

Town of Canandaigua

5440 Routes 5 & 20 West
Canandaigua, NY 14424

PLANNING BOARD

Tuesday, October 28, 2014, 6:30 p.m.

MEETING AGENDA

MEETING CALLED BY: Thomas Schwartz

BOARD MEMBERS: Richard Gentry, Jane Hollen, Charles Oyler, Ryan Staychock

SECRETARY: Kathy Gingerich

STAFF MEMBERS: Lance Brabant, MRB Group
Christian Nadler, Planning Board Attorney
Douglas Finch, Director of Development

Pledge of Allegiance

Introduction of Board Members and Staff

Overview of Emergency Evacuation Procedure

Attest to the Publishing of Legal Notices

Privilege of the Floor

SKETCH PLANS: *None at this time*

CONTINUED PUBLIC HEARINGS: *None at this time*

NEW PUBLIC HEARINGS: *None at this time*

CLOSED PUBLIC HEARINGS: *None at this time*

FINAL SUBDIVISIONS:

CPN-061-14 Venezia Associates, representing Property Development of WNY Inc, owner of property on Middle Cheshire Road, TM#97.04-1-9.211, is requesting final subdivision approval for Phase I Fox Ridge Section 5B, a 10-lot subdivision in the R-1-20 zoning district.

CONTINUED PRELIMINARY (PHASED) SITE PLANS: *None at this time*

NEW PRELIMINARY (PHASED) SITE PLANS: *None at this time*

CONTINUED FINAL (PHASED) / ONE-STAGE SITE PLANS: *None at this time*

NEW FINAL (PHASED) / ONE-STAGE SITE PLANS:

CPN-039-14 DVC, Inc., representing Schottland Chosen Spot LLC, owner of property at 5273 Menteth Drive, TM#140.11-1-21.200, is requesting one stage site plan approval for the construction of a driveway and installation of underground utilities in the RLD zoning district.

CPN-066-14 Gary Burgert, representing National Bank of Geneva, owner of property at 2425 NYS Route 332, TM#70.00-1-72.100, is requesting one stage site plan approval for the placement of building and ground signs (Five Star Bank) in the CC zoning district.

CPN-074-14 BME Associates, representing Vision Nissan Canandaigua, owner of property at 2375/2409 NYS Route 332, TM#56.00-2-54.000/22.210, is requesting one stage site plan approval to construct a car dealership in the CC zoning district.

BOARD BUSINESS

- ☐ Approval of October 14, 2014 meeting minutes
 - ☐ Referrals from Town Board: *None at this time*
 - ☐ Recommendations to Zoning Board of Appeals:
 - ☐ Recommendations to the Code Enforcement Officer: *None at this time*
 - ☐ Resubdivision / Annexations: *None at this time*
 - ☐ Letter of Credit/Bond Releases:
 - ☐ Comprehensive Plan – General Discussion
 - ☐ Other Business as Required:
 - Code Updates / Revision to Comp Plan Implementation Plan
 - Everwilde SEQR and status review
 - SWPPP Training with Town Engineer
-

STAFF REPORTS:

- ☐ Town Consulting Engineer
- ☐ Planning Board Attorney
- ☐ Director of Development
- ☐ Board Member Reports
- ☐ Topics

UPCOMING APPLICATIONS

- November meetings: OnCor Training

ADJOURNMENT

TOWN OF CANANDAIGUA PLANNING BOARD RESOLUTION
VENEZIA ASSOCIATES – FOX RIDGE SUBDIVISION – PHASE 5B-1
CPN-061-14 TM# 097.04-1-009.211
FINAL SUBDIVISION (PHASED) PLAT APPROVAL – CONTINUATION

