



<u>NUMBER</u>	<u>LOCATION</u>	<u>APPLICANT'S REQUEST</u>	<u>BOARD ACTION</u>
T-02-ALA-05-26	1805 Judge Rd. (NYS Rt. 63), Alabama	Special Use Permit for a Home Occupation II (meat processing).	<u>APPROVAL WITH MODIFICATION(S)</u> The required modification is that per Section 610 of the Town's Zoning Law, the applicant reduce the proposed sign from the proposed 9 sq. ft. to the maximum allowed size of 6 sq. ft. With this required modification, the proposed home occupation should pose no significant county-wide or inter-community impact.
		Agricultural-Residential (A-R) District	



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T-03-ALA-05-26	7189 Alleghany Rd. (NYS Rt. 77), Alabama	Special Use Permit for a Contractor's Yard (concrete batch plant) and topsoil screening.	<u>APPROVAL WITH MODIFICATION(S)</u> The required modifications are as follows: 1) The applicant completes a Stormwater Pollution Prevention Plan (SWPPP) and obtains a Stormwater Permit for Construction Activity from NYS Department of Environmental Conservation (DEC); 2) the applicant obtains registration documentation and any required permit from NYS DEC as it pertains to air emissions; 3) the applicant conducts a wetland delineation and provides documentation from NYS DEC relating to wetlands on the property; 4) the applicant amends the short EAF and obtains documentation from NYS DEC as it pertains to threatened/endangered species as the property is within the Northern Harrier check zone; 5) the applicant merges the two properties to bring the entire use onto one property; and 6) the applicant obtains a driveway permit from NYS Dept. of Transportation (DOT) for the change in use. With these required modifications, the proposed use should pose no significant county-wide or inter-community impact.
		Agricultural-Residential (A-R) and Commercial	



<u>NUMBER</u>	<u>LOCATION</u>	<u>APPLICANT'S REQUEST</u>	<u>BOARD ACTION</u>
T-02-BER-05-26	Residential-Agricultural (RA-40) District, Bergen	Zoning Text Amendments to add a definition of Comfort Care Services and add Comfort Care Services as an accessory use to a religious institution with a special use permit in the Residential-Agricultural (RA-40) District.	<u>APPROVAL</u> The proposed amendments should pose no significant county-wide or inter-community impact as they appear to meet the intent of the municipality to protect the health, safety and welfare of the community.
		Residential-Agricultural (RA-40) District	
T-03-BER-05-26	7549 S. Lake Rd. (NYS Rt. 19), Bergen	Use Variance to operate comfort care services at an existing church.	<u>DISAPPROVAL</u> Under the criteria set forth in NYS General Town Law, this proposal does not appear to meet the thresholds for the granting of a Use Variance. The applicant does not provide any financial data to show the property is or cannot make a reasonable return with the uses currently allowed under the zoning law. Furthermore, there is no evidence that the property and its circumstances are unique in this zoning district. By State Law, the applicant must meet all four tests in order for the Zoning Board of Appeals to grant the use variance.
		Residential-Agricultural (RA-40) District	



<u>NUMBER</u>	<u>LOCATION</u>	<u>APPLICANT'S REQUEST</u>	<u>BOARD ACTION</u>
V-01-BER-05-26	8097+ 8073 Clinton Street Rd. (NYS Rt. 33), Bergen	Special Use Permit and Site Plan Review to demolish an existing restaurant and build a new 7,500 sq. ft. building with three businesses, a restaurant, a liquor store and a retail/office space.	<u>APPROVAL WITH MODIFICATION(S)</u> Given that the applicant states in the Short Environmental Assessment Form (EAF) (Part 1, 3b) that the project will physically disturb "1.5 +/- acres," the required modification is that the applicant completes a Stormwater Pollution Prevention Plan (SWPPP) and obtains a Stormwater Permit for Construction Activity from NYS Department of Environmental Conservation (DEC) or if the proposed disturbance is below the one acre threshold per the Stormwater Management and Utility Memorandum/Engineer's Report, the applicant amend the Short EAF. 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 attached application for 9-1-1 Address Verification to the Genesee County Sheriff's Office to ensure that addresses are assigned to each of the proposed businesses that meet Enhanced 9-1-1 standards.
		General Commercial (GC) District	



<u>NUMBER</u>	<u>LOCATION</u>	<u>APPLICANT'S REQUEST</u>	<u>BOARD ACTION</u>
T-02-LER-05-24	8414 E. Main Rd. (NYS Rt. 5), LeRoy	Special Use Permit to add motor vehicle repair to an existing auto sales business.	<u>APPROVAL WITH MODIFICATION(S)</u> The required modifications are as follows: 1) Per Chapter 165-2 of the Town of LeRoy zoning regulations and in order not to be considered an unlicensed automobile junkyard, there shall be no outdoor storage of more than one unlicensed automobile, used appliance or used units of machinery; 2) any on-site lighting shall be installed so as to not shine directly onto neighboring properties or cause a hazard for motorists; 3) any signage complies with the Town's zoning regulations; and 4) the storage and disposal of all new and used waste oils, lubricants, fuels, coolants and other hazardous materials shall be conducted in a manner consistent with all applicable State and Federal laws. With these required modifications, the proposed motor vehicle repair shop should pose no significant county-wide or inter-community impact.
		Limited Commercial (C-1) District	
T-01-PEM-05-26	Entire Town of Pembroke	Zoning Text Amendments to require continuous road frontage in order to meet the requirements for a building lot.	<u>APPROVAL</u> The proposed amendments should pose no significant county-wide or inter-community impact as they appear to meet the intent of the municipality to protect the health, safety and welfare of the community.
		All Zoning Districts	