



**GENESEE COUNTY PLANNING BOARD
ZONING REFERRALS NOTICE OF FINAL
ACTION**

GCDP Referral ID **T-02-BYRON-8-15**

Review Date **8/13/2015**

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

| |
|--------------------------------------------------------------------|
| BYRON, T. |
| PLANNING BOARD |
| Steven Lockner |
| Special Use Permit |
| |
| Special Use Permit to install a ground mounted solar array. |

Location
Zoning District

| |
|---------------------------------------------------|
| 6332 Byron Holley Rd. (NYS Rt. 237), Byron |
| Agricultural-Residential (AG-R) District |

PLANNING BOARD DECISION

APPROVAL

EXPLANATION:

The proposed solar array should pose no significant county-wide or inter-community impact.

Director

August 13, 2015

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, N.Y. 14020-9404
Phone: (585) 344-2580 Ext. 5467

DEPARTMENT USE ONLY:

G.C.D.P. Referral # T-02-BYRON-8-15
Date Received 8-3-2015



*** GENESEE COUNTY *
PLANNING BOARD REFERRAL**

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

1. REFERRING BOARD AND ADDRESS

BYRON PLANNING BOARD
7028 Rte 237
Byron, N.Y 14422

2. APPLICANT'S NAME, ADDRESS & PHONE #

Steven Lockner
6332 Byron Holley Rd
Byron, N.Y 14422
MUNICIPALITY : CITY TOWN VILLAGE : of Byron

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

- Area Variance
- Use Variance
- Special Use Permit
- Site Plan Review

- Map Change
- Text Amendments
- New Zoning Ordinance
- Other: _____

- Subdivision Proposal
- Preliminary
- Final

RECEIVED

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

AUG 03 2015

GENESEE COUNTY
DEPARTMENT OF PLANNING

- A. Address 6332 Byron Holley Rd
- B. Nearest intersection N. Bergen Rd
- C. Tax Map Parcel # (T.M.P.) 3.-1-38.112
- D. Dimensions of the property 240 x 306 (FRONT LINE) Area of the property 1.5 Acres
185 (REAR)
- E. Present zoning district A/R

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
11.15

C. Please describe the nature of this request Install Ground Mount Solar Array System

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

- Copy of local application
- Sketch of proposal
- Subdivision plot plans
- Maps

- Copy of text amendments
- Copy of new Ordinance/Law
- Site Plan
- Agricultural Data Statement

Other: _____

Name, Address and Phone # of the person representing the community in filling out this form (required information)

KEN KUTER ZEO/CEO

TOWN OF BYRON

**APPLICATION TO THE
PLANNING BOARD**

Special Use Permit

Special Use Number : PBA-2015-021

Date : 7/27/15

OWNER

APPLICANT (if other than owner)

Name : STEVEN HOEKNER
Address : 6332 BYRON HOLLEY
BYRON N.Y. 14422
Telephone # : 585 548-7474

Name : _____
Address : _____
Telephone # : _____

1. Request to the Planning Board to overturn the Zoning Enforcement Officer's decision to DENY GRANT an application for a Zoning Permit Application Number _____ Dated _____

2. APPLICATION FOR : Special Use Permit

Other

Please Specify

3. Address of Project Site : 6332 BYRON HOLLEY RD BYRON N.Y. 14422
Tax Map Number : 183000 3 138 112 Zoning District : _____

4. Has a previous appeal been filed pertaining to this parcel? No
Yes If yes, list Appeal No. _____ Date _____ Purpose of Request : _____

5. Justification for Request : General Response _____



A more SPECIFIC RESPONSE should accompany this application on separate sheet(s) of paper. Address each of the statements listed on the back of the PINK sheet which pertain to your specific appeal.

The Applicant shall submit with this request, appropriate supporting materials including, but not limited to, site plans, elevations, traffic circulation diagrams, neighborhood land use maps and any other material that will assist the Board in making a determination regarding this request.

