when a minimum of 3-acres is required — at 5625 Bunnell Road.

Municipality:	Town of Canandaigua
Referring Board:	Zoning Board of Appeals
Application Type:	Area Variance
Class:	Class 1
Property Information (Address & ID):	125.00-1-47.000

Description & Review Comments:

If the area variance is granted, the applicant would like to subdivide the 1.3-acre lot (containing the existing single-family home) from the existing active farmland. The 1.3-acre lot will have approximately 314 ft. of frontage where a minimum of 225 ft. is required. Adjacent parcels to the east are in the R-1-30 zoning district, where lots as small as 30,000 SF (0.69-acres) are permitted. The applicant mentions that they would like to sell the house, while continuing to farm the remaining land.

According to Oncor:

- Subject and parcels to the west are in the Ontario County Agricultural District.
- The subject parcel and parcels to the east are residential in land use. The remaining nearby parcels are primarily agricultural or a mix of agricultural/residential.
- A stream lies along the eastern parcel boundary, and is on the National Wetland Inventory.

What must be proven in order to be granted an area variance? If requesting an area variance, that is, permission to build in an otherwise restricted portion of the property (such as in the required front, side or rear yards, or above the required building height, or in excess of the lot coverage regulations), then state law requires the applicant to show that the benefit the applicant stands to receive from the variance will outweigh any burden to health, safety and welfare that may be suffered by the community. State law requires the ZBA to take the following factors into consideration in making its determination:

1. whether an undesirable change will be produced in the character of the neighborhood, or a detriment to nearby properties will be created by the granting of the area variance;
2. whether the benefit sought by the applicant can be achieved by some method which will be feasible for the applicant to pursue but would not require a variance;
3. whether the requested area variance is substantial;
4. whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and
5. whether an alleged difficulty is self-created.

Unlike the use variance test, the ZBA need not find in favor of the applicant on every one of the above questions. Rather, the ZBA must merely take each one of the factors into account. The ZBA may also decide that a lesser variance than the one requested would be appropriate, or may decide that there are alternatives available to the applicant which would not require a variance. See the submitted ZBA application for the applicants' response to the test questions.

Comment

1. The referring body is encouraged to grant only the minimum variance necessary to allow reasonable use of the lot.

Attachments:

1. Aerial
2. Test Questions
3. Sketch
4. ZBA App
5. Letter of Intent/Support

Board Motion: To retain referrals 48-2026, 51-2026, 55-2026, 59-2026, 60.0-2026, 60.1-2026, and 61-2026 as class 1s and return them to the local boards with comments.

Motion made by: A.J. Magnan, **seconded by:** Burch Craig. **Vote:** Yes 14, No 0, Abstained 0. **The motion** Passed.

49-2026 (Exempt) Subdivision of a 25.5-acre parcel into two equally sized parcels (12.76-acres each) — at 5445 Wells Curtice Road.

Municipality: Town of Canandaigua
Referring Board: Planning Board
Application Type: Subdivision
Class: Exempt
Property 140.00-1-1.200
Information
(Address & ID):

Description & Review Comments:

Exempt (See Exemption #11 of Appendix B of the OCPB Bylaws).

Attachments:

1. Subdiv Plat
2. PB App
3. SEAF

7. Town of Farmington

50.0-2026 (Class 1) Area Variance and Site Plan for the installation of an approximately 100 kW roof-mounted solar array at 0000 Villager Way (portions of 7112, 7114, 7116, & 7118 Villager Way on Oncor). The area variance is for a building-mounted / building-integrated large-scale solar PV system that has a system capacity greater than 25 kW or that can generate more than 110% of the kWh of electricity consumed over the previous twelve-month period. 50.0-2026 is related to the area variance, and 50.1-2026 is for the site plan.

Municipality: Town of Farmington
Referring Board: Zoning Board of Appeals
Application Type: Area Variance
Class: Class 1
Property 17.00-1-67.400; 17.00-1-67.300; 17.00-1-67.200; 17.00-1-67.100
Information
(Address & ID):

Description & Review Comments:

The parcels were previously referred to the County Planning Board in March 2025 as referrals 40.0-2025 and 40.1-2025, “*Preliminary Site Plan and Re-subdivision to construct a 38,600 SF office building and adjoining 25,000 SF (Industrial/Manufacturing) warehouse with related site improvements — at 6100 Loomis Rd. and 9 additional contiguous parcels, just north of Loomis Rd., in the Town of Farmington*”. Both 40.0-2025 and 40.1-2025 were Class 1s.

The area variance is required because the array generates greater than 25 kW of power and there is no existing utility usage history available to demonstrate compliance with the 110% threshold. The applicant mentioned that the system has been appropriately sized based on the anticipated electrical demand of the building and is intended to operate within the 110% threshold once occupied/operational.

The proposed system will consist of a roof-mounted array utilizing (267) solar PV panels, (1) 100kW string inverter with power optimizers. The system is designed to be installed directly on the roof surface to maintain a low profile and integrate seamlessly with the building's architecture. The solar array will not extend beyond the roofline and will be positioned to avoid obstruction of neighboring views or creating any visual nuisance. The system will serve only the onsite electrical needs of Villager Construction's corporate office and will not involve any off-site distribution. There is no disturbance proposed for the project.

An operation agreement with a decommissioning plan was provided.

The applicant representative was present for the April 8 County Planning Board Meeting and mentioned that there will be no onsite battery energy storage associated with the proposed solar array, and surplus energy will go back into the grid.

What must be proven in order to be granted an area variance? If requesting an area variance, that is, permission to build in an otherwise restricted portion of the property (such as in the required front, side or rear yards, or above the required building height, or in excess of the lot coverage regulations), then state law requires the applicant to show that the benefit the applicant stands to receive from the variance will outweigh any burden to health, safety and welfare that may be suffered by the community. State law requires the ZBA to take the following factors into consideration in making its determination:

1. whether an undesirable change will be produced in the character of the neighborhood, or a detriment to nearby properties will be created by the granting of the area variance;
2. whether the benefit sought by the applicant can be achieved by some method which will be feasible for the applicant to pursue but would not require a variance;
3. whether the requested area variance is substantial;
4. whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and
5. whether an alleged difficulty is self-created.

