

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

**Review Date:** Thursday, April 13, 2017

<b><u>NUMBER</u></b>	<b><u>LOCATION</u></b>	<b><u>APPLICANT'S REQUEST</u></b>	<b><u>BOARD ACTION</u></b>
<b>T-03-ALA-4-17</b>	Town of Alabama	Incentive Zoning Review for the Science & Technology Advanced Manufacturing Park (STAMP).	<b><u>APPROVAL</u></b>  The proposed amended Incentive Zoning Agreement should pose no significant county-wide or inter-community impact. The changes are meant to address the evolution of STAMP project, the need to accelerate the construction and expand the scope of the water project, as well as a desire to clarify ambiguities in the original agreement.
		Agricultural-Residential (A-R) District	
<b>C-09-BAT-4-17</b>	661 and 665 E. Main St. (NYS Rt. 5), Batavia	Zoning Map Change to rezone two parcels from Residential (R-2) and Industrial (I) to General Commercial (C-2).	<b><u>APPROVAL</u></b>  Although not fully in conformance with the current (1997) City of Batavia Comprehensive Plan, the proposed rezoning should not be considered an illegal spot zoning because recent public comprehensive planning efforts call for this area to be "Neighborhood Commercial" which supports commercial uses as well as higher density residential. The current plan's Land Use Concept Map (Figure III-1) identifies this area as Industrial and calls for the City to "clarify and focus industrial areas" on the eastern side of the City. This vision, proposed over 20 years ago, was not implemented, and has been supplanted with a gateway commercial area that supports nearby neighborhoods. Community support for this vision was recorded at the February 28, 2017 Comprehensive Plan Update Open House.
		Industrial (I-1) and Residential (R-2) Districts	

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<b>C-10-BAT-4-17</b>	151 Oak St. (NYS Rt. 98), Batavia	Site Plan Review to construct a two-family dwelling on a vacant parcel.	<b><u>APPROVAL</u></b>  The proposed two-family home should pose no significant county-wide or inter-community impact. Given the many trees to be removed from the property, it is recommended that the applicant plant additional trees on the property after construction.
		Residential (R-1) District	
<b>C-11-BAT-4-17</b>	266 East Ave., Batavia	Area Variance to construct a patio roof structure.  Rear Yard Setback Minimum required: 35 ft. Proposed: 13 ft.	<b><u>APPROVAL</u></b>  The proposed variance should pose no significant county-wide or inter-community impact. Neighboring properties exhibit similar such setbacks.
		Residential (R-1) District	

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<b>C-12-BAT-4-17</b>	8315 Park Rd., Batavia	Site Plan Review to construct an 29,456 sq. ft. race paddock at the Batavia Downs racetrack.	<b><u>APPROVAL</u></b>  The proposed race paddock is consistent with the prior and existing uses on the property and should pose no significant county-wide or inter-community impact.
		General Commercial (C-2) District	
<b>T-04-BAT-4-17</b>	Entire Town of Batavia	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-05-BAT-4-17</b>	9366 Batavia- Stafford Townline Rd., Batavia	Site Plan Review to add two units to an existing self-storage facility.	<b><u>APPROVAL WITH MODIFICATION(S)</u></b>  The required modification is that onsite lighting shall be installed so as to not shine directly onto neighboring properties or cause a hazard for motorists. With this required modification, the proposed self-storage facility should pose no significant county-wide or inter-community impact.
		Agricultural-Residential (A-R) District	
<b>T-06-BAT-4-17</b>	2901 Pearl Street Rd. (NYS Rt. 33), Batavia	Special Use Permit and Site Plan Review for a 2 MW Solar Farm on 17.4 acres of land.	<b><u>APPROVAL WITH MODIFICATION(S)</u></b>  The required modifications are as follows: 1) The applicant obtain documentation from the State Historic Preservation Office (SHPO) as to the project's impacts on archaeological resources, and 2) Per NYS Dept. of Environmental Conservation (DEC) requirements, and given that the applicant will be disturbing more than one acre of land, the applicant completes a Stormwater Pollution Prevention Plan (SWPPP) prior to final approval from the Town. With these required modifications, the proposed solar energy system should pose no significant county-wide or intercommunity impact. It is recommended that the applicant submits the enclosed application for 9-1-1 Address Verification to the Genesee County Sheriff's Office to ensure that the address of the proposed solar farm meets Enhanced 9-1-1 standards.
		Agricultural-Residential (A-R) District	

