

<b><i>NUMBER</i></b>	<b><i>LOCATION</i></b>	<b><i>APPLICANT'S REQUEST</i></b>	<b><i>STAFF RECOMMENDATION</i></b>
<b>T-05-BETH-10-14</b>	4612 Brown Rd., Bethany	Special Use Permit to erect a 50 kW, 171.5 ft. high wind energy system for a farm operation in a NYS Certified Agricultural District.	<b><u>APPROVAL</u></b>  The proposed wind energy system should pose no significant county-wide or inter-community impact. The majority of the energy produced will be used to power an existing farm in a NYS Certified Agricultural District. Wind energy systems to power farm operations are considered "sound agricultural practices" by NYS Dept. of Agriculture and Markets.  Agriculture-Residential (A-R) District
<b>T-06-BETH-11-14</b>	9832 Bethany Center Rd., Bethany	Special Use Permit to operate outdoor mudding events.	<b><u>DISAPPROVAL</u></b>  The site plan as submitted is not adequate to perform a thorough review of the project; as such the proposed outdoor mudding events venue may pose significant county-wide or inter-community impacts. The applicant is encouraged to submit all relevant documentation per Town of Bethany Zoning Law Section 208 (C)(2) and that addresses all Site Plan Review Criteria, Section 208 (C)(3), and Special Use Permit Standards, Section 210 (H). The applicant should provide more detailed information regarding the number and size of all parking spaces, anticipated volume of traffic generated, proof of insurance insurance, storm water control and drainage including any NYS DEC required permit.  Agricultural-Residential (A-R) District

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<b>T-03-DAR-10-14</b>	642 Sumner Rd., Darien	Special Use Permit to construct a pond.	<b><u>APPROVAL</u></b>  The proposed pond appears to meet the provisions of the Town of Darien Zoning Law, including all property line setbacks and documentation from the Genesee County Soil and Water Conservation District Office. It is in keeping with the rural character of the area and should pose no significant county-wide or inter-community impact.
Low Density Residential (LDR) District			
<b>T-04-DAR-10-14</b>	1363 Broadway Rd. (NYS Rt. 20), Darien	Area Variances to rebuild an existing multi-family residential building destroyed by a fire.  Front Yard Setback Minimum required: 50 ft. Proposed: 20 ft.  Side Yard Setbacks Minimum required: 20 ft. Proposed: 7 & 8 ft.	<b><u>APPROVAL</u></b>  Given that the new building will be built on the footprint of a previous multi-family residential building destroyed by a fire, the requested variances should pose no significant county-wide or inter-community impact.
Medium Density Residential (MDR) District			

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<b>V-01-LEROY-10-14</b>	110 W. Main St. (NYS Rt. 5), LeRoy	Zoning Map Change from Planned Unit Development (PUD) District to Neighborhood Commercial (C-1) District and Special Use Permit to build a drive-through restaurant (Tim Hortons) at an existing convenience store.  Planned Unit Development (PUD) District	<b><u>APPROVAL WITH MODIFICATION(S)</u></b>  Given that signage is not addressed in the application, the required modification is that the applicant comply with the Village's zoning regulations as it pertains to signage. With this required modification, the proposed drive-through restaurant should pose no significant county-wide or inter-community impact. The zoning map change proposed is consistent with the Proposed Land Use Map (p. 69) of the Village of LeRoy Comprehensive Plan adopted in 2001.
<b>V-02-LEROY-10-14</b>	125 W. Main St. (NYS Rt. 5), LeRoy	Special Use Permit to build a drive-through restaurant (Dunkin Donuts).  Neighborhood Commercial (C-1) District	<b><u>APPROVAL WITH MODIFICATION(S)</u></b>  Given that signage is not addressed in the application, the required modification is that the applicant comply with the Village's zoning regulations as it pertains to signage. With this required modification, the proposed drive-through restaurant should pose no significant county-wide or inter-community impact.

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<b>T-06-PEM-10-14</b>	8236 North Pembroke Rd., Pembroke	Special Use Permit to operate an automobile sales business as a home occupation.	<b><u>DISAPPROVAL</u></b>  The proposed automobile sales business may pose significant county-wide or inter-community impacts. The application submitted does not significantly differ from the application disapproved in April of 2009 and since then the Town has not amended its Zoning Law to explicitly allow for such uses as home occupations. At the time of the previous application, the Town Attorney had offered a legal opinion that, "Under the current zoning law in the Town of Pembroke, this would not seem to qualify, especially in light of the fact that motor vehicle repair is specifically EXCLUDED from the definition of a home occupation. It would follow logically that motor vehicle sales, a similar use and intensity would also be excluded."
		Medium Density Residential (MDR) District	

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