Unlike the use variance test, the ZBA need not find in favor of the applicant on every one of the above questions. Rather, the ZBA must merely take each one of the factors into account. The ZBA may also decide that a lesser variance than the one requested would be appropriate, or may decide that there are alternatives available to the applicant which would not require a variance. See the submitted ZBA application for the applicants' response to the test questions.

Comment

1. The County Planning Board recommends that all rooftop solar installations comply with applicable building, electrical, and fire codes, and in coordination with local code enforcement and fire officials.

CRC Comment

1. It is recommended that the Town Board consider amending the zoning code to allow increased capacity for onsite solar energy generation within industrial and commercial districts. Such modifications could reduce the need for area variances while advancing both the County and Town of Farmington's goals related to sustainability and energy efficiency.

Attachments:

1. Aerial
2. Plans
3. 2025 Site Plan
4. Subdiv Plat
5. Test Questions
6. ZBA App
7. SEAF
8. LOI
9. Structural Calculations
10. Operation Agreement

CPB Comment

1. The Board commends the applicant for incorporating solar energy generation into the project design, reflecting a proactive commitment to sustainable development and long-term energy resilience.

Board Motion: To retain referrals 50.0-2026 and 50.1-2026 as class 1s and return them to the local boards with comments.

Motion made by: Ruth Cahn, **seconded by:** Jamie Purdy. **Vote:** Yes 14, No 0, Abstained 0.
The motion Passed.

50.1-2026 (Class 1) Area Variance and Site Plan for the installation of an approximately 100 kW roof-mounted solar array at 0000 Villager Way (portions of 7112, 7114, 7116, & 7118 Villager Way on Oncor). The area variance is for a building-mounted / building-integrated large-scale solar PV systems that has a system capacity greater than 25 kW or that can generate more than 110% of the kWh of electricity consumed over the previous twelve-month period. 50.0-2026 is related to the area variance, and 50.1-2026 is for the site plan.

Municipality: Town of Farmington

Referring Board: Planning Board

Application Site Plan

Type:

Class: Class 1

Property 17.00-1-67.400; 17.00-1-67.300; 17.00-1-67.200; 17.00-1-

Information 67.100

(Address & ID):

Description & Review Comments:

See 50.0-2026.

Attachments:

None

Board Motion: To retain referrals 50.0-2026 and 50.1-2026 as class 1s and return them to the local boards with comments.

Motion made by: Ruth Cahn, **seconded by:** Jamie Purdy. **Vote:** Yes 14, No 0, Abstained 0.
The motion Passed.

51-2026 (Class 1) Temporary Use Permit requested to allow limited, supervised outdoor programming and agricultural use of the property while site planning and construction of the proposed Wildlife Education Center and related facilities are underway at 1111 County Road 8.

Municipality: Town of Farmington

Referring Board: Zoning Board of Appeals

Application Type: Temporary Use Permit

Class: Class 1

Property 30.00-1-61.100

Information

(Address & ID):

Description & Review Comments:

The applicant mentioned that “Bridges for Brain Injury” guides individuals with traumatic brain injuries and physical disabilities and their families. Services can include service coordination, life skills training and day program services. The Wildlife Rockstars Program is a wildlife & conservation education program run by Bridges for Brain Injury staff and day program members. As a part of their rehabilitation, members are rebuilding and learning new skills as they are trained in the handling and care of live native and exotic animals, birds, reptiles, and more.

The project was referred to in August 2025 as 127.0-2025 and 127.1-2025 for “*Area Variances (2) and Site Plan to construct a 16,000 SF Day Programming building and an 11,400 SF education building with adjacent outdoor wildlife area, as well as infrastructure and parking improvements at 1111 County Road 8 (Bridges for Brain Injuries) in the Town of Farmington. Area Variances are for: (1) a farm animal shelter setback of 49 ft. and (2) a farm animal waste setback of 50 ft. when a minimum of 200 ft. is required.*” Both 127.0-2025 and 127.1-2025 were Class 1s. The area variances and preliminary site plan approval were granted by the Town in September 2025. Prior to these approvals, the organization was granted a temporary use permit to operate.

The organization (Bridges for Brain Injury) is currently working through the Town’s (final) site plan approval process. While the process continues, they are requesting another temporary use

permit to allow limited activities on the property. The temporary uses would involve small, scheduled activities such as:

- Wildlife or farm animal encounter experiences by appointment.
- Educational visits for school or scout groups.
- Volunteer service days related to gardening, agriculture, or animal care.
- Small fundraising gatherings to support the development of the property.

The activities would be limited in size, scheduled in advance, and supervised by staff. No permanent structures or significant site changes are proposed as a part of this temporary use. The applicant mentions that allowing these limited activities will help the organization build community awareness and raise funds needed to support the care of the animals, stewardship of the property, and future construction of the Wildlife Education Center and Day Program.

According to Town Code Section 165-91, *“The Zoning Board of Appeals, under such regulations and conditions as it may prescribe, may authorize a temporary and revocable permit for a period not exceeding two years for uses and structures that do not conform with the regulations of this [zoning] chapter... and a temporary use permit may be renewed for a maximum renewal period of five years.”*

According to Oncor:

- Parcels to the north and west are in Ontario County Agricultural District #1.
- NYSDEC Informational Wetlands run along the southeast boundary of the parcel.
- The parcel has little to no slope (0–3%).
- Soil disturbed is primarily Rhinebeck Silty Clay Loam: partially hydric, moderately high permeability, very high erodibility, is prime farmland if drained, and is hydrologic soil group C/D.
- Subject land use is agricultural (horse farm). Surrounding land uses are a mix of agricultural and residential.