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<b>T-07-BAT-4-17</b>	4181 Veterans Memorial Dr., Batavia	Site Plan Review to construct a 12,600 sq. ft. and 7,400 sq. ft. Commercial Buildings on a currently vacant 3.4 acre lot.	<b><u>APPROVAL WITH MODIFICATION(S)</u></b>  Per NYS Dept. of Environmental Conservation (DEC) requirements, and given that the applicant will be disturbing more than one acre of land, the required modification is that the applicant completes a Stormwater Pollution Prevention Plan (SWPPP) prior to final approval from the Town. With this required modification, the proposed commercial use should pose no significant county-wide or inter-community impact. It is recommended that the applicant submits the enclosed application for 9-1-1 Address Verification to the Genesee County Sheriff's Office to ensure that the addresses of the proposed buildings meet Enhanced 9-1-1 standards.  Commercial (C) District
<b>T-08-BAT-4-17</b>	Call Pkwy., Batavia	Site Plan Review to construct an 11,500 sq. ft. facility for Mercy EMS.	<b><u>APPROVAL WITH MODIFICATION(S)</u></b>  The required modifications are as follows: 1) The applicant follow SHPO's requirement to conduct a phase 1 archeological survey wherever there will be a disturbance of the land, and 2) The applicant obtain documentation from NYS DOT for approval of the extension of Call Pkwy. prior to final approval by the Town. With these required modifications, the proposed facility should pose no significant county-wide or inter-community impact. It is recommended that the applicant submits the enclosed application for 9-1-1 Address Verification to the Genesee County Sheriff's Office to ensure that the address of the proposed building meets Enhanced 9-1-1 standards.  Industrial (I) District

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<b>T-01-BER-4-17</b>	Warboys Rd., Bergen	Final Subdivision to divide a building lot from a rural/agricultural parcel.	<b><u>APPROVAL</u></b>  The proposed final subdivision should pose no significant county-wide or inter-community impact. It is recommended that, if a structure is to be built on the property, the applicant submit the attached application for 9-1-1 Address Verification to the Genesee County Sheriff's Office to ensure that an address is assigned that meets Enhanced 9-1-1 standards.
		Residential-Agricultural (RA-40) District	
<b>T-02-BER-4-17</b>	6520 N. Lake Rd. (NYS Rt. 19), Bergen	Site Plan Review to construct a 7,644 sq. ft. addition to an existing industrial use.	<b><u>APPROVAL</u></b>  The proposed addition should pose no significant county-wide or inter-community impact.
		Residential-Agricultural (RA-40) District	

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<b>T-06-DAR-4-17</b>	2044 Sumner Rd., Darien	Special Use Permit to install a 153.8 ft. high, 10 kW wind energy system for a farm operation enrolled in the NYS Agricultural District program.	<b><u>APPROVAL</u></b>  Given that wind energy systems are considered by the NYS Dept. of Agriculture and Markets as "sound agricultural practices" for a farm operation enrolled in the NYS Agricultural District program, the proposed wind energy system should pose no significant county-wide or inter-community impact.
Low Density Residential (LDR) District			
<b>T-05-LEROY-4-17</b>	Entire Town of LeRoy	Zoning Text Amendments as follows: 1) Allows funeral homes by right in the Limited Commercial (C-1) District while adding "crematorium" to the use; 2) Eliminates the requirements for campsites to have an improved driveway for each lot; 3) Add Interchange Zone as previously adopted to the code book; 4) Remove the Planned Unit Development (PUD) language from the code book.	<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.
Residential (R-2) District			

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<b>V-03-LEROY-4-17</b>	8 Lathrop Ave., LeRoy	Area Variance to construct an above-ground pool onto a single-family home.  Rear Yard Setback Minimum required: 35 ft. Proposed: 11 ft.	<b><u>APPROVAL</u></b>  The proposed variance should pose no significant county-wide or inter-community impact. Neighboring properties exhibit similar such setbacks.
		Residential (R-2) District	
<b>T-05-PEM-4-17</b>	2404 Pratt Rd., Pembroke	Special Use Permit and Site Plan Review for motor vehicle sales as a home occupation at an existing single-family home.	<b><u>APPROVAL WITH MODIFICATION(S)</u></b>  Per section 512 of the Town's Zoning Law, the required modifications are as follows: 1) No outdoor display of vehicles shall be permitted, 2) any signage shall be limited to the maximum of two signs at six sq. ft. each, and 3) No motor vehicle repair shall be permitted on premises. With these required modifications, the proposed motor vehicle sales should pose no significant county-wide or inter-community impact.
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<b>T-04-STAF-4-17</b>	Entire Town of Stafford	Zoning Text Amendments to establish a nine month moratorium that prohibits Solar Farms.	<b><u>APPROVAL</u></b>  The proposed moratorium should pose no significant county-wide or inter-community impact. The moratorium appears to meet the intent of the municipality to have enough time to study and draft changes to their Zoning Law to protect the health, safety and welfare of the community.
		All Districts	
<b>T-05-STAF-4-17</b>	5773 and 5981 Main Rd. (NYS Rt. 5), Stafford	Zoning Map Change to rezone two parcels from Agricultural-Residential (A-R) to Commercial (C) District.	<b><u>APPROVAL</u></b>  The proposed rezoning should pose no significant county-wide or inter-community impact. The Future Land Use Map (Map 8) in the Town's Comprehensive Plan updated in 2009 shows the area as commercial. In addition, the plan states that, "The Town envisions the continued growth of its primary commercial area to the west of the Hamlet of Stafford along NYS Rt. 5 given the existing highway and utility infrastructure corridor." (p.74)
		Agricultural-Residential (A-R) District	