



GENESEE COUNTY PLANNING BOARD REFERRALS NOTICE OF FINAL ACTION

GCDP Referral ID **T-03-LEROY-10-20**
Review Date **10/8/2020**

Municipality
Board Name
Applicant's Name
Referral Type
Variance(s)
Description:

LEROY, T.
TOWN BOARD
LeRoy Town Board
Zoning Map Change
Zoning Map Change to rezone one parcel from Residential (R-1) to General Commercial (C-2) District to expand a preexisting nonconforming farm market to include craft beer and food sales and live entertainment.

Location
Zoning District

8041 E. Main Rd. (NYS Rt. 5), LeRoy
Residential (R-1) District

PLANNING BOARD DECISION

APPROVAL

EXPLANATION:

The Comprehensive Plan adopted by the Town of LeRoy in 2017 identifies this corridor (NYS Rt. 5) east of the village as residential inter-mixed with commercial uses in its Future Land Use Plan (p.16). The property has a history of commercial use as a farm market. With proper review and limits on any future special use permit application to protect the neighboring residential uses, the proposed rezoning should pose no significant county-wide or inter-community impact.

Director

October 8, 2020

Date

If the County Planning Board disapproved the proposal, or recommends modifications, the referring agency shall NOT act contrary to the recommendations except by a vote of a majority plus one of all the members and after the adoption of a resolution setting forth the reasons for such contrary action. Within 30 days after the final action the referring agency shall file a report of final action with the County Planning Board. An action taken form is provided for this purpose and may be obtained from the Genesee County Planning Department.

SEND OR DELIVER TO:
GENESEE COUNTY DEPARTMENT OF PLANNING
3837 West Main Street Road
Batavia, NY 14020-9404
Phone: (585) 815-7901

DEPARTMENT USE ONLY:
GCDP Referral # T-03-LEROY-10-20



*** GENESEE COUNTY *
PLANNING BOARD REFERRAL**

RECEIVED
Genesee County
Dept. of Planning
9/24/2020

Required According to:
GENERAL MUNICIPAL LAW ARTICLE 12B, SECTION 239 L, M, N
(Please answer ALL questions as fully as possible)

1. REFERRING BOARD(S) INFORMATION

Board(s) LeRoy Town Board
Address 48 Main St.
City, State, Zip LeRoy, New York 14482
Phone (585) 768-6910 Ext. 223

2. APPLICANT INFORMATION

Name James Barsaloux
Address 8041 East Main Rd
City, State, Zip LeRoy, New York 14482
Phone (585) 230-9265 Ext. _____ Email jdeweyivu@yahoo.com

MUNICIPALITY: City Town Village of LeRoy, New York

3. TYPE OF REFERRAL: (Check all applicable items)

- | | | |
|---|---|--------------------------------------|
| <input type="checkbox"/> Area Variance | <input checked="" type="checkbox"/> Zoning Map Change | Subdivision Proposal |
| <input type="checkbox"/> Use Variance | <input type="checkbox"/> Zoning Text Amendments | <input type="checkbox"/> Preliminary |
| <input type="checkbox"/> Special Use Permit | <input type="checkbox"/> Comprehensive Plan/Update | <input type="checkbox"/> Final |
| <input type="checkbox"/> Site Plan Review | <input type="checkbox"/> Other: _____ | |

4. LOCATION OF THE REAL PROPERTY PERTAINING TO THIS REFERRAL:

- A. Full Address 8041 East Main Road, LeRoy, N.Y. 14482
- B. Nearest intersecting road Linwood Road
- C. Tax Map Parcel Number SBL:26.-1-60
- D. Total area of the property 2.03 Acres Area of property to be disturbed _____
- E. Present zoning district(s) R-1

5. REFERRAL CASE INFORMATION:

A. Has this referral been previously reviewed by the Genesee County Planning Board?
 NO YES If yes, give date and action taken _____

B. Special Use Permit and/or Variances refer to the following section(s) of the present zoning ordinance and/or law

C. Please describe the nature of this request Would like to expand current farm market business to include local craft beer on tap and food being served, additionally would like to have live entertainment. Zone from R-1 to C-2

Current farm market business is a grandfathered use in its current R-1 zone.

