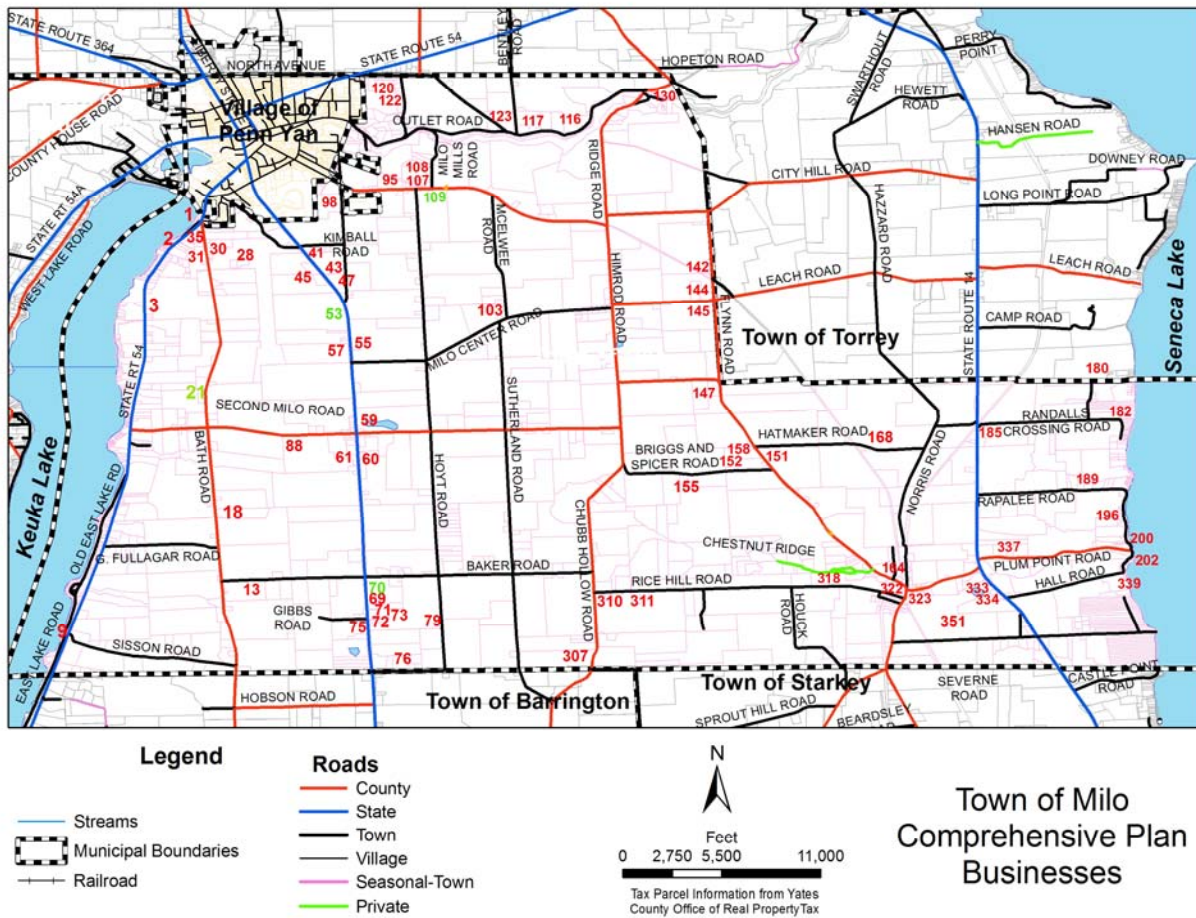


VIII. ECONOMIC DEVELOPMENT

This section of the comprehensive plan makes recommendations on zoning and town policy changes that should be put in place to encourage the growth and location of desirable businesses within the town. Desirable businesses are those businesses of a scale, appearance, and other characteristics that positively impact the neighborhood, do not detract from the village of Penn Yan's business district, and provide meaningful employment within the town. This section of the comprehensive plan deals with businesses other than agricultural operations (which are the subject of section V of this plan). The recommendations made herein were developed after an inventory of existing businesses was performed, the operators of those businesses were interviewed to solicit their opinions and ideas, and recommendations were developed, reviewed, and ultimately endorsed by the Comprehensive Plan Committee.