Relevant August CRC Comment

1. Protection of water features (water quality and quantity) is a stated goal of the CPB. Proper containment and disposal of pet waste needs to be ensured in order to protect the water quality of the nearby water features (pond, stream, groundwater).

Comment

1. What is the requested duration of the temporary use permit? The Town should ensure strict adherence to §165-91 of the code, which limits such permits to a maximum renewal period of five years.

CRC Comment

1. Conditions of approval should be clearly stated and adhered to if the temporary use is granted. Will there be temporary structures (fences, restrooms, tents, etc.)? How many

employees/guests will there be in a day? What are the hours of operation?

Attachments:

1. Aerial
2. Temporary Activity Examples
3. LOI

Board Motion: To retain referrals 48-2026, 51-2026, 55-2026, 59-2026, 60.0-2026, 60.1-2026, and 61-2026 as class 1s and return them to the local boards with comments.

Motion made by: A.J. Magnan, **seconded by:** Burch Craig. **Vote:** Yes 14, No 0, Abstained 0.
The motion Passed.

52.0-2026 (Class 1) Area Variances (5) related to the expansion of the existing Farmington Volunteer Fire Station at 1225 Hook Road. Area variances are for: (1) driveway spacing under the 150 ft. requirement, (2) having more than one curb-cut, (3) stone bedding when only weed control fabric/mulch is permitted (4) a ground-mounted sign with an area of 22 SF when no greater than 20 SF is permitted, and (5) two building-mounted signs (totaling 54 SF) both with an area greater than the maximum permitted 20 SF. 52.0-2026 is related to the driveway spacing and stone bedding area variances, and 52.1-2026 is for the sign area variances.

Municipality:	Town of Farmington
Referring Board:	Zoning Board of Appeals
Application Type:	Area Variance
Class:	Class 1
Property Information (Address & ID):	29.11-1-68.100

Description & Review Comments:

The project was referred to last month (March 2026) as 31.0-2026 and 31.1-2026 for a “special use permit and Site Plan for the expansion of the existing use (Public Building: Fire Station) on the parcel, involving building renovations and a 12,830 SF addition — at 1225 Hook Road”. The site plan and special use permit were continued to the April 2026 Town Planning Board meeting in order to allow for the newly designated engineer of record to review and provide comments on the project.

This summary is in regard to 52.0-2026 – all area variances unrelated to signage. The sign area variances are addressed in 52.1-2026 as administrative reviews (AR2s) – which are considered to have the potential to create intermunicipal or countywide impacts, with an automatic recommendation for denial.

As part of this application (besides the signage variances), the applicant requests variances from several Town of Farmington code sections, including a deviation from Major Thoroughfare Overlay District (MTOD) driveway standards, and Main Street Overlay District (MSOD) landscape bed material. Details on the variances are listed below:

- Driveway Area Variances:
 - §165-34I(1)(c): *“Driveways shall be limited to a maximum of one curb cut per property unless a traffic impact study demonstrates, and such finding is accepted by the regulatory transportation agency, that additional curb cuts will be beneficial in minimizing traffic congestion along the highway or in improving traffic safety”.*
 - §165-34J(1)(a): *“Driveways shall be located so as to meet or exceed the driveway spacing standards shown in Table 1”.* Small Development (0–150 Peak Hourly Trips) on Local Collectors & Arterials are required to have minimum driveway spacing of 150 ft. along Hook Road.
 - §165-34J(3)(d): *“The Town Zoning Board of Appeals may consider granting an area variance to allow the location of driveways at less than the minimum driveway spacing standards and corner clearance standards”.*
 - The northern driveway will be used by the public as a means of ingress and egress to the public parking area at the rear of the proposed building. Public events are expected to occur at a frequency of 2 times per month to start, so this driveway will not see much use. The southern driveway will be an entrance only and used exclusively by emergency service personnel when responding to service calls. The center driveway will be an exit only for the fire apparatus and will be used exclusively by emergency service personnel.
 - The applicant mentions that the delineation of these driveways is paramount to ensure safe vehicle traffic patterns on the site and to avoid a delay in fire response time. Shifting of the northern driveway any further south is not possible due to the reuse of the existing building.
- Landscaping Area Variance:
 - §165-34.2M(12): *“Weed control fabric and mulches. Weed control fabric and mulches shall be provided as appropriate. All mulch beds within the MSOD Main Street Overlay District shall be of a natural color mulch (e.g., brown or black only). No stone or other colors are to be provided within these areas”.*
 - The applicant mentions that washed river rock landscape bedding is proposed for some of the landscaping areas instead of weed control fabrics/mulches. The Fire Association prefers washed river rock in lieu of mulch for ease of maintenance as they are a volunteer-based, non-profit association.
 - The washed river rock / gravel landscape bedding is proposed surrounding the building and within the parking lot islands.

According to Oncor:

- Subject land use is community services. Surrounding land uses are predominately residential, with commercial across State Route 96 to the south.

The applicant representative was present for April 8 County Planning Board meeting and provided the following additional details:

- The need for the third driveway is for safety purposes. Sometimes the station will be used for public events (ex: pancake breakfast) and this extra driveway would keep the public traffic separate from any potential inbound/outbound emergency vehicles and fire trucks.

What must be proven in order to be granted an area variance? If requesting an area variance, that is, permission to build in an otherwise restricted portion of the property (such as in the required front, side or rear yards, or above the required building height, or in excess of the lot coverage regulations), then state law requires the applicant to show that the benefit the applicant stands to receive from the variance will outweigh any burden to health, safety and welfare that may be suffered by the community. State law requires the ZBA to take the following factors into consideration in making its determination:

1. whether an undesirable change will be produced in the character of the neighborhood, or a detriment to nearby properties will be created by the granting of the area variance;
2. whether the benefit sought by the applicant can be achieved by some method which will be feasible for the applicant to pursue but would not require a variance;
3. whether the requested area variance is substantial;
4. whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and
5. whether an alleged difficulty is self-created.

