

proposed for rezoning has historically been used for operation of a car sales lot in conjunction with the gas station. The use is eligible for continuation as a pre-existing nonconforming use.

The A district permits agricultural and residential uses; proprietary care facilities; licensed day care facilities; and home professional offices. The A district allows multiple family dwellings, kennels, schools, sawmills, mining, and essential services by Special Use Permit. The minimum lot size is 20,000 SF and the minimum lot width is 100'.

The E district permits stores; rental and repair services, excluding auto and appliance repair services; personal and professional services; restaurants; banks; laundromats and multiple family dwellings. The E district allows motor vehicle service stations; religious uses; lodging and day care uses; recreational uses; mobile home parks; essential services; junkyards; and appliance service and repair and car washes by Special Use Permit. The E district allows outdoor display of merchandise. The E district prohibits business structures within 50' of the boundary of any residential zoning district. The minimum lot size is 5,000 SF with a minimum lot width of 100'.

The F district permits industrial, manufacturing, and warehouse uses; offices and research laboratories; retail commercial businesses; lease, and repair businesses; banks; and agricultural activities. The F district allows motels and hotels, restaurants, banks, essential services, auto repair and service stations, appliance service and repair, car washes; and sawmills by Special Use Permit. Article V Supplemental District Regulations indicates motor vehicle service stations may include not more than 2 unlicensed vehicles for sale outside an enclosed building. In the F district, no principal or accessory structures are allowed within 50' of the boundary of any residential district. The minimum lot size is 2 acres with a 200' minimum lot width.

The existing zoning district regulations do not include motor vehicle sales as an allowed or permitted use on the use list of any district.

Comments

1. The lot falls far short of the minimum lot size and lot width in the F Industrial district and would require an area variance for any proposed use or structure. If the lot were E Business the lot size would be conforming. Any structure would still require an area variance given the required setback to the Residential District boundary.
2. The Town of Richmond zoning map does not follow parcel boundaries. This can make business transfers and property redevelopment difficult. While the Town is changing the boundaries of the F Industrial districts, the Town should consider amending the entire eastern line of the F Industrial district north of SR 20A to follow property lines and potentially also amend the northern property boundary to follow property lines.

CPB Comments The Town Board should considering including in the consultant scope of work for the Active Transportation Plan recently funded through the Genesee Transportation Council's Unified Work Program development of recommendations for access, zoning, land use and regulatory changes that would support proposed expansions of the active transportation system and provide a desirable environment for such users.

Board Motion: A motion to retain referral 74-2019 as a Class 2 and return it to the local boards with recommendation of disapproval with comments.

Motion made by: D. Wink

Seconded by: T. Lyons

Vote: 13 in favor, 0 opposed, 0 abstention Motion carried

| 75 - 2019 | Town of Canandaigua Planning Board | Class: 1 |
|--------------------|--|----------|
| Referral Type: | Site Plan | |
| Applicant: | Hanford, Geoffrey | |
| Tax Map No(s): | 56.00-2-24.450 | |
| Brief Description: | Site plan for gravel parking area at Uptown Tire, 5291 Kepner Road at SR 332 in the Town of Canandaigua. | |

The parking area is on the parcel's southeast corner near the intersection of Kepner Road and SR 332 adjacent to and under related ownership with Uptown Tire at 2375 SR 332. This parking area with access off Kepner Road was constructed without site plan approval.

Board Motion: A motion to retain referrals 69-2019, 69.1-2019, 70-2019, 72-2019, 75-2019, 76-2019, 77-2019 78-2019, 78.1-2019, 79-2019, 79.1-2019 and 81-2019 as Class 1s and return them to the local boards with recommendation of approval with comments.
Motion made by: Carol O'Brien
Seconded by: David Wink
Vote: 13 in favor, 0 opposed, 0 abstention Motion carried.

| 76 - 2019 | Town of Gorham Zoning Board of Appeals | Class: 1 |
|--------------------|---|----------|
| Referral Type: | Area Variance | |
| Applicant: | Schwab, Hans & Cindy | |
| Tax Map No(s): | 154.12-1-29.00 | |
| Brief Description: | Area variance for 8' wide covered porch on north and west side of house at 5187 CR 11 in the Village of Rushville. Porch reduces Lakeview Avenue front setback from 20' to 12.4' when 35' is required and extends east line of house which has a 12.9' side setback when 15' is required. | |

Board Motion: A motion to retain referrals 69-2019, 69.1-2019, 70-2019, 72-2019, 75-2019, 76-2019, 77-2019 78-2019, 78.1-2019, 79-2019, 79.1-2019 and 81-2019 as Class 1s and return them to the local boards with recommendation of approval with comments.
Motion made by: Carol O'Brien
Seconded by: David Wink
Vote: 13 in favor, 0 opposed, 0 abstention Motion carried.

| 77 - 2019 | Town of Victor Zoning Board of Appeals | Class: Exempt |
|--------------------|---|---------------|
| Referral Type: | Area Variance | |
| Applicant: | Miller, Bethany | |
| Tax Map No(s): | 38.00-1-41.210 | |
| Brief Description: | Area variance for construction of an accessory structure on a residential lot that does not have a principal structure at North Road at Strong Road in the Town of Victor. Action does not require a site plan. | |

| 78 - 2019 | Town of Victor Zoning Board of Appeals | Class: 1 |
|--------------------|---|----------|
| Referral Type: | Area Variance | |
| Applicant: | Christopher, Felix and Rane | |
| Representative: | Thornton, Glenn | |
| Tax Map No(s): | 5.01-1-25.006 | |
| Brief Description: | Area variance for subdivision to create a new 3 acre conforming lot on Benson Road in the Town of Victor. The subdivision of the 14 acre lot at 7850 Royal Woods exceeds the allowable density of the approved subdivision. | |

The remainder lot of the Royal Woods subdivision is 17.2 acres and developed with a single family home. Much of the lot and portions of nearby smaller lots have slopes of 16 to 60%. There are also 2 hillside areas overlooking Benson Road with slopes in excess of 60%. Much of these steep slope areas are in a conservation easement which also has a 10' wide trail easement through the lot in question. The area proposed for subdivision as a building lot would have access off Benson Road outside the steeply sloped area. The subdivision also proposes additional non-contiguous land to be included in a conservation easement.

The referral documentation indicates the Royal Woods subdivision does not meet current density limitations due to a zoning change to Limited Development district following its creation 20 years ago.

Comments

1. The referring body should ensure that the proposed lot is able to meet sight distances and access spacing standards for an additional access connection along this segment of roadway in accordance with standards established by the American Association of State Highway and Transportation Officials (AASHTO).
2. The applicant and referring agency are strongly encouraged to involve OCSWCD as early in the review process as possible to ensure proper design and placement of any on site septic system.
3. The applicant and referring agency are strongly encouraged to involve the Ontario County Soil and Water Conservation District as soon as possible to ensure proper design and implementation of storm water and erosion control measures.
4. Any new conservation area should be contiguous with existing conservation area.