Map 24 below depicts the locations of the various non-agricultural businesses that were identified within the town outside of the village of Penn Yan. In the map the numbers are keyed to the photo inventory of the town, contained in Appendix E. The numbers appearing in green are roadside stands.



Map 24: Location of Non-Farm Businesses

These businesses run the gambit from manufacturing operations, an airport, to retail sales of various scales and types that vary from full time operations to part time operations intended to simply supplement family income. Taken as a whole, they paint a picture of a diverse and active business community that provides significant employment and income within the community. The consultants interviewed the proprietors of 40 of these businesses; collecting information on the business, their dependence on tourism, their dependence on rural character of the area, and views on what actions the town can take to encourage businesses. Of the businesses surveyed, they provide employment for some 427 people, of which 150 were full time, with the part time employment equaling the equivalent of another 140 full time positions. Thirty-Nine of these businesses generate nearly Thirty Million Dollars in gross business receipts (not profits) on an annual basis, or an average of nearly \$750,000 per business. The fortieth business was not included in the financial figures above, as it is a large retail sales business with annual gross receipts equaling more than the other 39 businesses combined.

The survey of businesses identified a few specialty businesses, such as Penn Yan Aero and some fabrication shops that serve a special population or provide services to other businesses both locally or nationally. Camp Cory, although owned by a private not-for-profit business (the Rochester YMCA), provides some significant seasonal employment opportunities, as camp staff, maintenance & grounds workers, and counselors are employed to run the various summer programs. Many businesses located in the Town serve local resident populations (such as the gasoline station, dog kennel, liquid propane delivery, & auto sales), but the vast majority are either wholly or substantially dependent on tourism (wineries, gift shops, antique shops, quilt shops, airport, gasoline station, restaurants, golf course, motels, & hotels). Even the owners of Wood Tex Manufacturing (which makes and sells small prefab buildings) state that a significant portion of their business is tourism dependent.

The importance of tourism to the majority of businesses in town is reflected in the responses to the business survey where over 81% of businesses stated that tourism was important to their business and more than 87% stated that the town's rural character was important. The dependence on tourism for future business growth is supported by the fact that less than 20 % of business owners thought there would be more residential development in the town in the future, and some of the few that did remarked that increased residential development is not desirable in the rural areas of the town, especially on the hillsides overlooking the lake. On the other hand, the vast majority thought there would be increased business in the future, leaving increases in tourism as the primary source of this additional business.

In the survey responses, the owners of property along State Rt 14A from the Village of Penn Yan to Second Milo identified the provision of municipal water service to be important for business. They did not seem to equate the provision of municipal water service as a stimulant for new residential development (especially at a density of development that would be incompatible with their desire to maintain rural character).

- A. Extension of Municipal Water along State Rt 14A south of the village of Penn Yan
 - 1. Recommendation: The town should seek ways to extend municipal water service along State Rt 14A from the village line to the area near Mac's Dairy Bar business.
 - a. Care must be exercised in limiting the boundaries and capabilities of the water district so that water service cannot be extended to agricultural areas creating

opportunities for new high density residential or other incompatible development that would disrupt the rural character.

- b. During any consideration to extend municipal water service, the Town should carefully explain the link between the provision of municipal service and development.
- c. Extension of water to the Second Milo area to the bulk food business should be considered only if grant funds can be identified to make the cost reasonable, if local land owners and residents report issues with drinking water quality, and if restrictions are placed on the water district preventing future non-agricultural connections to the district in the area from the intersection of Old Route 14A south to the hamlet of Second Milo.

