

Brian Napoli, Chairman



Tibbs Ahlberg, Vice-Chairman

COUNTY OF ORLEANS
PLANNING BOARD
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County Planning Board Minutes

Regular Meeting
May 25, 2017

County Administration Building
Conference Room C, 7:00 p.m.

CPB ATTENDING: Christine Buongiorno, Dan Strong, Terry Brown, William Camann, Kevin Johnson, Michael Grabowski, Ron Vendetti, Kelly Cousins, Elaine Berg, Tom Fenton, Tim Elliott, Kirk Myhill

CPB EXCUSED: Marty Busch, Paul Hendel, Tibbs Ahlberg, Brian Napoli

CPB ABSENT: Tom Keeler, Andy Kludt, Gary Daum

GUESTS: Tracy Vanskiver, Kirk Mathes, Anthony J. Gramuglia, Thomas J. Fromberger

STAFF: Jim Bensley, Sarah Gatti

Acting Chairperson Kirk Myhill called the regular meeting of the Orleans County Planning Board (CPB) to order at 7:00 p.m. He welcomed all present.

Ron Vendetti made a motion for **APPROVAL** of the minutes from the April 27, 2017 regular meeting as submitted, seconded by Tim Elliott and carried unanimously.

OLD BUSINESS

Director Jim Bensley reminded the CPB that registration for the Land Use Workshop to be held on the evening on Wednesday, June 28th would remain open until a week prior to the event. He indicated this would be their final reminder before the event and encouraged all to attend.

NEW BUSINESS

Jim Bensley informed the CPB that summer hours would be commencing on Tuesday, May 30th. Correspondingly, the deadline for the submission of zoning referrals would now be seven days prior to the meeting at 4:00 PM. Regular hours are set to resume after the Labor Day holiday.

Mr. Bensley also informed the CPB that the Orleans County Department of Planning and Development (the Department) had received approval at the May Legislative session to pursue a grant opportunity for a Local Waterfront Revitalization Program (LWRP) along the Erie Canal. All eight municipalities along the Erie Canal in the County would be included in the project, which can aid in assessing municipal assets and identifying opportunities within the study area. He further indicated that the Department should know by the end of 2017 whether the Consolidated Funding Application (CFA) for grant monies was successful.

Zoning Referrals

17-26 MURRAY *Request for New Zoning Ordinance: Adoption of Solar Energy Systems and Facilities Local Law.*

Elaine Berg provided highlights of Local Law # 3 of the Town of Murray regarding solar energy systems, such as: small residential solar energy systems require only a building permit while freestanding or ground mounted are subject to more stringent regulations. She also explained the separation of residential systems and those defined as solar farms. Finally, Ms. Berg noted how helpful it had been to hear how other municipalities are approaching the siting and regulation of solar energy systems.

RECOMMENDATION for 17-26: Kevin Johnson made a motion for **APPROVAL**, seconded by Terry Brown and carried by all voting members.

17-27 MURRAY *Request for Use Variance to Operate Event Facility at 3990 Lake Road in Residential/Agricultural (RA) District.*

Ron Vendetti explained the historical use of the site for the foaling and sales of mini-horses and a venue for mini-horse shows. In recent years, the industry has declined. This decline has led to the current use of the site, as a wedding venue –although the Town never approved such a use. Mr. Vendetti further stated that the Town became aware of this due to neighborhood complaints regarding noise and traffic generated by the events. The Town has discussed their zoning ordinance and does not wish to revise regulations so to allow this use in the RA District. The applicant is aware of this and has opted to pursue a use variance. Tim Elliott asked where the nearest district other than RA was located; Mr. Vendetti responded that the entire immediate vicinity was zoned RA. Kirk Myhill question whether the site would need bathrooms for events of 250 people. Christine Buongiorne responded, clarifying the there are two bathrooms on site. Mr. Vendetti reminded the CPB that the issue at hand is strictly whether the applicant has proved all four of the tests required to grant a use variance. Tim

Elliott inquired if this could be considered a recreation area, as attested to by the applicant in the zoning referral packet. County Planner Sarah Gatti interjected stating the as defined in the Murray zoning ordinance, this use does not qualify as a recreation area. Recreation area is defined as a “non-business” endeavor. Dan Strong questioned whether mini-horse shows would still be permissible on the site. Mr. Vendetti replied in the affirmative, stating that the New York State Department of Agriculture and Markets would consider mini-horse shows a business that promotes agriculture.

