

# Town of Manchester Planning Board Meeting Minutes

## November 19, 2024 – 7:00pm

**Present:** Board Members Jefferey Flower, Tammy Worden, Lee Sander, Christine Ciardi, and Pauline DeCook; Chairman Scott VanAken; and Secretary Laurel Pitcher.

**Absent:** Board Member Steve Buerman and Code Enforcement Officer Steve DeHond.

**Also Present:** Jim Lynch and Randall Ott.

**Application #4657-24:** Consider Site Plan – Use Variance #4657-24 submitted by Jim Lynch who is requesting a Site Plan Use-Variance for a library in an existing building on property located at 1777-1779 St Rt 21 in an Ag district pursuant to Chapter 325 Section 325-25.1 Permitted Uses.

Chairman VanAken started by reading the Public Hearing Notice and the County Planning Board Meeting Minutes for this application. Excerpts from the County Planning Board minutes can be found below.

**Comments:**

1. The provided documentation indicates the owner has received offers to buy the building and convert to housing. The owner has not documented that such offers would not result in a reasonable return on investment.
2. If supportive of a project that cannot meet the dollars and cents standard of no reasonable return on any permitted or specially permitted use, the Town Board can consider whether re-zoning of property (ies) is warranted.

**CRC Comment:**

1. The parking lot and lighting is adjacent to residential properties. Will the lighting be dark sky compliant?

**CPB Comment:**

1. According to Town of Manchester Code Section 325-25.3 Permitted and specially permitted uses, there are (17) Permitted Uses and (14) Specially Permitted Uses for parcels in the Agricultural Zoning District. To be eligible for a use variance, the applicant should document that no permitted (or specially permitted) use will provide a reasonable return.

**Findings:**

1. The County Planning Board has an interest in ensuring referring bodies follow NYS use variance statute while not substituting their judgement for that of the local board. The use variance documentation does not appear to meet the standard of providing dollars and cents evidence that no permitted or specially permitted use would yield a reasonable rate of return.

The Ontario County Planning Board ultimately decided to recommend Disapproval of this application.

Applicant Jim Lynch responded by saying that the building is not set up in a way that allows farming. He also said that he routinely gets offers from people wanting to convert the building into a house, but he doesn't want to share a driveway with someone. Jim said he'd like to take the application to the ZBA.

A motion was made by Tammy Worden to refer Site Plan Use-Variance #4657-24 to the Town of Manchester Zoning Board of Appeals. Motion seconded by Jefferey Flower. All voted "Aye". Motion carried.

The Town of Manchester Planning Board decided to leave the Public Hearing open until the next meeting.

Randall Ott asked if every property outside of the villages will have these zoning requirements. The Board answered that any property zoned as Agricultural will face these challenges. Chairman VanAken mentioned that there are commercially zoned properties only a few parcels away and said that they have considered extending that area further out in the past.

**Previous Minutes:**

A motion was made by Lee Sanders to approve the September 17, 2024 meeting minutes. Motion was seconded by Christine Ciardi. All voted "Aye." Motion carried.

Meeting adjourned at 7:44pm.

Respectfully submitted,

Scott VanAken  
Chairman, Planning Board

Laurel Pitcher  
Recording Secretary