6. ENCLOSURES – Please enclose copy(s) of all appropriate items in regard to this referral

- | | | |
|---|--|--|
| <input checked="" type="checkbox"/> Local application | <input type="checkbox"/> Zoning text/map amendments | <input type="checkbox"/> New or updated comprehensive plan |
| <input type="checkbox"/> Site plan | <input checked="" type="checkbox"/> Location map or tax maps | <input checked="" type="checkbox"/> Photos |
| <input type="checkbox"/> Subdivision plot plans | <input type="checkbox"/> Elevation drawings | <input type="checkbox"/> Other: _____ |
| <input type="checkbox"/> SEQR forms | <input type="checkbox"/> Agricultural data statement | |

7. CONTACT INFORMATION of the person representing the community in filling out this form (required information)

Name Michael Risewick Title CEO Phone (585) 768-6910 Ext. 223
Address, City, State, Zip 48 Main St LeRoy, NY 14482 Email mrisewick.code@leroyny.org

69-2020

Le Roy - Town and village Zoning change Request.

Applicants name: James D. Barsaloux IV
Applicant must be the property owner

Applicants address: 8041 East Main Road, Le Roy, NY 14482

Applicants contact information: 585 230 9265 / JDEWEYIVU@yahoo.com

Address of Property to be Rezoned:
8041 East Main Road Le Roy, NY 14482

Tax map number for each property: 26-1-60
If more than one adjoining property include all

What is the present use of the property(s)? Residential, Commercial, Agricultural
Residential, Commercial, Agricultural, Industrial, etc.

What is the present Zone of the property(s)? R1

List all access to the property being Rezoned: East Main Road

Why are you requesting to change the Zone of your property?
Expanding current Farm Market business to include
Local craft beer on tap and Food to be served.
Live Entertainment (music)

Property owner signature: [Signature]

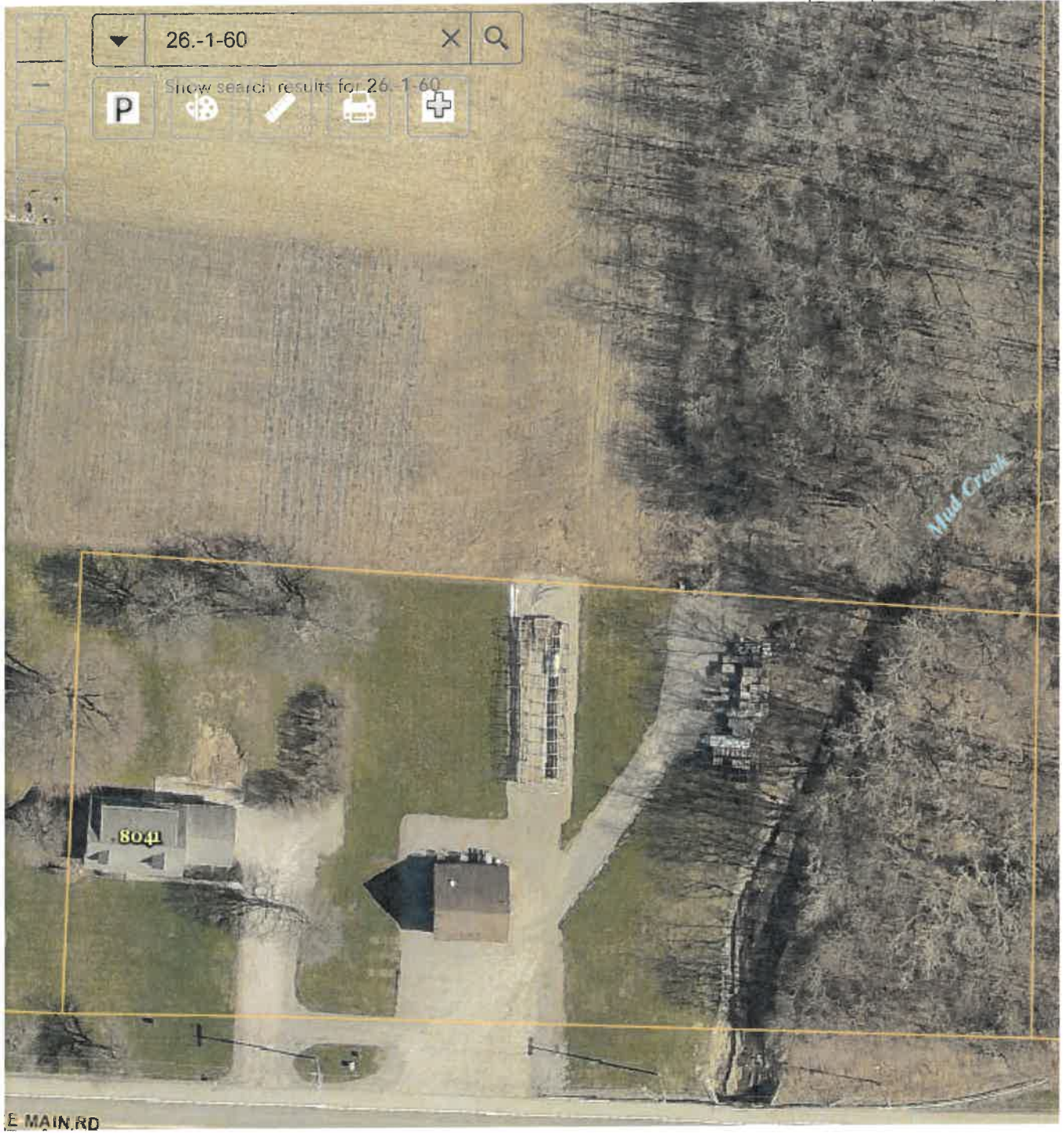
Date: 9/21/2020

Code Enforcement: [Signature]

