



*Brian Napoli, Chairman*

COUNTY OF ORLEANS  
**PLANNING BOARD**  
14016 Route 31 West  
Albion, New York 14411-9382  
(585) 589-3198

*Dan Strong, Vice-Chairman*

**County Planning Board Minutes**

Regular Meeting  
July 27, 2023

Virtual Participation  
Originating from Chamber

**CPB ATTENDING:** Michael Massaro, Christopher Kinter, Thomas Keeler, Kevin Johnson, Bruce Kirby, Daniel Gardner, Richard Moss, David Knapp, Thomas Fenton, Gary Daum, Dan Strong, Brian Napoli, Bill Eick

**CPB ATTENDING VIRTUALLY:** Bruce Newell, Darryl Sandford

**CPB EXCUSED:** Janet Navarra-Salvatore, George Avery, Kirk Myhill,

**CPB ABSENT:** Kevin Parker, Wesley Miller, Russell Bosch, Chris Watt, Monica Seeler, Timothy Elliott, Edward Urbanik

**GUESTS:** William Quaranto (Town of Carlton Planning Board Chairman), Jason Raduns

**STAFF:** Corey Winters

---

Chairman Brian Napoli called the regular meeting of the Orleans County Planning Board (CPB) to order at 7:00 p.m. All present for the meeting were welcomed by him.

**NEW BUSINESS**

Chairman B. Napoli, asks the members if there need to be any changes or additions to the April meeting minutes. At this time Bruce Newell, requested to have his name added to the list of members who abstained when the resolution of approving the Erie Canal LWRP.

Michael Massaro made a motion for **APPROVAL** of the **April 27, 2023** minutes due to the May and June meetings being canceled, seconded by Christopher Kinter and carried unanimously.

**23-12 Ridgeway**

***Request for Special Use Permit to create a Recreational Pond (75'x300'14'). Project is located at 10839 Ridge Road.***

C. Winters states that the applicant is requesting a Special Use Permit to construct a recreational pond, 75' in width, 300' in length, and 14' in depth on a parcel that they own. The pond will be 14' in depth at the North end while becoming shallower towards the South End. The total acreage of the site of the proposed action is 13.4 acres, while only .517 will be physically disturbed for this project. Once the project is completed, it will not connect to existing public and/or private water supply and will not be connected to utilize wastewater utilities. A Gravel driveway will also be constructed leading from the residence located on the parcel to the newly constructed pond.

According to the submitted SEQR, New York State Parks, Recreation, and Historic Preservation determined that the project site does not contain any items or structures that would be eligible to be listed on the State Register of Historic Places. The proposed parcel does not contain any species of animals, or associated habitats that are listed by the State or Federal government as threatened or endangered. According to SEQR, the parcel on which the pond will be constructed does contain wetlands or other water bodies that are regulated by a federal, state, or local agency. With that said, the applicant has stated that the North end of the pond, which is the closest to the wetlands, will be 585 feet away. While there's a wetland located on the parcel, the parcel is not within a 100-year flood plain. Lastly, the proposed project will not create stormwater discharge, which will flow to adjacent properties.

C. Winters discusses that Article VII Section §765: Ponds; within the Town of Ridgeway Zoning Code have standards and conditions that need to be met and maintained. Such as Ponds with more than 1.0 acres in surface area must meet all requirements of the Orleans County Soil and Water Conservation District as well as applicable Department of Environmental Conservation requirements before the Planning Board may act. The applicant shall present a plan for pond construction of the pond that bears the approval of the Orleans County Soil and Water Conservation District Office. He also adds that according to the Town of Ridgeway's Zoning Code, all ponds need to have a 100' setback from all adjoining roads and property lines. In regards to this project, the setbacks are as follows:

- North: 1,480'
- East: 98.5'
- South: 180'
- West: 98.5'

Lastly, C. Winters mentions that if the applicant wants to have the spoils and/or topsoil to be sold during the construction of the pond, the applicant must file for an Excavation and Mining Operation Permit per the Town of Ridgeway's Zoning Code Sections §722 and §723.

As for traffic generating characteristics, C. Winters stated that traffic generation is not expected to increase; since the pond will be located, approximately 210' from a residence located on the parcel and will not be visible from the road due to the majority of the parcel being woodlands.

After C. Winters provides the summary of the application to the CPB Board members, B. Napoli asks if Jason Raduns has anything to add. He replies that everything was pretty much covered in the introduction.

D. Strong mentions that the proposed pond does not meet the setback requirements per the Town of Ridgeway's Zoning Code, he recommends just making the pond 2 feet smaller to meet the setback requirements.