Unlike the use variance test, the ZBA need not find in favor of the applicant on every one of the above questions. Rather, the ZBA must merely take each one of the factors into account. The ZBA may also decide that a lesser variance than the one requested would be appropriate, or may decide that there are alternatives available to the applicant which would not require a variance. See the submitted ZBA application for the applicants' response to the test questions.

Relevant March 2026 Comment

1. Community character is a stated goal of the County Planning Board. The referring board should consider requiring (as a condition of approval) the addition of a vegetative buffer between the fire station / parking lot and the residences to the north and east.

OCDPW Comments

1. Driveway spacing under the 150 ft. requirement: Reviewing NYSDOT standards (NYSDOT Highway Design Manual Chapter 5, Appendix A, Notes B and C), the minimum spacing for two driveways, requires 30 ft. for residential access points, while commercial properties require a minimum of 75 ft. of spacing between driveways.
2. Having more than one curb-cut: Ontario County DPW limits access to one driveway per parcel in most situations for access to our County Road network. NYSDOT standards (NYSDOT Highway Design Manual, Chapter 5, Appendix 5A, Page 5A-8) state: "Normally, only one driveway shall be permitted for each residential property, minor commercial property, and subdivision. An additional driveway may be permitted by the Department if both: sufficient frontage exists, and extenuating circumstances justify a second driveway". DPW also suggests that the Planning Board review aerial imagery of other Fire Departments to see how many access points they have in relation to the road.
3. The NYSDOT Highway Design Manual, Appendix 5A is attached for reference. I highlighted the clip about more than one curb cut and then have a box on one of the last pages around the notes that talks about driveway spacing.
https://www.ontariocountyny.gov/DocumentCenter/View/61596/HDM_Ch_5_Appendix_5A

Comments

1. The referring body is encouraged to grant only the minimum variance necessary to allow reasonable use of the lot.
2. The applicant and referring agency should consult with the Ontario County Highway Department and ensure that the sight distances for the proposed driveways comply with standards established by the American Association of State Highway and Transportation Officials (AASHTO).

Attachments:

1. Aerial
2. Landscaping Plans
3. Site Plan
4. Test Questions
5. SEAF
6. LOI
7. Existing Sign
8. Elevations
9. ZBA App

Board Motion: To retain referral 52.0-2026 as a class 1 and return to the local board with comments.

Motion made by: A.J. Magnan, **seconded by:** Leonard Wildman. **Vote:** Yes 14, No 0, Abstained
0. The motion: Passed.

52.1-2026 (AR2) Area Variances (5) related to the expansion of the existing Farmington Volunteer Fire Station at 1225 Hook Road. Area variances are for: (1) driveway spacing under the 150 ft. requirement, (2) having more than one curb-cut, (3) stone bedding when only weed control fabric/mulch is permitted (4) a ground-mounted sign with an area of 22 SF when no greater than 20 SF is permitted, and (5) two building-mounted signs (totaling 54 SF) both with an area greater than the maximum permitted 20 SF. 52.0-2026 is related to the driveway spacing and stone bedding area variances, and 52.1-2026 is for the sign area variances.

Municipality: Town of Farmington
Referring Board: Zoning Board of Appeals
Application Type: Area Variance
Class: AR2
Property Information (Address & ID): 29.11-1-68.100

Description & Review Comments:

The Fire Association has an existing non-conforming wooden (non-commercial speech) sign on the property that they would like to refinish and reuse in the proposed project. The sign is classified as an existing non-conforming sign and is 2 square feet larger than the 20 square feet allowed by Town Code § 165-42.B. The sign is proposed to be reinstalled to the north of

its existing location and will be at least the required 15 feet from the property line on Hook Road. Ground mounted lights are proposed to illuminate the sign.

In addition, building mounted (non-commercial speech) signage is proposed. This proposed signage is both above the maximum allowed area of 20 SF and not conforming with Town code section 165-42.B. The signs will be located on the front facade facing Hook Road (west elevation), totaling 54 SF.

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 State Route 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

Comments

1. The referring board should grant the minimum variance necessary to allow identification of the business and its products.

Attachments:

None

53-2026 (Class 2 / A) Local Law establishing a 6-month moratorium on accessory structures within the Town of Farmington.

Municipality: Town of Farmington
Referring Board: Town Board
Application Type: Moratorium
Class: Class 2 / A

Property Information (Address & ID):	N/A
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Description & Review Comments:

The purpose of this moratorium is to enable the Town of Farmington to have sufficient time to review the Town's existing zoning law, Chapter 165, Section 10, Definitions and Section 58, pertaining to the regulation of accessory structures; and to recommend modifications to the above-cited section of the Farmington Town Code regarding such land use operations. This review is in accordance with the goals, objectives, and policies contained in the adopted 2021 Edition of the Town of Farmington Comprehensive Plan.

Changes to said regulations would permit an enhanced and easily understood code to achieve the objectives of the Comprehensive Plan and encourage consistent and fair application of law pertaining to such operations. Amendments would be considered regarding further enhancing protection of the environment and possible modifications are felt necessary to permit careful review and approval of such development that would allow for continued economic development while assuring that such development is compatible with the community and competing land uses.

The Town Board is concerned that approval of expansions to any such operations or approval of new operations, under the existing law, could negatively impact the value and appearance of the neighborhoods in which they would be situate and of the Town as a whole.

It is the intent of the Town Board to temporarily suspend (barring exceptions) the approval of all expansions to existing such operations and approval of new such operations that do not comply with existing definitions and existing regulations in effect within these two sections of Chapter 165, by allowing for Building Permits to be issued only for those accessory structures that do not involve the granting of any area variances pending at the time of adoption and enactment of this local law.

Attachments:

1. Local Law
2. Resolution 132-2026

Board Motion: To retain referral 53-2026 as a class 2 and return to the local board with recommendation for approval with comments.

