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**Planning Board Minutes  
February 21, 2019**

**Planning Board Members Present:** Fred Fink, Julie Pellett, Daniel Compton, Matt Rogers, Fran Overmoyer, Steve Lester. **Absent:** Michael Woodruff, Michael Donohoe.

**Others Present:** Kimberly Rayburn (Secretary), James Kier (Building & Zoning), Mel Farmer (Agent, Applicant Stantec Consulting Services), Joseph Arena, John Rassmussen, Andrew Van Roo (Architect, Plan Architectural Studio)

**Fink opened the meeting at 7:30 pm. and read the Public hearing notice. Fink asked the public if they had any questions, there were none. Compton made a motion and Rogers seconded the motion to close the public hearing, all Board members voted Aye.**

**I. Preliminary/Final 1 Lot Subdivision, TS1-19** lands located at 2242 Cannan Rd. Owner Steve & Alissa Hawkins tax map # 66.00-3-1.200. Parent parcel of 18 +/- acres removing 2 +/- (centerline of rd) from parent parcel with SF home leaving 16 +/- (centerline of rd) with barn.

The Board reviewed the maps for the requested changes, the maps have all the required information on them for a land transfer.

Fink discussed SEQR, Rogers made a motion and Lester seconded the motion to declare SEQR a Type II action, no further action required. All Board members present voted Aye.

**Planning Board Decision:**

**Compton made a motion and Overmoyer seconded the motion to approve Preliminary/Final 1 Lot Subdivision, TS1-19** lands located at 2242 Cannan Rd. Owner Steve & Alissa Hawkins tax map # 66.00-3-1.200. Parent parcel of 18 +/- acres removing 2 +/- (centerline of rd) from parent parcel with SF home leaving 16 +/- (centerline of rd) with barn.

**Whereas:**

**1. Land transfer only**

**Record of Vote:**

**Fink Aye Pellett Aye Compton Aye Overmoyer Aye Rogers Aye Lester Aye**

**All Board members present voted Aye, Vote was carried unanimously.**

**II. Area Variance TV1-19. Owner Ontario County ARC (Agent) Stantec Consulting Services, Inc** tax map # 67.03-1-11.100 located on Rabbit Run Area Variance to erect an ARC Group home that will require a northern side setback of 23.5 +/- ft where 50 ft is required.

Fink asked for the representatives to give a brief overview of their project and request. Mel Farmer from Stantec stated that the lot is a 1.6-acre lot, they are proposing to build a 3,200 sq ft residential facility with six (6) bedrooms. Overmoyer stated that the proposed is not listed as an allowable use in the AR-2 District, Rayburn stated that they thought it was considered a residential home. Overmoyer stated that it is not listed in the residential code, Kier looked it up and stated that it falls under 310.6 Residential Group R-4 and it is located in the building code. Since it's not in the residential code which is for single family homes only, it cannot be classified as a single-family home. Rayburn looked up the allowable uses and special permitted uses in the AR-2 District and it was found that a Special Use Permit will also be required for this proposal.

The south side of the property will be used as the septic area, which pushes the home a little bit to the north requiring a variance to the side setback. This is the best location for the septic per the perc test and it cannot be located in the front of the property due to the creek. Overmoyer asked why is the floor plan set up the way it is, if it were more linear it could be located within the setback and moved further back on the site.

Farmer stated that from a site plan perspective the lots on Rabbit run are fairly steep so as you get farther back in the parcel there would be a lot more cut and fill and drainage issues. Overmoyer stated it didn't look like it would be any more than he already has to do.

Rayburn asked the applicants about why they didn't go forward with the project the first time, Arena stated that back in the late 90's the project stalled as their financial funding ran out, he stated they have recently contacted the neighbors and even moved the driveway as a result of those conversations due to night glare from a shift change. They have put a lot of thought into the design of the house with keeping the neighbors in mind. Fink asked how far the property to the north is from the property line, farmer stated it is forty-five (45) feet from the property line. A discussion was held on the maps, it looks like a check dam crosses the property line, Farmer stated that it will not. Overmoyer asked where they stood in terms of lot coverage, you give a project area but no lot coverage area. He would like to know what the potential run off from the project would be with regard to lot coverage. Compton stated that there is an existing deep drainage ditch that everything will drain down to.

Van Roo stated they are working closely with the Ontario County ARC to make sure the regulations are met by them, and keeping the square footage down as low as possible has its own challenges. He is pretty confident that the floor plan has been designed to meet the needs of the facility /residents and the building designed to keep the aesthetics of the neighborhood. They try to blend in with the community as much as possible.

### **Planning Board Decision:**

**Compton made a motion and Pellett seconded the motion to forward the application onto the ZBA** with the advisory opinion's listed below for Area Variance TV1-19. Owner Ontario County ARC (Agent) Stantec Consulting Services, Inc tax map # 67.03-1-11.100 located on Rabbit Run Area Variance to erect an ARC Group home that will require a northern side setback of 23.5 +/- ft where 50 ft is required.

### **Whereas:**

- 1. All temporary and permanent structures will be located on the parcel and depicted to be completely located on the parcel on the new map.**
- 2. The applicant states it is a self-created hardship**
- 3. The Planning Boards decision is that a Special Use Permit is required**
- 4. Some Board members are concerned with the degree of relief and feel it is substantial, if anything can be done to lessen the degree it should be looked at.**
- 5. Some Board members agree with the applicant that the structure is designed to be efficient for the residents and the neighbors and will fit with the aesthetics of the neighborhood.**
- 6. There are no plans for expansion as the State will not allow it.**
- 7. The location of the septic is the best possible location for perc and due to the creek in the front**

### **Record of Vote:**

**Fink Aye Pellett Aye Compton Aye Rogers Aye Overmoyer Aye Lester Aye**  
**All Board members present voted Aye, Vote carried unanimously.**

### **IV. Discussion**

The Board reviewed the subdivision map for Cy Plastics and had a few comments on the map, the dotted lines for proposed lots should be removed, and a brief discussion was held on having the Fire Department look at the plans to make sure a turn around would or would not be required for the new structure layout.

Compton had a question on the David Spencer proposal of a mini storage on his property located on Oakmount, he wanted to know if a traffic study would be required by the DOT.

### **V. Meeting Adjourned**

**Overmoyer made a motion and Rogers seconded the motion to close the meeting @ 8:40 pm.**  
**All Board members present voted Aye, Vote was carried unanimously.**

Respectfully submitted,

Kimberly Rayburn  
Planning & Zoning Board Secretary