2. Issue Generation

- a. Existing commercial businesses in this area have cited the lack of public water as a concern.
- b. Restaurants, an important component of tourism business, tend to locate where municipal water is available.
- c. During the survey of business owners, it became evident that while they understood the benefits the provision of municipal water service would have for their businesses, they did not appreciate the potential for incompatible development that accompanies the provision of municipal service if not done carefully.
- d. The land and area between Mac's Dairy Bar and the hamlet of Second Milo is a strong agricultural area that is important to retain to protect the town's rural character. This area is also very sparsely populated.
- e. While the density of development of the hamlet of Second Milo is high enough to raise concern about the proximity of on-site septic disposal systems to private wells serving individual properties, there are few problems with drinking water reported from residents and businesses in the hamlet of Second Milo.
- f. The majority of residences and buildings in the hamlet of Second Milo date from the 19th and early 20th century, and have a 'New England' character typical of the layout of these hamlets scattered throughout the Finger Lakes region. This is characterized by a mix of lot sizes, including some very small residential lots where wells are in close proximity to sewage disposal systems. This proximity raises concerns over potential contamination.

3. Reasoning

- a. State Rt 14A has a high traffic level for the area, and presents an opportunity to locate tourism based businesses if suitable infrastructure is in place.
- b. The character of the area is important to the quality of life of local residents, and the long term economic viability of tourism business. A balance must be maintained with the size, density, and type of commercial businesses that will be allowed in order to ensure protection of the rural character of this corridor, and in the hamlet to respect and enhance its historic character.
- c. The provision of public water will bring increased economic opportunities and thus investment in businesses in this area over time.
- e. Careful consideration must be given to the area to be served by municipal water service, and zoning and land use controls must be in place to control the density and type of development allowed in the area served by municipal water service. The

reasons for these controls must be carefully explained to the residents and business owners in the area served.

- f. The land between Mac's Dairy Bar and the hamlet of Second Milo is important for agriculture and in establishing the rural character of the town in this major transportation corridor to subject it to increased development from the extension of public water. Adequate development restrictions must be in place to ensure that agricultural land is not converted to other uses.
 - g. The cost of extending public water to Second Milo would not be economically feasible without grants. From the Old Route 14A intersection with State Rt 14A and Second Milo there is approximately 1.5 miles of water line with very few users to support (or share) the cost of construction.
- B. Municipal sewer service near the County airport and along State Rt 14A south of the Village
- 1. Recommendation: The Town should work with the village to extend municipal sewer service to the industrial properties on and near the County airport and the commercial strip along State Rt 14A from the southerly village boundary to Friendly Chrysler Jeep property.
 - a. Cooperative efforts between the Village, the Town, and the County to identify grants for infrastructure improvements should be made both for the extension of sewer line and for improvements to the village treatment plant.
 - 2. Issue generation:
 - a. Business owners in this area of town noted the lack of municipal sewer service as limiting the ability of their businesses to grow.
 - b. The County has invested heavily in the airport to support local business and attract economic development in the region.
 - c. The area near the airport currently supports airport related businesses.
 - d. Restaurants, a significant component of tourism business, require good public infrastructure.
 - e. The village sewer treatment plant is near capacity. Expansion of service must be coupled with expansion in treatment capacity or elimination of infiltration from ground water and storm water.
 - 3. Reasoning
 - a. The area around the airport requires municipal sewer service to support existing and attract future compatible industry. The lack of sewer disposal infrastructure in this area limits opportunities for businesses. The location of additional industry in this area without municipal sewer service is undesirable because of its proximity to the lake and the potential threat to lake water quality.
 - b. The corridor along State Rt 14A from the Penn Yan village boundary to Friendly Chrysler is close to the village and can easily be served by gravity sewer extended from the village.
 - c. The extension of municipal sewer will lead to additional economic development opportunities.
- C. Tourist overlay businesses
- 1. Recommendation: Tourist based businesses such as rural dining, especially family restaurants and higher end establishments catering to tourism, need to be allowed in the tourist overlay districts.