Motion made by: Ryan Wilmer, **seconded by:** Stephen High. **Vote:** Yes 14, No 0, Abstained 0.
The motion: Passed.

8. Town of Geneva

54.0-2026 (Class 2 / A) Local Law amending the Zoning Law and the Official Zoning Map in the Town of Geneva. 54.0-2026 is related to the text amendment and 54.1-2026 is for the map amendment.
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Municipality:	Town of Geneva
Referring Board:	Town Board
Application Type:	Text Amendment
Class:	Class 2 / A
Property Information (Address & ID):	104.00-1-6.111; 119.00-1-9.200; 119.00-1-9.100; 119.00-1-12.100; 103.00-3-19.100; 103.00-3-20.200; 91.00-1-9.000

Description & Review Comments:

Amendments include:

- Adding Veterinary; animal hospital as allowed use in TC-2 Town Center Arterial
- Rezoning (4) parcels from R-4 Medium Density District to TC-1 Town Center Mixed Use (the portion of the parcels that are zoned agricultural are remaining ag):
 1. 104.00-1-6.111 (3670 County Road 6)
 2. 119.00-1-9.200 (3700 County Road 6)
 3. 119.00-1-9.100 (3750 County Road 6)
 4. 119.00-1-12.100 (3770 County Road 6)
- Rezoning (2) parcels from AG to TC-2 Town Center Arterial:
 1. 103.00-3-19.100 (762 County Road 6)
 2. 103.00-3-20.200 (774 County Road 6)
- Rezone (1) parcel from AG to I-1 General Industrial - 91.00-1-9.000 (2795 State Route 14N)

Attachments:

1. Aerials
2. Local Law
3. Zoning Map
4. FEAF

Board Motion: To retain referrals 54.0-2026 and 54.1-2026 as class 2s and return to the local board with recommendation for approval with comments.

Motion made by: Chris Mergler, **seconded by:** Jamie Purdy. **Vote:** Yes 14, No 0, Abstained 0.
The motion: Passed.

54.1-2026 (Class 2 / A) Local Law amending the Zoning Law and the Official Zoning Map in the Town of Geneva. 54.0-2026 is related to the text amendment and 54.1-2026 is for the map amendment.

Municipality:	Town of Geneva
Referring Board:	Town Board
Application Type:	Map Amendment
Class:	Class 2 / A
Property	104.00-1-6.111; 119.00-1-9.200; 119.00-1-9.100; 119.00-1-

Information 12.100; 103.00-3-19.100; 103.00-3-20.200; 91.00-1-9.000
(Address & ID):

Description & Review Comments:

See 54.0-2026.

Attachments:

None

Board Motion: To retain referrals 54.0-2026 and 54.1-2026 as class 2s and return to the local board with recommendation for approval with comments.

Motion made by: Chris Mergler, **seconded by:** Jamie Purdy. **Vote:** Yes 14, No 0, Abstained 0. **The motion:** Passed.

55-2026 (Class 1) Site Plan to construct a (3 million gallon) lined manure storage structure at 0000 County Road 6.

Municipality: Town of Geneva
Referring Board: Planning Board
Application Type: Site Plan
Class: Class 1
Property 90.00-1-16.000
Information
(Address & ID):

Description & Review Comments:

The subject parcel is 151.8-acres and lies just east of the Town of Seneca / Town of Geneva municipal boundary. The area of the proposed work is in the southwest corner of the parcel, where the forested area is currently located. The Manure Storage will provide approximately 3.0 million gallons of usable storage (top 18" of storage must remain as free board and room for the 25-year storm) and is intended to serve crop land contiguous to the storage site. The structure will be 16 ft. deep. Liner shall be placed such that it lines the entire interior of the storage surface. Concrete floor and ramp(s) and other concrete work shall be poured on top of the liner.

Access is to come from Johnson Rd. (Town of Seneca) to the west, via a 30 ft. wide gravel access road. Danger signs will be installed around the perimeter of the storage at a minimum of one on each side and at all gates. The facility will be fenced in by a 4 ft. high posted fence. Perforated drains are to lead stormwater away from the storage facility.

According to Oncor:

- The subject and surrounding parcels are almost all in the Ontario County Agricultural District – except the residential parcels to the east along County Road 6.
- Subject parcel land use is agricultural. Surrounding land uses are primarily agricultural with residential to the east.
- A stream runs through the center of the parcel as well as along the western edge.

- The southwest corner/edge of the parcel contains NYSDEC informational wetlands.
- Slope disturbed is gentle to none (0–9% gradient).
- Soil disturbed is the Lima Loam (hydric, moderately high permeability, high erodibility, is an area of prime farmland, and is in hydrologic soil group B/D).

Comments

1. Within the parcel may be DEC Informational Wetlands and would require a Jurisdictional Determination request from the NYSDEC.
2. The project lies right on the Town of Seneca / Town of Geneva municipal boundary. Has the Town of Seneca been notified?
3. Is 4 ft. tall enough to safely keep people / animals out of the structure? Adequate fencing needs to be ensured.

CRC Comments

1. The proposed access drive to the manure facility looks to be crossing over an existing stream. Protection of water quality/quantity is a stated goal of the Ontario County Planning Board. Accordingly, the applicant should ensure waste is handled, stored, and disposed of in a manner that prevents contamination of surface water and groundwater, and is consistent with applicable environmental regulations and best management practices.
2. Protection of natural resources is a stated goal of the Ontario County Planning Board. The plans indicate that the project may involve significant woodland removal. It is recommended that disturbance should be minimized where practicable and should incorporate mitigation measures to address impacts on soil stability, stormwater management, and natural filtration functions.
3. The access road via Johnson Road is on the adjacent parcel to the west. An access easement and maintenance agreement is required.
4. How much traffic will be generated from this proposed use? Is Johnson Road designed for the traffic/weight/size of incoming manure trucks? Is the gravel access drive sufficient for the weight/size of the manure truck?
5. The applicant should consider roadside piping to the manure facility, in order to reduce traffic/disturbance to the farmland area.
6. Is manure solely from adjacent parcels/farms? Are there agreements to accept manure from outside farms?

