

**GENESEE COUNTY PLANNING BOARD - ZONING REFERRAL SUMMARY SHEET**

**Review Date:** Thursday, December 08, 2016

<b><u>NUMBER</u></b>	<b><u>LOCATION</u></b>	<b><u>APPLICANT'S REQUEST</u></b>	<b><u>BOARD ACTION</u></b>
<b>V-02-CORFU-12-16</b>	22 E. Main St. (NYS Rt. 33), Corfu	Site Plan Review to operate a recycling redemption center on the ground floor of an existing mixed-use building.	<b><u>APPROVAL</u></b>  The proposed recycling redemption center should pose no significant county-wide or inter-community impact.
Commercial (C) District			
<b>T-15-DAR-12-16</b>	98 County Line Rd., Darien	Special Use Permit for a home occupation (quilting studio).	<b><u>APPROVAL WITH MODIFICATION(S)</u></b>  The required modification is that any proposed sign comply with the Town's zoning law as it pertains to maximum size (4 sq. ft.). With this required modification, the proposed home occupation, quilt studio, should pose no significant county-wide or inter-community impact.
Low Density Residential (LDR) District			

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<b>T-16-DAR-12-16</b>	228 Sumner Rd., Darien	Special Use Permit for an agricultural irrigation pond for a property enrolled in the NYS Agricultural District.	<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. Irrigation ponds are considered sound agricultural practices and should pose no significant county-wide or inter-community impact.  Low Density Residential (LDR) District
<b>T-06-LEROY-12-16</b>	Entire Town of LeRoy	Adoption of an updated Comprehensive Plan	<b><u>APPROVAL</u></b>  The proposed Comprehensive Plan should pose no significant county-wide or inter-community impact. The plan is in harmony with the proposed update to the County Smart Growth Plan and the County Comprehensive Plan.  Entire Town

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<b>T-06-PAV-12-16</b>	10052 Hartwell Rd., Pavilion	Special Use Permit and Area Variances to install a 153 ft. high, 10 kW wind energy system for a farm operation enrolled in the NYS Agricultural District program.  Setback from public right-of-way Minimum required: 1,000 ft. Proposed: 493 ft.  Setback to property lines Minimum required: 1,000 ft. Proposed: 225 & 231 ft.  Agricultural-Residential-1 (A-R-1) District	<b><u>APPROVAL WITH MODIFICATION(S)</u></b>  Given that wind turbines are considered by the NYS Dept. of Agriculture and Markets as a "sound agricultural practice" for a farm operation enrolled in the NYS Agricultural District program, the required modification is that the applicant provide evidence that the electricity generated will be used to supply a portion of a farm's electrical needs (not exceeding 110% of the farm's anticipated demand) or obtain a waiver from the adjacent landowners. With this required modification, the proposed setbacks should pose no significant county-wide or inter-community impact. The Town may want to revise their setback requirements for wind energy systems to be dependent on tower height as this approach is more widely used (i.e. 1.5 times the height).
<b>T-07-PAV-12-16</b>	6359 Telephone Rd. (NYS Rt. 20), Pavilion	Special Use Permit and Area Variances to install a 153 ft. high, 10 kW wind energy system for a farm operation enrolled in the NYS Agricultural District program.  Setback from public right-of-way Minimum required: 1,000 ft. Proposed: Approx. 440 ft.  Setback to property lines Minimum required: 1,000 ft. Proposed: Approx. 305 & 455 ft.  Agricultural-Residential-1 (A-R-1) District	<b><u>APPROVAL WITH MODIFICATION(S)</u></b>  Given that wind turbines are considered by the NYS Dept. of Agriculture and Markets as a "sound agricultural practice" for a farm operation enrolled in the NYS Agricultural District program, the required modification is that the applicant provide evidence that the electricity generated will be used to supply a portion of a farm's electrical needs (not exceeding 110% of the farm's anticipated demand) or obtain a waiver from the adjacent landowners. With this required modification, the proposed setbacks should pose no significant county-wide or inter-community impact. The Town may want to revise their setback requirements for wind energy systems to be dependent on tower height as this approach is more widely used (i.e. 1.5 times the height).

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<b>T-11-PEM-12-16</b>	1270 Main Rd. (NYS Rt. 5), Pembroke	Special Use Permit to operate a motor vehicle sales and service shop.  Commercial (C) and Agricultural-Residential (A-R)	<b><u>APPROVAL WITH MODIFICATION(S)</u></b>  The required modifications are as follows: (1) All outdoor storage of parts, junk cars, apparatus and trash shall be prohibited, except for vehicles being serviced, (2) The applicant shall comply with the Town's Zoning Law as it pertains to signage, (3) the applicant obtain a driveway permit from NYS DOT for the change in use prior to final approval by the Town, and (4) the storage and disposal of new and used waste oils, lubricants, fuel, and other hazardous materials must be conducted in accordance with applicable State and Federal regulations. With these required modifications the proposed motor vehicle sales and service shop should pose no significant county-wide or inter-community impact.
<b>T-12-PEM-12-16</b>	9026 S. Lake Rd., Pembroke	Special Use Permit and Area Variance to operate a home occupation (dog training) in an existing barn.  Home Occupation Area Maximum allowed: 500 sq. ft. Proposed: 1,000 sq. ft.  Agricultural-Residential (A-R) District	<b><u>DISAPPROVAL</u></b>  The amount to be used for a home occupation is twice the maximum allowed, The granting of such a large variance could undermine the intent of the law to prevent home occupations into becoming commercial uses. If the Town believes this use to be compatible with other uses allowed in the A-R District, is recommended that the Town explore a zoning amendment that would allow for dog training to take place inside buildings with a special use permit.