- a. The size of such businesses and restaurants should be no more than 3,000 square feet or a capacity to serve no more than one hundred patrons.
- b. The character of the architecture must reflect the Town's rural character. Natural siding, sloped roofs, requiring the use of architectural styles based upon or echoing the predominant late 19th century architectural styles prevalent in the area, and the avoidance of recognizable 'corporate architectural styles (like McDonald's famous golden arches) should be established as design standards.
- c. Outside of the hamlets of Second Milo & Himrod, density should remain low to ensure the rural character of the area.
- d. While driveways should be clearly visible, parking must be required to be visually screened from the public right-of-way and adjoining properties.

2. Issue Generation

- a. Tourism businesses have the potential for growth in the region.
- b. The corridors of State Rt 14 and State Rt 14A have great potential for tourism business growth because of their high traffic counts.
- c. Maintaining the rural character of the area and respecting the predominant architectural character of the area is important to ensure the long-term viability of tourism business. The survey of existing businesses in the town confirmed this link.
- d. The size of businesses must be limited to ensure they blend into the rural character of the area.
- e. Many respondents to the public survey noted the need for more family restaurants in the area.
- f. The predominant architectural styles defining the Finger Lakes region and the town of Milo date from the mid to late 19th century. New construction should reflect this design tradition.

3. Reasoning

- a. The town needs economic growth to create jobs within the community, eliminating the need for so many residents to seek employment outside of the town and even the County (see Chapter V).
- b. The Town's zoning must balance the need for economic growth possible through tourism related businesses with maintaining the area's rural character.
- c. Construction of fast food restaurants and other national chain businesses utilizing their typical 'corporate architectural style' would detract from the scenic beauty of the area and the town's rural character. This is not to say that national franchises should be prevented from locating in the town, only that the town should require them, as well as any new businesses, to use architecture and site design that reflects and enhances the character of the area.

D. Businesses in Hillside Agriculture

- 1. Recommendation: Wineries and other tourism-based businesses should be allowed but widely scattered in Hillside Agriculture areas.
 - a. Wine production should be allowed as part of winery sales businesses.
 - b. Wineries should be allowed to host special events, such as wedding receptions, inside as long as the number of vehicles and noise is confined to the property (is not disruptive to the neighborhood).
 - c. Bed and breakfasts, inns, and spas, should also be allowed in this area. Bed & breakfast operations should require owners be occupants and have no more than 4

bedrooms for rent, and inns and spas should have no more than 20. All should be designed to reflect the rural character of the area, including reflecting the Town's predominate mid to late 19th century architectural style. Special attention should also be paid to the appearance of the property from the public road right-of-way, including screening of the parking area and minimizing the massing of the building form, to protect the town's rural character. A visual assessment should be required as part of the zoning review and environmental assessment to ensure the proposed development does not interfere with significant views and does not negatively impact the character of the town as viewed from surrounding areas.

2. Issue Generation

- a. Large areas of vineyards exist in the areas overlooking Seneca and Keuka lakes. These areas provide the natural settings that can attract tourists.
- b. The density of tourism uses needs to be low to protect the agricultural uses, especially vineyards, in the areas overlooking Seneca and Keuka lakes. This will also limit the impact of these uses on lake water quality.
- c. The hosting of special events provides important income for winery businesses, but can be disruptive to neighboring businesses and residences, even to residences on the lakefront.
- d. Over development of the areas overlooking Keuka and Seneca lakes threatens lake water quality and the character of the area. These areas are vital to the quality of the scenic resource of the area, both within the town and the region.
- e. Combining vineyards, wineries, and small-scale inns & spas has been a successful business and tourism model used in other areas of the country.