Attachments:

1. Aerial
2. Site Plan
3. Plan Set
4. PB App
5. Operation and Maintenance Procedures

CPB Comments

1. Protection of water quality/quantity is a stated goal of the Ontario County Planning Board. Accordingly, the applicant should ensure waste is handled, stored, and disposed of in a manner that prevents contamination of surface water and groundwater, and is

- consistent with applicable environmental regulations and best management practices.
2. The Board notes that the proposed perimeter drain appears to discharge directly into an existing stream on the parcel. The applicant should demonstrate that adequate measures are in place to prevent runoff from entering the watercourse, particularly during high precipitation events. Special attention should be given to ensuring proper containment and management of manure to avoid overflow, discharge, and potential water quality impacts.
 3. Community character is a stated goal of the Ontario County Planning Board. The referring board should consider requiring a landscaping buffer between the proposed access road and the adjacent residential parcel to the north due to the noise/traffic generated from manure trucks.

Board Motion: To retain referrals 48-2026, 51-2026, 55-2026, 59-2026, 60.0-2026, 60.1-2026, and 61-2026 as class 1s and return them to the local boards with comments.

Motion made by: A.J. Magnan, **seconded by:** Burch Craig. **Vote:** Yes 14, No 0, Abstained 0.
The motion Passed.

9. Town of Gorham

56-2026 (AR2) Area Variances for a proposed covered deck addition - at 4686 County Road 11. Area Variances are for: (1) a lot coverage of 29% when no greater than 25% is allowed and (2) north (side) setbacks of 8 ft. when a 15 ft. setback is required.

Municipality: Town of Gorham
Referring Board: Zoning Board of Appeals
Application Type: Area Variance
Class: AR2
Property 141.10-1-12.100
Information
(Address & ID):

Description & Review Comments:

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 on 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 the over development of lakefront lots and support the clearly stated interests 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 surfaces 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

Comment:

1. The referring body is encouraged to grant only the minimum variance necessary to allow reasonable use of the lot.

Attachments:

1. Aerial
2. Plans
3. Plan Set
4. Test Questions
5. ZBA App
6. SEAF

57-2026 (AR2) Area variances for the tear-down / re-build of a single-family dwelling at 4040 State Route 364. The area variances are for a south side setback variances of 5 ft. when a minimum of 15 ft. is required.

Municipality: Town of Gorham

Referring Board: Zoning Board of Appeals

Application Type: Area Variance

Class: AR2

Property Information (Address & ID):	113.19-1-25.000
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Description & Review Comments:

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 on 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 the over development of lakefront lots and support the clearly stated interests 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 surfaces lead to increased runoff and pollution.
4. Runoff from lakefront development is more likely to impact water quality.
5. It is the position of this Board that the legislative bodies of lakefront communities have enacted setbacks and limits on lot coverage that allow reasonable use of lakefront properties.
6. Protection of community character, as it relates to tourism, is a goal of the CPB.
7. It is the position of this Board that numerous variances can allow over development of properties in a way that negatively affects public enjoyment of the Finger Lakes and overall community character.
8. It is the position of this Board that such incremental impacts have a cumulative impact that is of countywide and intermunicipal significance.

Final Recommendation: Denial

Comments:

1. The referring body is encouraged to grant only the minimum variance necessary to allow reasonable use of the lot.

2. The applicant and referring agency 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.

Attachments:

1. Aerials
2. Plans
3. Elevations
4. Plan Set
5. Test Questions
6. ZBA App
7. SEAF
8. Neighbor Letter of Support

10. Town of Hopewell

58-2026 (Exempt) Subdivision of an 8.1-acre parent parcel into three parcels (Lot 1: 6.4-acres; Lot 2: 1.3-acres; Lot 3: 0.4-acres) — at 1875 County Road 19.

Municipality: Town of Hopewell
Referring Board: Planning Board
Application Type: Subdivision
Class: Exempt
Property 58.00-1-13.1321
Information
(Address & ID):

Description & Review Comments:

The referral was referred to the February 2026 County Planning Board Meeting as *23-2026 (Class 1) Area Variance to subdivide an 8.1-acre parent parcel into three parcels (Lot 1: 6.4-acres; Lot 2: 1.3-acres; Lot 3: 0.4-acres) — at 1875 County Road 19. The area variance is for Lot 3 to have an area of 0.4-acres (or 17,412 SF) when a minimum of 30,000 SF is required.*

The area variances have since been approved by the Town of Hopewell Zoning Board of Appeals. The current referral submitted is for the subdivision. Since there are no changes since the previous referral, 58-2026 is exempt.

Attachments:

1. Subdiv Plat

59-2026 (Class 1) Special Use Permit to operate an outdoor chicken barbecue from April through October at 3191 County Road 10.

Municipality: Town of Hopewell

Referring Board:	Planning Board
Application Type:	Special Use Permit
Class:	Class 1
Property Information (Address & ID):	85.03-1-11.000

Description & Review Comments:

The proposed location is in the existing Running's parking lot, just north of SR 5&20. Within the parking lot, the barbeque business is located on the far southeast corner of the parking lot, just south of the internal roadway (Recreation Dr.) leading to the Walmart / Lowe's parking lot.

Comments

1. Is the business located a safe distance from the internal roadway just to the north? The roadway serving these two adjacent parcels/businesses is used regularly throughout the day. Pedestrian/vehicle safety needs to be ensured.
2. Instead of granting a special use permit for a "temporary" tent, the referring board should consider requiring specific operation dates to be established as a part of the conditions of the special use permit.

CRC Comment

1. The internal parking lot roadway in front of Runnings (project area) is frequently used, unmarked, and potentially dangerous for pedestrians and vehicles traveling between the Runnings and the Walmart Parking lot. As a condition of approval, the referring board should consider temporary signage/cones to direct traffic safely away from the barbeque area.