CERTIFICATION : I hereby certify that I have read and examined this application and supporting attachments and know the same to be true and correct. All provisions of laws and ordinances covering this type of work or use will be complied with whether specified herein or not. The granting of an appeal does not presume to give authority to violate or cancel the provisions of any other state or local ordinance or law regulating construction or performance of construction and/or use.

[Signature] 7/10/15
Applicant's Signature Date: Owner's Signature (if other than applicant) Date:

OFFICE USE ONLY

PROVISIONS of ZONING LAW for SPECIAL USE:

- 1. Article X7 Section 11.15
Subsection 9 Paragraph _____
state reason; _____
- 2. Table I or II - state reason; _____

FEE COLLECTED : Check # _____
Special Use Fee \$ 50⁰⁰
Public Hearing Fee \$ 50⁰⁰
TOTAL FEE \$ 100

Signature - Zoning Enforcement Officer _____
Date _____

◆ TOWN OF BYRON ◆

Agricultural Data Statement

Application # PBA-2015-021

Date 7/27/15

INSTRUCTIONS: This form must be completed for any application for a special use permit, site plan approval, use variance or a subdivision approval, requiring municipal review, that would occur on property within 500 feet of a farm operation located in a NYS Dept. of Ag. & Markets certified Agricultural District.

Applicant

Name STEVEN LOCKNER

Address 6332 Byron Hollow
Byron N.Y. 14422

Owner if different than Applicant

Name _____

Address _____

1. Type of application: Special use permit ; Site plan approval ; Use variance ;
Subdivision approval

2. Description of proposed project: Solar Panel Ground Mount Installation

3. Location of project: Address 6332 Byron Hollow Byron N.Y. 14422

Tax Map Number (TMP) 183000 3 139112

4. Is this property within an Agricultural District ? NO YES

Check with your local Assessor if you do not know

5. If yes, Agricultural District Number _____

6. Is this property actively farmed ? NO YES

7. List all farm operations within 500 feet of your property, (Attach additional sheets if necessary).

1.

Name SHARP & SON

Address 6541 WARBOYS RD
Byron N.Y. 14422

Is this property actively farmed ? NO YES

2.

Name _____

Address _____

Is this property actively farmed ? NO YES

3.

Name _____

Address _____

Is this property actively farmed ? NO YES

4.

Name _____

Address _____

Is this property actively farmed ? NO YES


Signature of Applicant

Signature of Owner (if other than Applicant)

REVIEWED BY


Signature of Municipal Official

7/27/15
Date

NOTE TO REFERRAL AGENCY

County review is required. A copy of the Agricultural Data Statement must be submitted along with the referral to the County Planning Department.

Section 11.15 Solar Energy Systems

- (a) Solar energy systems are permitted in all districts only with approval by the Planning Board with a Special Use Permit and Site Plan review.
- (b) In a Residential (R-1) District, such Solar Energy System shall be permitted only when attached to the principal building on a lot.
- (c) Setback requirements for other than R-1 Districts:
 - (i) Front setback must be behind the principal building front setback requirements (see Table 1).
 - (ii) Side and rear setbacks must be at least 1 ½ times the height of the Solar Energy Structure.

Section 11.16 Manufactured Home Parks

- (a) Manufactured home parks may be permitted in the RA and R1 districts upon issuance of a Special Use Permit, provided that the following standards and requirements are complied with. Any changes to the approved manufactured home site plan must be presented to and approved by the Planning Board.
 - (i) Size. The size of all manufactured home parks shall be minimum of two (2) acres.
 - (ii) Construction and safety standards. All manufactured homes within the park shall comply with the current construction and safety standards set forth by the United States Department of Housing and Urban Development.
 - 1) Manufactured homes shall have a minimum habitable floor area of eight hundred (800) square feet.
 - 2) Solid fuel burning devices shall not be permitted within any manufactured home in a manufactured home park.
 - (iii) Layout and design.
 - 1) Buffer zones. The site shall be located and laid out so that no manufactured home is located within one-hundred (100) feet of any adjacent public highway right-of-way or within one-hundred (100) feet of any other adjoining property line. Additional buffer areas may be required by the Planning Board if deemed necessary in order to avoid potential conflicts with existing, permitted or planned adjacent land uses.
 - 2) Other principal structures. A private conventional residence may be located within the confines of the manufactured home park only to the extent that it is used as an office. Lot location and minimum distances shall be fixed by the Planning Board after due consideration of each case.
 - 3) Interior roadways. The layout of interior roadways, driveways and walkways shall be designed and maintained in such a manner as to provide for safe, efficient and orderly vehicular and pedestrian traffic acceptable to the Planning Board after a written report from Highway Superintendent. In addition, all interior roadways shall be clearly identified by signs at each intersection. Such signs shall be acceptable to the Planning Board.
 - a) Roadway (or driveway) clear zone width. All roadways shall have a minimum clear zone width of forty (40) feet which is completely clear of obstructions to a height of twelve (12) feet.