3. Reasoning

- a. Wineries, bed and breakfasts, and spas are tourism dependent businesses that are compatible with the low density of development necessary to preserve the agriculture, especially vineyards, in the areas overlooking Keuka and Seneca lakes. In other words, these businesses can provide sufficient income to the owners of agricultural properties, either through sale of property or through operation of the business, to preserve agricultural land uses in these areas.
- b. The town needs to increase opportunities for new tourism businesses that build on the community's strengths in wine production, rural character, and tremendous rural lake views, while ensuring that these businesses are not so large that they create traffic problems and destroy the very rural character they need to be successful.
- c. Bed and breakfast operations should be small, owner run, businesses that are housed in residential structures similar in size to those surrounding them.
- d. Limiting inns and spas to 20 rooms for rent provides a business opportunity of a size that offers investors a reasonable return on the investment necessary to establish such a business, but also limits the potential impact on visual character, traffic, soil erosion, runoff, and lake quality of such these types businesses.

E. Lakeshore Mixed Use

1. Recommendation: Zoning should allow a mix of residences and water related businesses such as lakefront restaurants, marinas, boat launches, hotels, and motel businesses in the areas of the town near Keuka and Seneca lakes where such mixes currently exist.

- a. Allow businesses the ability to expand as long as they don't negatively impact adjacent residential properties and neighborhoods.
 - b. Use performance measures, such as traffic levels, noise levels, and impacts on lake views to determine the suitability of proposed expansions of existing businesses or construction of new businesses. This can be accomplished through requiring site plan review for construction and/or changes of use in this zoning district.
 - c. Allow multiple uses on a single lot, as long as access, parking, and utilities are adequate.
2. Issue Generation
- a. There are two areas of the town where a mix of residential and water related commercial uses exist now. Current zoning of these areas makes it difficult if not impossible for the businesses to grow or new businesses to locate there.
 - b. Existing zoning in these areas are based on classic Euclidean type zoning (named for the 1926 Supreme Court case of the village of Euclid Ohio vs. Ambler Realty, validating the concept of zoning based upon a separation of commercial and residential uses into distinct areas or zones).
 - c. Business owners in these areas often feel thwarted by the restrictions placed on the growth of their businesses by existing zoning.
 - d. Multiple uses on a single lot allows for a logical clustering of related uses, and eliminates the need for subdividing uses that can share utility, parking, and access.
3. Reasoning
- a. Water related businesses serve both the local population and are important elements in tourism.
 - b. Water related tourism businesses should be allowed to expand and locate in this area as long as they do not negatively impact adjacent, often small lot residential uses.
 - c. Modern planning practice has shown that a well designed and managed mix of residential and commercial uses creates a more economically viable neighborhood and enhances the quality of life for residents and neighbors as opposed to the classic Euclidean zoning separating such uses.
 - d. Allowing multiple related uses on a single property will help manage access onto public roads, reduce investment in duplicative infrastructure such as parking, water supply, etc., and allow for more creative design.

F. Businesses in Enhanced Agriculture area

- 1. Recommendation: Zoning in Agricultural areas should allow a mix of ancillary and primary businesses as long as the rural character of the area is preserved.
 - a. Home occupation businesses such as but not limited to lawyers, real estate agents, or certified public accountants, should be allowed by right. These should be defined as having no more than two non-resident employees and located in an existing residence or occupying less than 500 square feet in an existing or separate out-building. A site plan submission showing adequate parking, public road access and signage, should be required, and processed through an administrative review process by the Code Enforcement Officer. The town should provide a simple checklist for the Code Enforcement Officer to use in performing the administrative site plan review. Further, the zoning law should grant the Code Enforcement Officer the authority to refer the application to the Planning Board for site plan

review where there is any question or concern over the application meeting the requirements of the checklist or if there are any other issues regarding the application not covered by the checklist. Formal review of the site plan by the Planning Board should be required any time the application involves a non-conforming lot, structure, or any variances. Home-based businesses should be allowed on the same parcel as the residence and/or farm.

