



# Genesee/Finger Lakes REGIONAL REVIEW

NEWSLETTER OF THE GENESEE/FINGER LAKES REGIONAL PLANNING COUNCIL

Volume 6, Number 1, Spring 2009

## The 2010 Decennial Census

The countdown to the 2010 decennial Census has begun. Among other things the decennial Census affects the apportionment of congressional seats, and how the federal government annually allocates approximately \$300 billion in federal assistance to state, local and tribal governments. There are many ways census data is used. Some examples include:

- The federal government uses census numbers to allocate more than \$300 billion in federal funds annually that include community programs and services, such as education, housing and community development, health care services for the elderly, job training and more.
- State, local and tribal governments use census information for planning and allocating funds for such things as new school construction, libraries and other public buildings, highway safety and public transportation systems, new roads and bridges, location of police and fire departments, and many other projects.
- Community organizations use census information for such things as development of social service programs, community action projects, senior lunch programs, and child-care centers.
- The numbers help businesses in many ways including identifying where to locate factories, shopping centers, movie theaters, banks and offices.
- The census totals are used to determine how many seats each state will have in the U.S. House of Representatives. New York State lost two Congressional seats based on the 2000 decennial census. In addition, states use the numbers to allocate seats in state legislatures.

The U.S. Census Bureau has indicated the following with regard to how it will conduct the 2010 Census:

- Questionnaires will be mailed or delivered to households in the U.S. by the end of March 2010.
- The questions ask that information provided is accurate for that household as of April 1, 2010.
- The Census Bureau estimates that the census form will take approximately 10 minutes on average to complete, and answers are protected by law and are strictly confidential.

In preparation for the 2010 Census there are a number of ways public, private, nonprofit and academic organizations can participate in 2010 Census outreach. Some examples include forming Complete Count Committees, distributing 2010 Census material, encouraging others to sign on as partners, providing space, and providing speaking opportunities. For more information on partnering with the U.S. Census Bureau visit [http://2010.census.gov/2010census/more\\_information/007657.html](http://2010.census.gov/2010census/more_information/007657.html).

*Continued: See Census 2010 on Page 2*

**Spring 2009 Local Government Workshop, May 15, 2009, Burgundy Basin Inn, Pittsford, New York. For more information see insert in this newsletter and visit <http://www.gflrpc.org/Spring2009.htm>. For further information call 585-454-0190, email [gflrpc@gflrpc.org](mailto:gflrpc@gflrpc.org)**

## Recent Genesee/Finger Lakes Regional Planning Council Presentations

- February 2, 2009 - Keuka Lake Land Use Plan Presentation
- February 10-12, 2009 - National Trust Main Street Center Resource Team Visit - Village of Albion
- February 17-19, 2009 - National Trust Main Street Center Resource Team Visit - Village of Lyons
- February 23, 2009 – New York Nonpoint Source Coordinating Committee, Protecting Water Resources through Local Controls and Practices
- March 10-12, 2009 - National Trust Main Street Center Resource Team Visit - City of Lockport
- March 11, 2009 – NYS Conservation District Employees Association Annual Training Session and Water Quality Symposium, Protecting Water Resources through Local Controls and Practices

## Upcoming Events

- Spring 2009 Local Government Workshop, May 15, 2009, Burgundy Basin Inn, Pittsford, New York. For more information see insert in this newsletter and visit <http://www.gflrpc.org/Spring2009.htm>
- GIS/SIG 18th Annual Spatial/Digital Mapping Conference, Tuesday, April 14, 2009, Burgundy Basin Inn, Pittsford, New York. For more information visit <http://www.gis-sig.org/conference.html>

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## G/FLRPC's Revolving Loan Fund: Helping to Create Jobs in the Region

Genesee/Finger Lakes Regional Planning Council manages a revolving loan fund which serves gap financing needs of small and medium sized manufacturing and service businesses located in Genesee, Livingston, Monroe, Ontario, Orleans, Seneca, Wayne, Wyoming and Yates Counties. One issue that is frequently associated with small and medium sized businesses is a lack of available capital through traditional lending

channels. The revolving loan fund works to mitigate that issue and strengthen what we consider our regional economy's backbone — small and medium-sized businesses.

The revolving loan fund provides \$20,000 to \$200,000 loans at a low fixed-interest rate for up to 8 years for those that qualify.