Attachments:

1. Aerial

Board Motion: To retain referrals 48-2026, 51-2026, 55-2026, 59-2026, 60.0-2026, 60.1-2026, and 61-2026 as class 1s and return them to the local boards with comments.

Motion made by: A.J. Magnan, **seconded by:** Burch Craig. **Vote:** Yes 14, No 0, Abstained 0.
The motion Passed.

11. Town of Manchester

60.0-2026 (Class 1) Special Use Permit and Site Plan to use the existing building as a motorcycle repair shop at 298 State Route 21. 60.0-2026 is related to the Special Use Permit and 60.1-2026 is for the site plan.

Municipality: Town of Manchester

Referring Board:	Planning Board
Application Type:	Special Use Permit
Class:	Class 1
Property Information (Address & ID):	2.01-1-36.000

Description & Review Comments:

The subject parcel is 2.4 acres. There are no improvements being made (no disturbance). The parcel/building was formerly a gasoline station and is now seeking a special use permit to become an “automotive sales, service, repair shop” – which is allowed by special use permit in the General Commercial zoning district.

The applicant mentions that the motorcycle shop will be located in the existing building. Motorcycles will be repaired/restored, with a secondary use for parts sales. The business will be seasonal, open November through April, with little to no traffic being generated from the business. A total of 14 down-lit lights are proposed surrounding the building. Eight parking spaces are proposed in the existing gravel parking lot, as well as 7 motorcycle parking spots in front of the building.

According to Oncor:

- The subject and surrounding parcels are in the Ontario County Agricultural District.
- The subject parcel has a commercial land use. Surrounding parcels are predominately residential, with large agricultural fields to the north and south.
- A large portion of the parcel is in the National Wetland Inventory and contains NYSDEC Informational Wetlands.
- The parcel has little to no slope (0-3% gradient).

Comment

1. Will motorcycles be sold or displayed outside?

CRC Comments

1. Stamped engineer plans that are edited/marked with a pen should not be used as it is a violation of New York State Education Law.
2. Is the water / septic capacity adequate for employee and customer use?

Attachments:

1. Aerials
2. Sketch
3. Images
4. PB App

CPB Comments

1. Protection of water quality is a stated goal of the Ontario County Planning Board. Accordingly, the applicant should ensure that any oil, fuels, or other automotive fluids associated with motorcycle maintenance or servicing are properly handled, stored, and disposed of in a manner that prevents contamination of surface water and groundwater, and is consistent with applicable environmental regulations and best management practices.
2. Protection of community character is a stated goal of the Ontario County Planning Board. The referring board should clearly establish maximum allowable noise levels (as defined in the NYSDEC Policy Program) and defined hours of operation as a condition of special use permit approval, in recognition of the proximity of numerous neighboring residential properties.
3. Within the parcel are DEC Informational Wetlands and may require a Jurisdictional Determination request from the NYSDEC.

Board Motion: To retain referrals 48-2026, 51-2026, 55-2026, 59-2026, 60.0-2026, 60.1-2026, and 61-2026 as class 1s and return them to the local boards with comments.

Motion made by: A.J. Magnan, **seconded by:** Burch Craig. **Vote:** Yes 14, No 0, Abstained 0. **The motion** Passed.

60.1-2026 (Class 1) Special Use Permit and Site Plan to use an existing building as a motorcycle repair shop at 298 State Route 21. 60.0-2026 is related to the Special Use Permit and 60.1-2026 is for the site plan.

Municipality: Town of Manchester
Referring Board: Planning Board
Application Type: Site Plan
Class: Class 1
Property Information (Address & ID): 2.01-1-36.000

Description & Review Comments:

See 60.0-2026.

Attachments:

None

Board Motion: To retain referrals 48-2026, 51-2026, 55-2026, 59-2026, 60.0-2026, 60.1-2026, and 61-2026 as class 1s and return them to the local boards with comments.

Motion made by: A.J. Magnan, **seconded by:** Burch Craig. **Vote:** Yes 14, No 0, Abstained 0. **The motion** Passed.

12. Town of Richmond

62-2026 (AR1 / LATE REFERRAL) Site Plan to operate a salon business in an existing commercial building at 8653 Main Street.

Municipality: Town of Richmond
Referring Board: Planning Board
Application Type: Site Plan
Class: AR1 / LATE REFERRAL
Property Information (Address & ID): 135.20-2-21.220

Description & Review Comments:

Policy AR-4: Use of existing facilities for a permitted use with no expansion of the building or paved area.

Applications involving only the use of existing facilities for a permitted use with no expansion of the building or paved area have been determined by this Board to be a category of referrals with no potential countywide or inter-municipal impact. Applications for specially permitted uses or the addition of a drive-through service are not covered under this policy and will require full board review.

Final classification shall be Class 1

Findings:

1. Applications addressed by this policy propose no new development.
2. Applications addressed by this policy include only permitted uses.
3. Such applications present little potential for countywide or intermunicipal impact.

Final Recommendation — The CPB will make no formal recommendation on applications involving only the use of existing facilities for a permitted use with no expansion of the building or paved area (Class 1).

Attachments:

1. Aerials
2. Sketch
3. PB App
4. SEAF

Board Motion: To accept referral 62-2026 as a late referral.

Motion made by: Stephen High, **seconded by:** A.J. Magnan. **Vote:** Yes 14, No 0, Abstained 0.
The motion: Passed.

13. Town of Victor

61-2026 (Class 1) Site Plan for a 12-space parking lot expansion at 7330 State Route 251 (Finger Lakes Coffee Roaster Parking Expansion).

Municipality: Town of Victor
Referring Board: Planning Board
Application Type: Site Plan
Class: Class 1
Property 15.00-2-15.100
Information
(Address & ID):

Description & Review Comments:

The subject parcel is 2.2-acres and disturbance is proposed at 0.2-acres (two trees are to be removed). The proposed parking area will be just east of the existing building. A rain garden is proposed east of the proposed parking area. A building-mounted light fixture is proposed to illuminate the new parking area. Six trees (4 Silky Dogwood, 2 River Birch) and 5 shrubs (Royalty Lilac) are to be planted between the parking lot at State Route 251 to the east. A stream runs along the eastern boundary of the parcel.