- b. Small Agricultural related businesses and services limited to 1,000 square feet in area and no more than 4 non-resident employees should be allowed with a Site Plan Review by the Planning Board. Agricultural businesses and services are things such as, but not limited to, agricultural seed sales, welding, farm implement repair, and small farm equipment sales involving 10 or fewer full size tractors or the equivalent. This type of business is not intended to include things like lawn tractor sales to the general public. Small Agricultural related businesses should be located mostly in existing buildings on the same property as the residence or agricultural buildings whenever possible. Small shops selling primarily products produced on the premises, including agricultural products, should also be included in the definition of small agricultural related businesses. They are distinct from roadside stands due to their size, location in a permanent structure, and/or year-round existence.
- c. Larger businesses and industry should be allowed by special use permit and require a site plan review by the Planning Board. These are businesses that are larger than 1,000 square feet, but no more than 5,000 sq. ft. in size, and/or involve more than 4 employees. Performance standards should be clearly spelled out in the zoning law to ensure minimal impact on neighbors, surface & ground water, traffic, scenic views & vistas, and neighborhood character.
- d. Whole parcel plans should be required for all such land uses to ensure that the business does not occupy prime agricultural soils, and is located in a manner that does not interfere with the agricultural use of the property or adjacent property.
- e. Design standards for all uses should be clearly stated and mandate maintenance of the rural character. Small Agricultural related businesses and larger businesses, especially manufacturing buildings, should look like a barn or be hidden from view from the public right-of-way with landscape plantings. The pictures here and on the following page show examples of buildings with agricultural character. Uses that require a special use permit should be reviewed to ensure they are located outside of scenic view sheds or are designed to reduce visibility and impact on



Four Chimneys Winery and residence



rural character from both the buildings and any parking lots or storage areas.



*Rush Machine Co.
State Rt 364, Gorham, NY*



Miles Winery

- f. Retail sales should be limited to businesses that cater to agriculture, or to the sale of craft, agricultural, food, or similar items produced or manufactured on the premises.
 - g. Roadside stands should be an allowed use of right, with clear standards for access, parking, size, and signage established. All signage must be on the premises. The majority of sales must be of items produced on the premises. All roadside stands should require the submission of a site plan to the town. Road side stands, defined as those with up to 200 sq. ft. of display area and having up to 4 off street parking spaces, should be allowed with an administrative site plan review by the Code Enforcement Officer, to ensure the location, parking, visibility (especially site distance from the access point along the public right-of-way), and other dimensional requirements established in zoning are met. Businesses that have a sales area of more than 200 sq. ft. are not considered a roadside stand.
2. Issue Generation
- a. The Town and County have a growing Old Sect religion, mostly Mennonite, population.
 - b. As the rural Old Sect population grows, an increasing number will seek employment through craft and service businesses such as, but not limited to, woodworking, carriage building, quilt shop, greenhouse sales, farm implement repair, and produce sales. Still others will seek to establish somewhat larger scale operations, such as furniture construction.
 - c. Provision of business services that support agriculture is important to maintaining economic viability of the agricultural community in general.
 - d. Allowing small-scale businesses in Agricultural areas will provide needed economic opportunities for town residents in a manner compatible with the town's rural character.
 - e. During the photo inventory of the town, several roadside stands were inventoried, with some located in areas with limited off street parking and limited site distance

(visibility necessary to avoid on coming traffic). These need to be addressed for public safety purposes.

3. Reasoning

- a. Drawing from the lessons of other regions of the country, such as Lancaster Pennsylvania, home based businesses, widely scattered larger businesses and even small industrial manufacturing businesses, all no more than 5,000 square feet, should be allowed. The larger uses, especially manufacturing, should not be required to be located in commercial or industrial areas, to avoid conflict between automobile and truck traffic and horse and buggies. Thus, these small manufacturing uses need to be located outside of the industrial parks and zoned areas of the town.
- b. Standards for differentiating the level of review necessary must include both area and number of employees, as these measures are more indicative of the potential impact on the neighborhood.
- c. Preserving the rural character is vitally important to the community, so design standards ensuring the rural character must be incorporated into zoning. Use of existing buildings where possible will promote reuse and rehabilitation of existing buildings and help insure that businesses are located in buildings blending in with the existing rural character.
- d. Roadside stands provide an important source of supplemental income to rural residents, and are a tourism draw. The town needs to ensure that they are located in a safe manner so that they do not become a traffic hazard.