If you would like to learn more about the Revolving Loan Fund please visit:

[www.gflrpc.org/ProgramAreas/EconomicDevelopment/RLF.htm](http://www.gflrpc.org/ProgramAreas/EconomicDevelopment/RLF.htm)

or contact David Zorn at (585) 454-0190 x14 or [dave.zorn@gflrpc.org](mailto:dave.zorn@gflrpc.org)

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## Census 2010: *continued from page 1*

A Complete Count Committee (CCC) is a volunteer committee established by tribal, state, and local governments, and/or community leaders to increase awareness about the census and motivate residents in the community to respond. The committees can include a cross section of community representatives from government agencies, education, business, religious organizations, and the media. The CCC is charged with developing and implementing a plan designed to target the unique characteristics of their community. For more information on Complete Count Committees visit [http://2010.census.gov/2010census/pdf/2010\\_CCC\\_Guide\\_Final.pdf](http://2010.census.gov/2010census/pdf/2010_CCC_Guide_Final.pdf)



# Genesee/Finger Lakes Regional Planning Council

## Spring 2009 Regional Local Government Workshop

Friday, May 15, 2009

Burgundy Basin Inn, Pittsford, New York

### Spring Local Government Workshop Co-sponsored By:

Genesee County Planning Board • Livingston County Planning Department • Monroe County Planning and Development Board  
Ontario County Planning Department and Board • Orleans County Planning Board • Seneca County Planning Board  
Wayne County Planning Board • Wyoming County Planning Board • Yates County Planning Department

For most municipalities Local Government Workshop fulfills state law requiring training for local planning officials. A Certificate of Participation may be requested for the number of hours of attendance.

### Workshop Registration

Individual: \$40.00 (\$50 after May 7)  
Vendor/Exhibitor (includes 2): \$300.00

All registrations include continental breakfast & buffet lunch

**PLEASE PRE-REGISTER BY May 7, 2009**  
SORRY NO REFUNDS AFTER MAY 7

Municipal Board Members • Elected Officials  
Planning Board Members • Zoning Board of Appeals Members  
County and Municipal Employees • Enforcement Officers  
Planners • Land Use Professionals • Attorneys • Consultants  
Highway Departments • Public Works Departments  
Municipal Commissions • Municipal Review Boards • Municipal  
Advisory Committees • Municipal Advisory Boards • Concerned  
Citizens

### Burgundy Basin Inn

1361 Marsh Rd, Pittsford, NY 14534, 585-248-2660  
<http://burgundybasin.com>

### Directions

Various ways to I-490. Take Exit 26 to Rt 31 west. Follow Rt 31 west for approximately 1 mile. Turn left onto Marsh Rd. Follow Marsh Rd for approximately 2 miles. Burgundy Basin Inn is on the right. For additional directions visit: <http://www.burgundybasin.com/about1.html>

*For more information and Workshop updates visit [www.gflrpc.org](http://www.gflrpc.org)*

Workshop Guide advertisements are available in full, 1/2, and 1/4 page sizes. Please contact David Zorn at G/FLRPC for details.

Questions and Information: David Zorn, 585-454-0190 x14, [dave.zorn@gflrpc.org](mailto:dave.zorn@gflrpc.org), (fax) 585-454-0191

### Registration Form - Spring 2009 Local Government Workshop

Name: \_\_\_\_\_

Municipality/Company/Organization \_\_\_\_\_

Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Telephone Number (w/Area Code): \_\_\_\_\_ Email: \_\_\_\_\_

Please Circle the sessions you will be attending:

A1	A2	A3	A4
B1	B2	B3	B4
C1	C2	C3	C4

**Registration Fee:**  
\$40 per individual, \$50 per individual after May 7, \$300 per vendor/exhibitor

**Please include voucher or payment with all registrations. Checks payable to: G/FLRPC**

### Mail Registration form and payment to:

Genesee/Finger Lakes Regional Planning Council  
50 West Main St, Suite 8107  
Rochester, NY 14614