Date: 9/22/2020

Town Clerk: [Signature]

Date: 9/22/20



8041 EAST MAIN Rd LeRoy



42.98090 -77.94794 Degrees



CURRENT ZONING

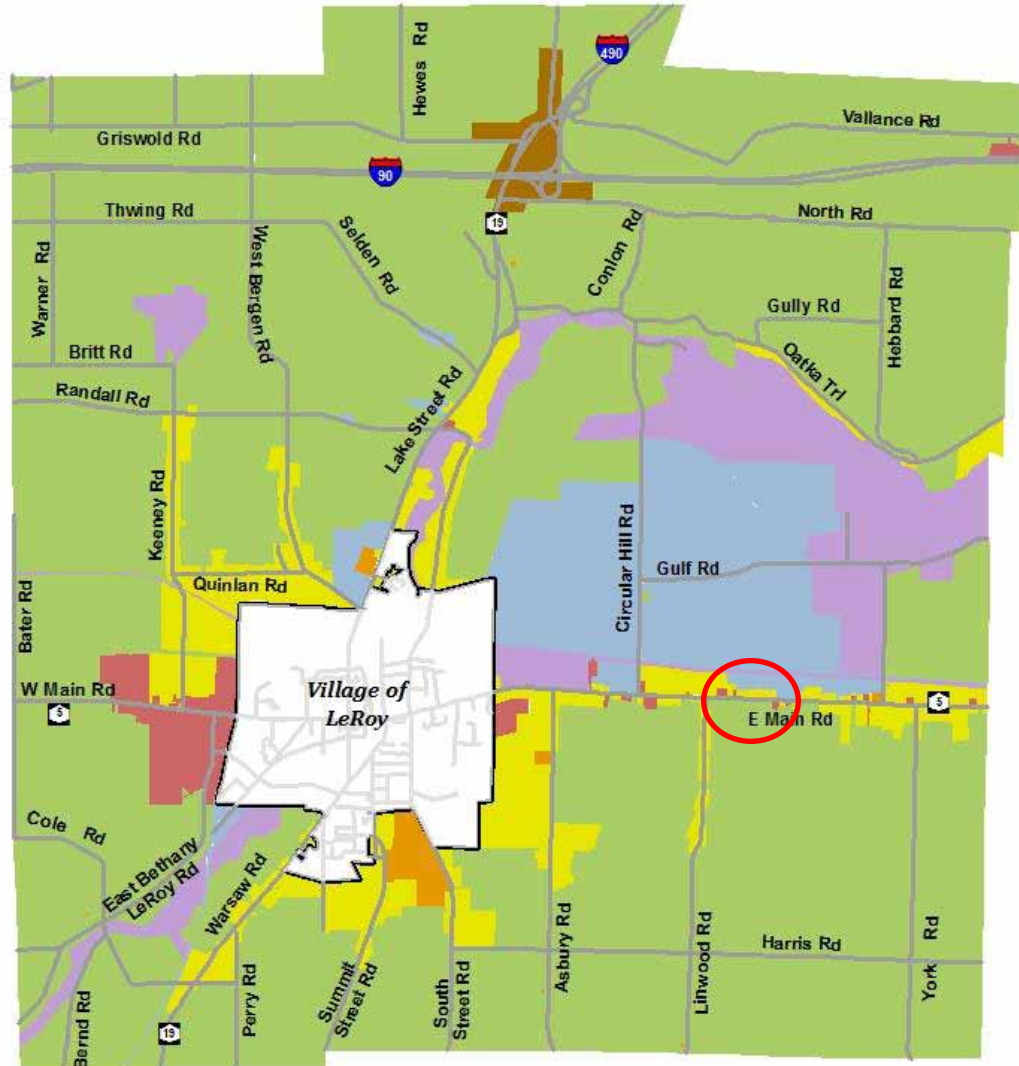


42.98151 -77.94788 Degrees

Future Land Use

Legend

- Interchange Area
- Agriculture
- Commercial
- Community Resources
- Industrial
- Recreational
- Residential



** Updated for 2014 parcels

T-03-LEROY-10-20



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04/27/2018