[RECOMMENDATION FOR 23-12:](#) Bruce Kirby, made a motion for **APPROVAL with CONDITIONS**. Seconded by Gary Daum and carried by all voting members (Tom Fenton and Brian Napoli abstaining).

**Conditions:**

1. Per the Town of Ridgeway Zoning Code, Article VII §765, the pond must have a setback of 100' from all adjoining roads and property lines. With that said, the East and West setback is 98.5' from existing property lines. While the North and South setbacks meet the requirements per this section §765. The Code Enforcement Officer and the applicant should set up a meeting to discuss possible ways to modify the site plan/location of the pond so it can meet the 100' setback requirement.

**Comments:**

Per conversation with the Town of Ridgeway Code Enforcement Officer and the submitted application to the Orleans County Planning Board, the applicant does not intend to sell the spoils from the creation of the pond. The applicant will use the soils to level and fill low spots within the parcel.

Based on the dimensions of the pond, it is estimated that it will be approximately 0.57 acres in surface area, with that said; the Special Permit may be authorized by the Planning Board without the need for approval by the Orleans Soil and Water approval or the Department of Environmental Conservation. Per the Town of Ridgeway Zoning Code, Article VII Section §765.

**23-13 Yates**

**Request for a Special Use Permit to operate a Home Business.  
Project is located at 10975 Millers Road.**

C. Winters introduces the application to the board, stating that the applicant is requesting a Special Use Permit to operate a home business where the applicant will be repairing and replacing bows and arrows. In the future, the applicant is planning to be able to sell bows, arrows, and other archery equipment from this location. The business will be housed in an existing structure located on the property. The applicant will also live on the same parcel as the home business within a residence on the property. The applicant states that they plan to have one sign on the existing building and one by the road (2'x2'). The signs will not have lights. There will be parking spaces to commandant the business, according to the submission, there will be enough for two (2) vehicles. The applicant states that the hours of business will be 5:30 pm-8:30 pm.

Additionally, C. Winters states proposed application is located on a 176.3-acre parcel, while only no acreage will be physically disturbed due to everything existing on the parcel, such as the driveway and structures. The home business will not connect to a public/private water supply, also will not connect to an existing wastewater utility. New York State Parks, Recreation, and Historic Preservation determined that the project site does not contain any items or structures that would be eligible to be listed on the State Register of Historic Places. The proposed parcel does not contain any species of animal, or associated habitats that are listed by the State or Federal government as threatened or endangered. According to SEQR, the parcel is not within a 100-year floodplain.

C. Winters discusses the Article and Sections that this application is relevant to within the Town of Yates Zoning Code. Article VII Section §740 states that the Planning Board may approve a Special Use Permit for a Home

Business in any district where the residences are permitted, provided that the following standards and provisions are maintained. He mentions the standards as, Neighborhood Character, Operation and employees, Floor Space, Outdoor Storage and Materials, Outdoor Display of Goods, Signage, Commercial Vehicles, Number of Clients, Hours of Operation, Number of Home Based Businesses Permitted, Parking and Access, Setbacks, and Deliveries. While C. Winters did not go through these provisions one at a time, he did say they are discussed in more detail in the Orleans County Planning Board Referral document.

In regards to the application affecting the traffic generation, once the application is approved, it is not expected to increase, since everything already exists within the application, and the applicant is only estimating that 1-2 vehicles will be at the home business at a time.

After the introduction of the application to the Orleans County Planning Board, G. Daum projects more insight regarding this application and the applicant. He mentions that the home business will be closed on Sundays, and believes that this business is needed for the area, due to the amount of residents who bow hunt. This home business will be beneficial to the community, and surrounding areas. The only question that was asked regarding the application was by D. Strong, who asked would the home business have an outdoor range located on the property for the customers to target shoot with their bows, and dial in the scopes. G. Daum states that he and the applicant had this conversation back when they first presented the home business application to the Town of Yates Planning Board. He states that there will be no outdoor range located at the home business.

[RECOMMENDATION FOR 23-13:](#) David Knapp made a motion for **APPROVAL**. Seconded by Dan Strong and carried by all voting members (Gary Daum abstaining).

**Comments:**

The Town of Yates Planning Board should request to review the site plan for the signage per their Town Zoning Code, Article VII Section §740 Part H regarding signage.

- One sign shall be permitted to identify a Home Based Business. No sign shall have more than two (2) printed sides.
- In the Rural Residential (RR) and Waterfront Residential (WR) R Districts, no sign shall exceed two (2) square feet.
- In the AR District, such a sign shall not exceed four (4) square feet in area per side.
- All signs shall require Site Plan approval by the Planning Board.