8:00 - 9:00	<b>Registration, Continental Breakfast and Exhibit Area</b>		
9:00 - 10:00	<p><b>A1 Planned Unit Developments,</b> Christopher Eastman, NYSDOS</p> <p>A Planned Unit Development district (PUD) is a flexible zoning tool which can allow for a variety of housing types, recreational opportunities, shopping services, and employment opportunities in a new development. Learn how this tool is used by municipalities, and the pros and cons of using it.</p>	<p><b>B1 Planning for Steep Slopes,</b> Kevin Olvany, Canandaigua Lake Watershed Council, Rick Ayers, Yates County Soil &amp; Water Conservation District</p> <p>Development around areas with steep slopes has been an issue of significance among municipalities in the Finger Lakes region. In many cases, ideal building sites have already been developed; as landowners attempt to build on more difficult sites, municipalities are faced with difficult challenges. Presenters will cover steep slope management, which will include an array of examples of how towns across the Finger Lakes region have addressed the issue through various means, including local legislation and education and outreach efforts.</p>	<p><b>C1 Oil and Gas Leases: Land Owner Rights,</b> Debra Martin, Esq., Attorney Generals Office, Rochester Region</p> <p>Participants will gain and understanding of oil and gas leases and tips for entering into these leases.</p>
10:00 - 10:15	<b>Break</b>		
10:15 - 10:30		<p><b>B2 Protecting Farmland with Purchase of Development Rights (PDR),</b> Diane Held, American Farmland Trust and Amber Hamman, Genesee Valley Conservancy.</p>	<p><b>C2 Gas Exploration and Municipalities,</b> Lindsay Wickham, NY Farm Bureau and Ashur Terwilliger, President, Chemung County Farm Bureau</p>
10:30 - 10:45	<b>Break</b>		
10:45 - 12:00	<p><b>A2 Site Plan Review and Special Use Permits,</b> Erin Thomas, NYSDOS</p> <p>This course is an overview of the statutory authority to review site plans and special use permits. It will address the scope and content of a proper "site plan", as well as the status of special use permits as a zoning tool. Several design issues will also be addressed. (1 CEO credit)</p>	<p>The session will focus on the use of PDR to protect farmland, establishing a PDR program in your town or county, and how to navigate the PDR application process. Learn about the NYS Farmland Protection Implementation Grants process, agricultural conservation easements, land plans, and the screening process.</p>	<p>World class gas exploration is now here in New York. Find out why this is different this time around, why we will be a part of it, and how communities can be better prepared for the impact.</p>
12:00 - 1:00	<b>Lunch and Exhibit Area</b>		
1:00 - 2:45	<p><b>A3 Zoning Board of Appeals Overview,</b> Darrin Derosia, Esq. and Christopher Eastman, NYSDOS</p> <p>This session will address the powers and duties of ZBAs and its interrelationships with enforcement officials, the municipal PB, and county planning agencies. The statutory requirements relating to the issuance of use and area variances, handling of zoning interpretations, board procedures and findings will be discussed. (2 CEO and 2 CLE credits)</p>	<p><b>B3 Brownfield Programs,</b> Bart Pudzig, NYS-DEC, Region 8</p> <p>Brownfields are properties impacted by the presence or suspected presence of hazardous waste and/or hazardous substances. This presentation will focus on brownfield programs available to municipalities and private parties to revitalize abandoned and under utilized properties. The discussion will include the Brownfield Cleanup Program, the Environmental Restoration Program, and the State Registry or Superfund Program.</p>	<p><b>C3 Stormwater Roles and Responsibilities for Municipalities,</b> P.J. Emerick, Ontario County Soil &amp; Water Conservation District (SWCD) and Carolyn Myers, Monroe County SWCD</p> <p>The session will address the site plan review process, installation of erosion and sediment controls, and an overview of stormwater management practices. Included in this discussion will be an overview on how Soil and Water Conservation Districts can assist local governments with erosion control and stormwater management including the municipal inspection process and what to inspect, a brief overview of several different stormwater BMP's along with new roles and responsibilities of regulated municipalities under the DEC's stormwater permit program.</p>
2:45 - 3:00	<b>Break</b>		
3:00 - 3:15	<b>Break</b>		
3:15 - 5:00	<p><b>A4 Planning Board Overview,</b> Darrin Derosia, Esq. and Erin Thomas, NYSDOS.</p> <p>This session will address the powers and duties of municipal PBs and commissions. Administrative and regulatory roles of the PB will be discussed, including comprehensive planning, site plan review, special use permits, subdivision review, the role of the board in making recommendations to the ZBAs, the importance of board procedures, referral to the county planning agency, and making findings. (2 CEO and 2 CLE credits)</p>	<p><b>B4 Planning for Trees,</b> Dr. Nina Bassuk, Urban Horticulture Institute and Community Forestry Program, Cornell University and Christopher Busch, Village of Medina Tree Board</p> <p>Discussion of the various issues that communities should consider when attempting to plan for a healthy tree canopy in their local neighborhoods including the process of conducting a street tree inventory with Cornell's Student Weekend Arborist (SWAT) Team, monitoring tree health and maintenance needs, addressing plantable spaces, and quantifying the economic and environmental benefits that are provided by the trees to community residents, along with the role of local tree boards.</p>	<p><b>C4 Micro-managing Water One Site at a Time: Keeping Rain on the Land,</b> Jennifer Fais, Southern Tier Central Regional Planning &amp; Development Board</p> <p>Rain gardens, planted buffers, and infiltration swales are just a few of the new designs for parks to parking lots that use water to advantage. See the Low Impact Development (LID) Sampler and learn how to build these water-efficient features into a variety of landscapes, slowing down runoff and saving your municipality money.</p>

