

<b><i>NUMBER</i></b>	<b><i>LOCATION</i></b>	<b><i>APPLICANT'S REQUEST</i></b>	<b><i>STAFF RECOMMENDATION</i></b>
<b>C-26-BAT-8-15</b>	315 Ellicott St. (NYS Rt. 63), Batavia	Sign Permit Review to install one wall sign and two window signs for a retail phone/internet provider.	<b><u>APPROVAL</u></b>  The proposed signs should pose no significant county-wide or inter-community impact.
		Central Commercial (C-3) District	
<b>C-27-BAT-8-15</b>	206 E. Main St. (NYS Rts. 5 & 33), Batavia	Downtown Design (Site Plan) Review for exterior alterations to a commercial building to expand an existing restaurant (Main St. Pizza).	<b><u>DISAPPROVAL</u></b>  The proposal does not meet the Downtown Design Guidelines adopted by the City of Batavia. As proposed, the new door would open onto the sidewalk causing conflicts between pedestrians and patrons. The guidelines state that, "Storefront construction should be recessed enough at the point of entry to allow the door to swing out without obstructing the sidewalk." §190-14(D)(2)(d)(6)(e). With very few exceptions, this guideline is adhered to by most shop entrances on Main St. In addition, the proposed EIFS veneer is not in keeping with the guidelines that state: "A single material should be used as the dominant theme in the façade with secondary materials used only to highlight and accent the design." §190-14(D)(2)(d)(7)(b).
		Central Commercial (C-3) District	

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<b>C-28-BAT-8-15</b>	401-409 W. Main St. (NYS Rts. 5 & 63), Batavia	Final Subdivision, Special Use Permit, Special Sign Permits and Area Variances for a new drive-in restaurant (Dunkin' Donuts).  Distance to side lot line for driveways for drive-in restaurants Minimum required: 20 ft. Proposed: 0 ft.  Number of Parking Spaces Minimum required: 68 Proposed: 27  General Commercial (C-2) District	<b><u>DISAPPROVAL</u></b>  The proposed site plan is less conforming than previous proposals. In addition, given that the restaurant will sit at the visual terminus of Redfield Parkway, the larger than allowed interiorly lit free standing sign may pose visual impacts on this neighborhood, identified as Culturally Significant by the Genesee-Finger Lakes Regional Inventory of Culturally Significant Areas.
<b>T-02-BYRON-8-15</b>	6332 Byron Holley Rd. (NYS Rt. 237), Byron	Special Use Permit to install a ground mounted solar array.          Agricultural-Residential (AG-R) District	<b><u>APPROVAL</u></b>  The proposed solar array should pose no significant county-wide or inter-community impact.

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<b>V-01-CORFU-8-15</b>	Fieldcrest Dr., Corfu	Preliminary Subdivision Plat Review for a 17 lot single-family subdivision.	<b><u>DISAPPROVAL</u></b>  As submitted, the proposed subdivision does not comply with the requirements of the Village of Corfu Subdivision Law Article V, Sec.3. Under the law, Major Subdivision Preliminary Plat review requires significantly more detail including, "Plans and cross-sections showing the proposed location and type of sidewalks, street lighting standards, street trees, curbs..." The applicant also needs to apply for a waiver from the Subdivision Law provision limiting length of dead-end streets. In addition, the applicant has also not completed the Stormwater Pollution Prevention Plan (SWPPP) that is required when disturbing more than an acre of land, and the Agricultural Data Statement is not properly completed as it ignores the adjacent land enrolled in Agricultural District No. 1 and worked by Reyncrest Farms. Lastly, due to the presence of Federally identified wetlands, lots 9, 10, 16 and 17 do not appear to be buildable lots. The applicant needs to explain the plans for this land and the rear portion that contains a segment of Murder Creek.
		Neighborhood Business (NB) & Land Conservatio	
<b>T-07-LEROY-8-15</b>	8226 Oatka Trl., LeRoy	Area Variance to build a new detached garage for a single-family residence.  Side Yard Setback Minimum required: 20 ft. Proposed garage: 2 ft.	<b><u>DISAPPROVAL</u></b>  Given that the applicant owns the property immediately to the west, the applicant has options to comply with the required side yard setback.
		Residential-Agricultural (R-A) District	

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<b>T-08-LEROY-8-15</b>	7758 E. Main Rd. (NYS Rt. 5), LeRoy	Special Use Permit to operate a restaurant as an accessory use to a proposed hotel.	<b><u>APPROVAL WITH MODIFICATION(S)</u></b>  The required modification is that the applicant provide a detailed parking plan acceptable to the LeRoy Planning Board with the required number of off-street parking spaces prior to municipal approval. With this required modification, the proposed restaurant should pose no significant county-wide or inter-community impact. A restaurant is a customary accessory use to a hotel, and the applicant has more than enough land to accommodate parking for the uses.
		Limited Commercial (C-1) District	
<b>T-07-PAV-8-15</b>	10528 Pavilion Center Rd., Pavilion	Area Variance to build a new barn for a single-family home.  Accessory structures not allowed in the front yard.	<b><u>APPROVAL</u></b>  The location of the proposed barn should pose no significant county-wide or inter-community impact. There are examples of accessory structures in the front yards of nearby properties.
		Agricultural-Residential-1 (AR-1) District	

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<b>T-09-PEM-8-15</b>	2425 Kilian Rd., Pembroke	Special Use Permit to operate a bed and breakfast.	<b><u>APPROVAL</u></b>  Given that the applicant will provide a turn-around/parking off the driveway, the proposed bed and breakfast should pose no significant county-wide or inter-community impact.
		Agricultural-Residential (AG-R) District	
<b>T-10-PEM-8-15</b>	9178 Allegheny Rd. (NYS Rt. 77), Pembroke	Area Variance for a parcel boundary adjustment.  Side Yard Setback Minimum required: 25 ft. Proposed shed: 20 ft.	<b><u>APPROVAL</u></b>  The proposed setback should pose no significant county-wide or inter-community impact.
		Agricultural-Residential (AG-R) District	

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<b>T-03-STAF-8-15</b>	Entire Town of Stafford	Zoning Text Amendments to prohibit certain natural gas and petroleum exploration, extraction, storage and disposal activities.	<b><u>APPROVAL</u></b>  The proposed Zoning Text Amendments are intended to protect the health, safety, and welfare of the Town and should pose no significant county-wide or inter-community impact.
		Entire Town	
<b>T-04-STAF-8-15</b>	6177 Main Rd. (NYS Rt. 5), Stafford	Area Variance to place a fence for an existing mixed-use building.	<b><u>TABLE - REQUEST 30-DAY EXTENSION</u></b>  A 30-day extension is being requested of the Town of Stafford Zoning Board of Appeals in order to receive the necessary information to render a decision regarding the proposed variance at the September 10, 2015 County Planning Board Meeting. The applicant disputes that the Town submitted a full statement to the County Planning Board. The application received does not state the height of the proposed fence and no drawings, photos or surveys were included as part of the documents submitted by the Town. The applicant stated at the meeting that these were all submitted to the Town as part of this application. As per General Municipal Law § 239-m (4)(b), the referring body (Town ZBA) may agree to the 30-day extension or may act 30 days after the receipt of the referral from the Town. The County Planning Department received this referral from the Town on August 3, 2015.
		Commercial (C) District	