WHEREAS, the Town of Canandaigua Planning Board, (hereinafter referred to as Planning Board) is considering a request for Final (Phased) Subdivision Plat approval of the Fox Ridge, Phase 5B-1 Subdivision Plans dated August 1, 2014 containing 10 lots along Lakebreeze Way as described in the Final Subdivision Plans dated August 1, 2014, last revised October 13, 2014 and all other relevant information submitted as of October 28, 2014 (the current application), and

WHEREAS, comment letters were submitted by the Town Engineer dated October 17, 2014 and by the Canandaigua Lake Watershed Council dated October 2, 2014 requesting additional information to be provided; and

WHEREAS, the requested information as referenced above has not been provided to date; and

NOW, THEREFORE, BE IT RESOLVED that the Planning Board does hereby move to continue the application to their Tuesday, _____, 2014 Planning Board Meeting.

The above resolution was offered by _____ and seconded by _____ at a meeting of the Planning Board held on Tuesday, October 28, 2014. Following discussion thereon, the following roll call vote was taken and recorded:

Richard Gentry -
Charles Oyler -
Jane Hollen -
Ryan Staychock -
Thomas Schwartz -

I, Kathleen Gingerich, Secretary of the Board, do hereby attest to the accuracy of the above resolution being acted upon and recorded in the minutes of the Town of Canandaigua Planning Board for the October 28, 2014 meeting.

Kathleen Gingerich, Secretary of the Board

L. S.

TOWN OF CANANDAIGUA PLANNING BOARD RESOLUTION
VENEZIA ASSOCIATES – FOX RIDGE SUBDIVISION – PHASE 5B-1
CPN-061-14 TM# 097.04-1-009.211
FINAL SUBDIVISION (PHASED) PLAT APPROVAL – DENIAL

HEREAS, the Town of Canandaigua Planning Board, (hereinafter referred to as Planning Board) is considering a request for Final (Phased) Subdivision Plat approval of the Fox Ridge, Phase 5B-1 Subdivision Plans dated August 1, 2014 containing 10 lots along Lakebreeze Way as described in the Final Subdivision Plans dated August 1, 2014, last revised October 13, 2014 and all other relevant information submitted as of October 28, 2014 (the current application), and

WHEREAS,

WHEREAS,

WHEREAS,

NOW, THEREFORE, BE IT RESOLVED that the Town of Canandaigua Planning Board does hereby find the following facts:

- 1.
- 2.
- 3.
- 4.

BE IT FURTHER RESOLVED that the Town of Canandaigua Planning Board does hereby deny CPN 061-14 for Final Subdivision (Phased) Plat Approval based upon the findings contained herein and the reasons set forth above.

The above resolution was offered by _____ and seconded by _____ at a meeting of the Planning Board held on Tuesday, October 28, 2014. Following discussion thereon, the following roll call vote was taken and recorded:

Richard Gentry -
Charles Oyler -
Jane Hollen -
Ryan Staychock -
Thomas Schwartz -

I, Kathleen Gingerich, Secretary of the Board, do hereby attest to the accuracy of the above resolution being acted upon and recorded in the minutes of the Town of Canandaigua Planning Board for the October 28, 2014 meeting.

Kathleen Gingerich, Secretary of the Board

L. S.

TOWN OF CANANDAIGUA PLANNING BOARD RESOLUTION
VENEZIA ASSOCIATES – FOX RIDGE SUBDIVISION – PHASE 5B-1
CPN-061-14 TM# 097.04-1-009.211
FINAL SUBDIVISION (PHASED) PLAT APPROVAL

WHEREAS, the Town of Canandaigua Planning Board, (hereinafter referred to as Planning Board) is considering a request for Final (Phased) Subdivision Plat approval of the Fox Ridge, Phase 5B-1 Subdivision Plans dated August 1, 2014 containing 10 lots along Lakebreeze Way as described in the Final Subdivision Plans dated August 1, 2014, last revised October 13, 2014 and all other relevant information submitted as of October 28, 2014 (the current application), and