Pacifico Engineering PC
 700 Lakeland Ave, Suite 2B
 Bohemia, NY 11716
 www.pacificoengineering.com



Engineering Consulting
 Ph: 631-988-0000
 Fax: 631-382-8236
 solar@pacificoengineering.com

May 23, 2014

Town of Byron
 Code Enforcement
 7028 Byron Holley Road
 Byron, NY 14422

Subject: Solar Energy Installation for
 Steven Lockner
 6332 Byron Holley Road
 Byron, NY 14422

Section: 3
 Block: 1
 Lot: 38.112

I have reviewed the proposed renewable energy installation at the subject address. The structure can support the imposed live and dead loads. The units are to be installed in accordance with the manufacturer's installation instructions. I have determined that the installation will meet the requirements of the 2010. NYS Building Code, and ASCE7-05 when installed in accordance with the manufacturer's instructions.

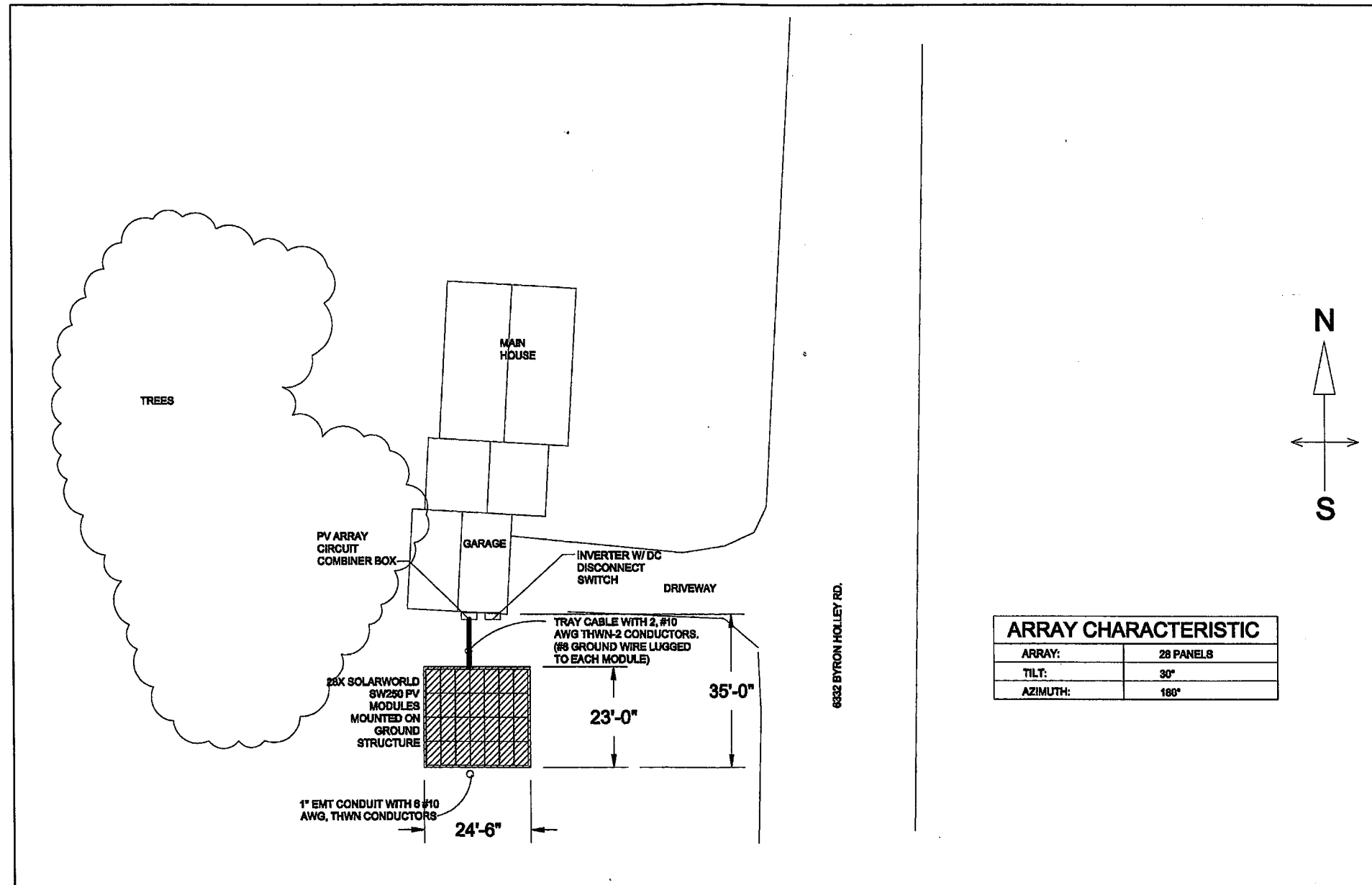
The climactic and load information is below:

| CLIMACTIC AND GEOGRAPHIC DESIGN CRITERIA | Category | Ground Snow Load, Pg | Wind Speed, 3 sec gust, mph | Live load, pnet30 per ASCE 7, psf |
|------------------------------------------|----------|----------------------|-----------------------------|-----------------------------------|
| Ground Mount A Solar Array | B | 50 | 90 | 15 |

Ralph Pacifico, PE
 Professional Engineer





Ralph Pacifico, PE
 NY 086182 - E04744306

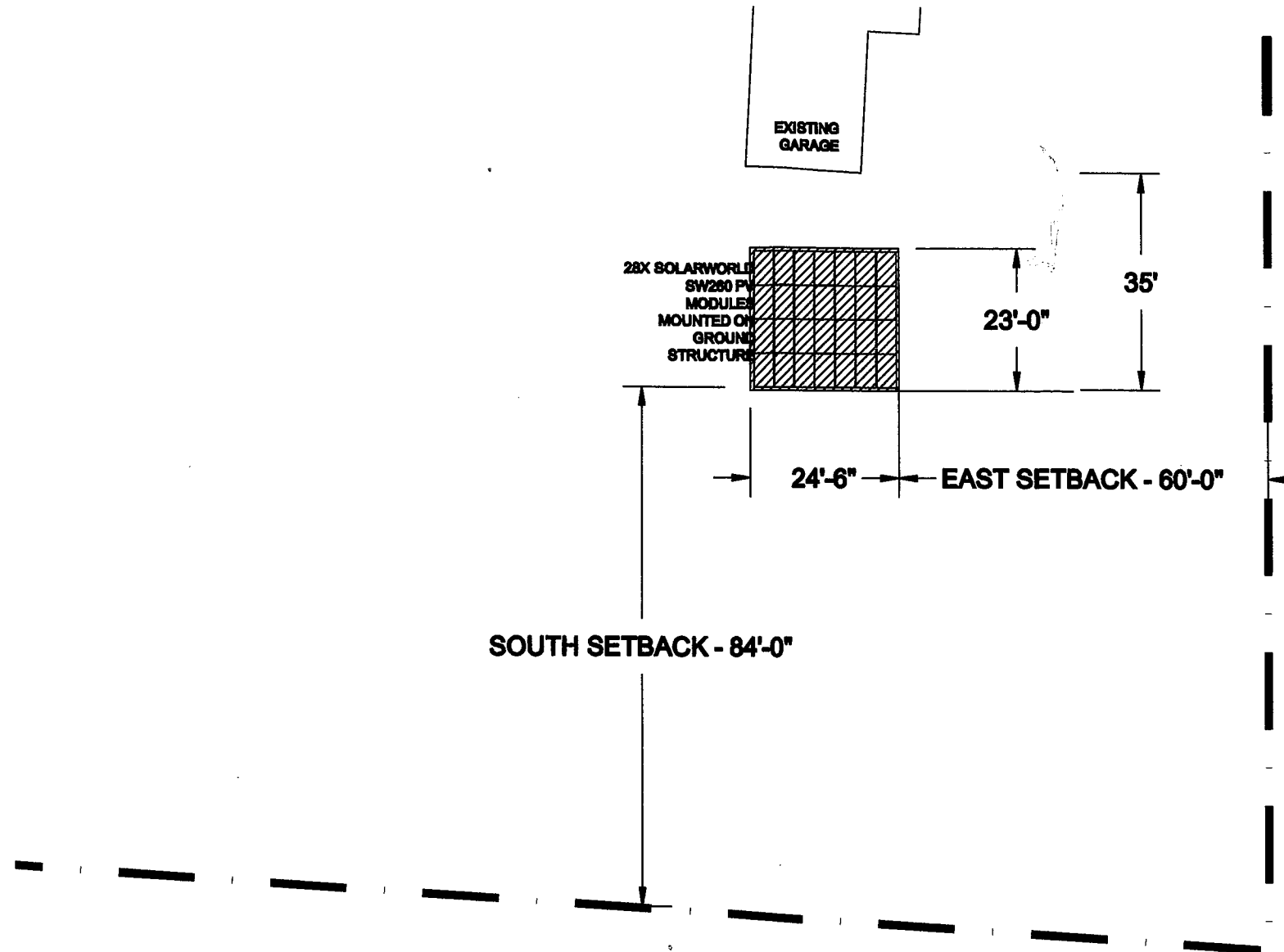


| ARRAY CHARACTERISTIC | |
|----------------------|-----------|
| ARRAY: | 28 PANELS |
| TILT: | 30° |
| AZIMUTH: | 180° |

SITE PLAN

| | | | |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------|----------|
| Professional Seal:  Ralph Pacifico, Professional Engineer NY 066182 / NJ 24GE04744306 |  YOU SAVE GREEN, INC. 141 CRESCENT DRIVE, ALBERTSON, NY 11507 | Revision 5 | |
| | | Revision 4 | |
| | | Revision 3 | |
| | | Revision 2 | |
| | | Revision 1 | |
| Solar Project for: Steven Lockner 6332 Byron Holley Rd Byron, NY 14422 | | Sheet: <h2>S-003.00</h2> | |
| Project Description: PROPOSED SOLAR ENERGY INSTALLATION | | | |
| Drawing Description: SITE PLAN | | | |
| Date: | 05 / 22 / 14 | Scale: | AS NOTED |
| Drawn by: | MANKIT WU | | |
| | | 3 of 3 | |

SITE PLAN



Professional Seal:

Ralph Pacifico, Professional Engineer
NY 086182 / NJ 24GE04744306



YOU SAVE GREEN, INC.
141 CRESCENT DRIVE,
ALBERTSON, NY 11507

Solar Project for:

Steven Lockner
6332 Byron Holley Rd
Byron, NY 14422

Project Description:

PROPOSED SOLAR ENERGY INSTALLATION

Drawing Description:

SITE PLAN

Date:

05 / 22 / 14

Scale:

AS NOTED

Drawn by:

MANKIT WU

| | |
|------------|--|
| Revision 5 | |
| Revision 4 | |
| Revision 3 | |
| Revision 2 | |
| Revision 1 | |

Sheet:

S-003.00



T-02-BYRON-8-15