Attachments:

1. Aerial
2. Site Plan
3. Grading Plan
4. Lighting & Landscaping Plans
5. Plan Set
6. PB App
7. SEAF
8. LOI
9. Owner Authorization

Board Motion: To retain referrals 48-2026, 51-2026, 55-2026, 59-2026, 60.0-2026, 60.1-2026, and 61-2026 as class 1s and return them to the local boards with comments.

Motion made by: A.J. Magnan, **seconded by:** Burch Craig. **Vote:** Yes 14, No 0, Abstained 0.
The motion Passed.

14. Privilege of the Floor

Planning Department Updates:

- Updates on February 2026 Denial Recommendations & Municipal Actions
- Training Info / Updates

15. Upcoming Trainings:

An updated list of training opportunities can be found at: <https://www.ontariocountyny.gov/192/Training>

Land Use Leadership Alliance (LULA): Gateways to the Watershed - Protection, Preservation, and Enhancement

- April 27, 2026: 5:30 PM - 7:30 PM; 417 Liberty Street, Penn Yann, NY
- [See agenda here](#)
- Registration can be found at <https://www.ontariocountyny.gov/192/Training>

Genesee / Finger Lakes Regional Planning Council Spring local government workshop

- [See link to register](#)
- May 28, 2026; 8:30 AM - 4:30 PM; Genesee Community College, 1 College Road, Batavia, NY

NYS DOS local government Training — Spring 2026

- [See link to register.](#)
- Click on / reference individual meeting dates within the link to register.
- **April 20, 2026; 8:00 AM - 4:30 PM;** The Otesaga Hotel, 60 Lake Street, Cooperstown, NY (New York Planning Federation Annual Conference)
 - Revising Zoning
- **April 21, 2026; 7:30 AM - 4:15 PM;**Turning Stone Event Center, 5218 Patrick Road, Verona, NY (Tug Hill Commission Annual Conference)
 - Sign Regulations, Zoning Basics for Enforcement Officials and Board Members

Estabrook Municipal Bootcamp

- [See link to register](#)
- SESSION 4: Soaking Up The Sun — Solar and Battery Storage and the Local Review Process
 - **Thursday, April 23, 2026–6:00 PM - 7:00 PM; (Remote)**
- SESSION 5: Water, Water Everywhere — The Impact of Wetlands on Development
 - **Thursday, May 28, 2026–6:00 PM - 7:00 PM; (Remote)**
- SESSION 6: Zoning Board Basics — Roles of the Zoning Board in Community Development
 - **Thursday, June 25, 2026–6:00 PM - 7:00 PM; (Remote)**
- SESSION 7: Growing Intentionally — The Role of Local Leadership in Attracting Investment and Economic Development
 - **Thursday, July 23, 2026–6:00 PM - 7:00 PM; (Remote)**
- SESSION 8: A Storm is Brewing — How Development Review Addresses Stormwater Management and Water Quality
 - **Thursday, September 24, 2026–6:00 PM - 7:00 PM; (Remote)**
- SESSION 9: Funding Your Priorities — Developing and Managing Competitive Grant Applications
 - **Thursday, October 22, 2026–6:00 PM - 7:00 PM; (Remote)**
- SESSION 10: Santa's Naughty and Nice List — The Best and Worst of 2023

- **Thursday, December 17, 2026–6:00 PM - 7:00 PM; (Remote)**

Deploying Safe Lithium-ion Energy Storage in your community — hosted by the New York State Interagency Fire Safety Working Group (from May 7, 2025)

- Topics include: critical safety considerations, regulatory updates, best practices in the field, and recommendations for local actions.
- [See Presentation Slides](#)

NYS DOS Regional onsite & Online interactive courses

- [See link](#)
- Includes a statewide schedule of NYS DOS onsite local government trainings.
- Includes links to online interactive courses and previously recorded webinars. Recorded webinars include:
 - Essentials for Planning and Zoning Board Staff
 - Zoning Board of Appeals Overview
 - Planning Board Overview
 - Zoning Basics for Enforcement Officials and Board Members
 - State Environmental Quality Review Act (SEQRA) Basics
 - Floodplain Regulation for Local Review Boards
 - Farmland Protection & Agricultural Viability

NYS DOS Recorded Webinars

- [See link](#)
- Use this link to access recorded webinars, including Introductory courses on Planning and Zoning Boards. The courses are 1-2 hours each. You may choose to complete a final quiz on each topic. Print the quiz to provide documentation of course completion. You may need to disable your browser's pop-up blocker to access links in the training.

New York Conference of Mayors training is free (If your municipality is a member)

- [See link](#)
- The NY Conference of Mayors also offers virtual and recorded webinars for member villages and cities.
- Recorded Webinars Include:
 - 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

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
- Recorded Webinars Include:
 - 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 and 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 II
 - Working with Developers to Foster Investment in the Community

- Communication, the Media and Social Media
- Open Government and Planning and Zoning Decision-Making

16. Upcoming Meetings and Important Dates

The next Coordinated Review Committee will be on May 12, 2026, at 20 Ontario St. (Second Floor, Room 229), Canandaigua, NY - at 3:30 PM.

The next Ontario County Planning Board meeting will be on May 13, 2026, at 74 Ontario St. (Second Floor, Room 213), Canandaigua, NY - at 7:00 PM.

17. Adjournment:

Board motion to: Adjourn. **Motion made by:** Ryan Wilmer, **seconded by:** Dan Crowley. **Vote:** Yes 14, No 0, Abstained 0. **The motion:** Passed. The Ontario County Planning Board meeting was adjourned at 8:19 PM.

Draft

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

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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	Variances 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)