\*Please note there is a separate charge for CLE credit that is not covered in the registration fee. It is payable at the session offering the credit.

\*\*Registration for CLE and CEO credit is done at the Workshop itself within the session, prior to the start of the presentation.

## Docks and Moorings Laws

Local docks and moorings laws can be created by municipalities with lake frontage in order to shape the future development of watercraft storage along their shorelines. Docks are platform structures attached to a shoreline, while moorings are located within the water body and can be much smaller, such as buoys. Docks and moorings laws tend to be more important in regions, such as the Genesee-Finger Lakes Region, where there are a large number of shoreline miles.

Local municipalities may wish to have additional control and regulatory power beyond what is already in place at the State and Federal level. Although some regulatory power is held by the New York State Office of General Services (NYSOGS), most residential docks are exempt from their permit requirements because of size. The Army Corps of Engineers also holds regulatory power by requiring applications for all dock construction on major waterways to be submitted for approval. If the dock falls within the Army Corps standards than an approval is granted; if not a more in-depth review would be done by the Army Corps, which is based on maintaining the health, safety and welfare of the public as well as the environment.

While there are a number of reasons why municipalities may choose to enact docks and moorings laws, one is to maintain uniformity of their waterfront. In some instances development may have an impact on the number of docks built, sometimes resulting in a crowded shoreline. In other cases there may be a concern with the size and type of docks that should be allowed. Size and quantity regulations could be coupled with other common dock regulations such as height



Photo taken by Nancy Feinstein for the Keuka Lake Association Calendar, <http://www.keukalakeassoc.org/>.

above water, number of enclosed sides, property size requirements and property line set backs.

Most docks and moorings laws that are enacted consider existing docks as acceptable non-conforming uses. This means that the law does not require owners to update any existing docks, but instead only applies to the construction of docks in the future.

Because of the ability for individual municipalities to enact their own docks and moorings laws, it is possible that the shores of large waterbodies, which span many municipalities, could have a number of very different regulations depending on location. One solution to this is the creation of a model docks and moorings law. This type of law may appeal to municipalities who wish to have consistency along the shoreline of the entire waterbody. A model law could have cooperation and coordination on the part of the interested towns. All parties could then agree to the similar standards and then the law can be enacted by each municipality.



Photo taken by Janet McLaughlin for the Keuka Lake Association Calendar, <http://www.keukalakeassoc.org/>.

## *A Sense of Place*

### **The Erie Canal Culvert**

Construction of the Erie Canal from Albany to Buffalo helped New York State cut shipping costs and grow its economy providing economic benefits throughout the State. The Canal, though, also posed a challenge for communities now needing to find ways around the new waterway.

The solution for most of these communities was the construction of bridges, as 300 bridges now cross the Canal. For Ridgeway, NY in Orleans County, a bridge was not an option due to the high costs of construction of the bridge and the necessary support roads.

Unable to travel over the canal, the only option was to build a tunnel to go under the canal, resulting in the Erie Canal Culvert. The tunnel was originally built in 1823 and has since been rebuilt in 1854 and 1913, when the Erie Canal was widened and deepened to accommodate increasing traffic. The Erie Canal Culvert is the only tunnel under the Erie Canal and is listed in Ripley's Believe It or Not. It is located approximately 2 miles east of the Village of Medina on Culvert Road between Route 31 and Route 104 and is open year round.

## **Genesee/Finger Lakes Regional Review**

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ment, data resources, and other program areas.

*\*Genesee, Livingston, Monroe, Ontario, Orleans,  
Seneca, Wayne, Wyoming, and Yates*

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