**23-14 Carlton**

**Request for a Special Use Permit to operate a Dump Truck Service and Rental Equipment Business. Project is located at 1675 Oak Orchard Road.**

C. Winters provides background information regarding this application. He states that the applicant is requesting to operate a dump truck service and rental equipment business. The dump truck business and rental equipment business will all be located within the existing structures located on the parcel, no new structures will be constructed other than a sign located 20' East of State Route 98's Right-of-way. The applicant will be living in a single-story residence also located on the same property.

The proposed application is located on a 2.29 parcel, while only no acreage will be physically disturbed due to everything existing on the parcel, such as the driveway and structures. The business will connect to a

public/private water supply, but will not connect to an existing wastewater utility. New York State Parks, Recreation, and Historic Preservation determined that the project site does not contain any items or structures that would be eligible to be listed on the State Register of Historic Places. The proposed parcel does not contain any species of animal, or associated habitats that are listed by the State or Federal government as threatened or endangered. According to SEQR, the parcel is not within a 100-year floodplain.

The traffic generation is not expected to increase, due to the home business already operating, and any traffic generation caused by this business has been established. With the application located on Route 98, a major road system, the road is designed to handle a high traffic load.

After the introduction to the Orleans County Planning Board, B. Napoli stated that since the Town of Carlton does not have any representatives on the Orleans County Planning Board due they resigning. With that said the Chairman of the Town of Carlton's Planning Board was in attendance, and stated that the Town of Carlton has no issues with the application and that no more detail needs to be added.

[RECOMMENDATION FOR 23-14:](#) Christopher Kinter made a motion for **APPROVAL**. Seconded by Michael Massaro and carried by all voting members (No Members abstaining (Town of Carlton does not have any representatives on the Orleans County Planning Board)).

***Comments:***

The Town of Carlton Planning Board should review the signage that is being proposed for this project to make sure that conforms to the Town of Carlton's Zoning regarding signage.

**OTHER BUSINESS**

---

[HOUSEHOLD HAZARDOUS WASTE 2023:](#) C. Winters updates the CPB members on the Household Hazardous Waste 2023 event. He reminds the members of the date of the event which is August 12, 8 am-1 pm. Between the hours of 8 am and 12 pm, all materials are accepted, and from 12 pm-12:45 pm, only tires will be accepted. C. Winters states that there is a limit of 10 tires per household. This event is only available to Orleans County Residents, and that registration IS REQUIRED. To register please call the Department of Planning and Development. C. Winters tells the members, that there are still spots available as of July 25<sup>th</sup>, there are 254 slots available between 8 am-12 pm and 92 slots available between 12 pm-12:45 pm,

[RESOLUTION TO CANCEL THE AUGUST CPB MEETING:](#) Like in previous years, the Orleans County Planning Board purposes a resolution to cancel the August Orleans County Planning Board meeting. C. Winters brings this process up to the members for discussion. C. Winters states the only instance that we would revoke the resolution is if a substantial project were to be submitted to the Orleans County Planning Board by the August deadline.

Bruce Kirby made a motion for the **APPROVAL OF THE RESOLUTION TO CANCEL THE AUGUST ORLEANS COUNTY PLANNING BOARD MEETING**. Seconded by Tom Fenton and carried by all voting members.

[UPDATE ON PARCELS ENROLLED INTO THE ORLEANS COUNTY AGRICULTURAL DISTRICT NO. 1 FOR 2023:](#) **C.** Winters informs the members that 25 parcels have been enrolled for 2023, for a total of 1,186.37 acres.

- Town of Carlton: 23 Parcels with 868.37 acres

- Town of Murray: 1 Parcel with 82 acres
- Town of Ridgeway: 1 Parcel with 39.3 acres
- Town of Gaines: 1 Parcel with 105.5
- Town of Kendall: 1 Parcel with 91.2 acres

C. Winters also mentions that the year 2023 had more acreage enrolled than the past 5 years combined. He also states that 2024 is the Major 8-Year review for the entire Orleans County Agricultural District No. 1. During this major review, it is the only time property owners who are enrolled in the Orleans County Agricultural District No. 1 opt to be removed. C. Winters states that all parcel owners enrolled will be physically contacted by USPS with packages in the coming year. Lastly, C. Winters tells the members that by default if the Office of Planning and Development does not receive feedback from the parcel owners, they will be removed from the Orleans County Agricultural District No. 1.

### **ADJOURNMENT**

---

There being no further business David Knapp made a motion to **ADJOURN** at 7:30 p.m., seconded by Christopher Kinter and carried unanimously.

Respectfully Submitted,

*Corey D Winters*

Corey D Winters  
Planner/Acting Secretary