RECOMMENDATION for 17-27: Tom Fenton made a motion for **DENIAL**, seconded by Elaine Berg and carried by all voting members (Dan Strong abstaining).

17-28 ALBION (V) Request for Amendment to Zoning Map and Text: Expansion of Multifamily Residential District (R-3) and Revision of R-3 Regulations.

Ms. Gatti presented a map illustrating the area of the proposed rezoning to the CPB. She stated this change was in line with the Future Land Use map for the Village which designates this area suitable for single, two, and multi-family residential use. Regarding the proposed textual changes, they ranged from the revision of dimensional standards to non-substantive changes regarding sentence structure. Mr. Vendetti supplemented this information by explaining the rationale behind this proposed change; specifically, the abundance of pre-existing non-conforming uses in the area. Additionally, the current R-3 District is located quite far from services in the Village. With this proposed rezoning, residents in the R-3 District will now be located much closer to every day services.

RECOMMENDATION for 17-28: Kelly Cousins made a motion for **APPROVAL**, seconded by Christine Buongiorno and carried by all voting members.

17-04 ALBION (V) Request for Site Plan Review (Amendment) for Construction of Additional Structure at 366 Washington St. in General Commercial (GC) District.

Thomas Fromberger, MRB Group Engineer, explained the changes to the site plan since the CPB’s last review in January 2017. These changes to the drainage plan were necessitated by the Department of Environmental Conservation (DEC) and involve avoiding an existing drainage ditch. Altering the site plan to avoid the drainage ditch resulted in moving the proposed 8,000 sq. ft. structure 19 ft. to the east. Additionally, a proposed storage area along the rear of the property line has been removed from the site plan. Ron Vendetti added that a Stormwater Pollution Prevention Plan has been submitted.

RECOMMENDATION for 17-04: Tim Elliott made a motion for **APPROVAL**, seconded by Tom Fenton and carried by all voting members (Christine Buongiorno abstaining).

17-29 CLARENDON Request for Extension of Moratorium (120 days) on Mobile Home Construction Outside of Mobile Home Parks.

Kevin Johnson explained this was a simple request for an extension on the existing abovementioned moratorium.

RECOMMENDATION for 17-29: Ron Vendetti made a motion for **APPROVAL**, seconded by Dan Strong and carried by all voting members (Kevin Johnson abstaining).

OTHER BUSINESS

Director Bensley informed the CPB that one foot contour data was now available and in the possession of the Department. He surmised this data may be useful to developers as local zoning requirements often stipulate site plans be submitted with elevation data. This data, within 1,000 ft. of the Lake Ontario shoreline, is now available on Pictometry. Additionally, it's available from the Department and is public information

On a related note, the Director made the CPB aware that updated flood maps are scheduled for release (in draft form) in six weeks time. These revised maps will define a "High Risk Coastal Area" along the Lake Ontario shoreline and will require new construction standards; namely, that homes must be built on stilts. There will be a robust public input process to finalize the maps and municipalities will have to make the determination of whether they want to continue their participation in the program.

Lastly, it was announced that another planner will be joining the Department at the end of the month.

ADJOURNMENT

There being no further business, Elaine Berg made a motion to **ADJOURN** at 7:42 p.m., seconded by Tim Elliott and carried unanimously.

Respectfully Submitted,

Sarah E. Gatti
Acting Executive Secretary