WHEREAS, in compliance with NYS Town Law and the regulations of the State Environmental Quality Review Act (SEQR), the Town of Canandaigua Town Board declared this to be a Type I Action and a determination of significance was previously adopted in June 1989; and

WHEREAS, the Planning Board has completed a review of the proposed Final Subdivision Plans and a comparison with the approved Amended Preliminary Overall Subdivision Plat Plan conditions of approval; and

WHEREAS, the Planning Board has determined that the proposed development is in substantial compliance with the Amended Preliminary Overall Subdivision Plat Plan conditions of approval for Phase 5B; and

WHEREAS, the Planning Board has compiled the attached list of findings to be kept on file with the application in the Town Development Office, and

NOW, THEREFORE, BE IT RESOLVED, the Planning Board hereby ☐ Approves without Conditions; ☒ Approves with the following Conditions; or ☐ Denies the application for the following reasons:

1. The Final (Phased) Subdivision Plat Approval with conditions as specified is valid for a period of 180 days from today and shall expire unless an extension is requested by the Applicant and approved by the Planning Board at a later date with a separate resolution.
2. Once all conditions of Final (Phased) Subdivision Plat Approval have been met and shown on revised drawings including the revision dates, and all required signatures are affixed to four (4) prints of the Final (Phased) Subdivision Plat, the Planning Board Chairperson's signature shall be affixed and the maps filed in the Town Development Office within 180 days from today.
3. One mylar of the Final (Phased) Subdivision Plat is to be provided for signing by the identified Town Officials and the Town Planning Board Chairperson. Once the mylar and all paper prints have been signed, the mylar and two sets of paper prints will be returned to the Applicant for filing the mylar in the office of the Ontario County Clerk.
4. Once the Final (Phased) Subdivision Plat has been signed by the Planning Board Chairperson, the applicant shall file in the office of the Ontario County Clerk such approved final plat within sixty-two (62) days from the date of final approval or such approval shall expire (NYS Town Law Section 276-11).
5. The realigned Conservation Easement boundary line should be removed from the final subdivision plans as modification to the conservation easement requires the approval of the Town of Canandaigua Town Board.

TOWN OF CANANDAIGUA PLANNING BOARD RESOLUTION
VENEZIA ASSOCIATES – FOX RIDGE SUBDIVISION – PHASE 5B-1
CPN-061-14 TM# 097.04-1-009.211
FINAL SUBDIVISION (PHASED) PLAT APPROVAL

6. The Conservation Easement along lots 52-57 as depicted on the approved Final Subdivision Plans dated August 1, 2014 has been filed with the Ontario County Clerk's Office per Liber 1225 and Page 175. If the Applicant wishes to modify the existing Conservation Easement, the Applicant is required to apply to the Town Board for permission to modify the existing Conservation Easement prior to filing the approved Phase 5B-1 Final Subdivision Plat with the Ontario County Clerk's Office.
7. If the Conservation Easement is approved by the Town Board and modified, the Final Subdivision Plans are to be revised to depict the approved modified Conservation Easement alignment and resubmitted to the Town Development Office to obtain the Planning Board Chairman's signature.
8. If the Conservation Easement is approved by the Town Board and modified, the Conservation Easement shall be submitted to the Planning Board Attorney for approval and such approval shall be obtained prior to the Planning Board Chairman's signature being affixed to the Final Subdivision Plan. Said easements shall be filed at the Ontario County Clerk's Office at the same time as the approved Final Subdivision Plan. Copies of the filed easements are to be submitted to the Town Clerk within five (5) days of them being filed. Failure to file such easements at the time of filing the Final Subdivision Plan shall invalidate this approval.
9. All street lighting is to be installed by the developer and accepted by the Town at the time of dedication of Lakebreeze Way cul-de-sac.
10. The Planning Board determines that parkland is not a condition of Final Subdivision Plat approval for this application.
11. The Planning Board determines that a Park and Recreation Fee in the amount to be determined by the Town Board on an annual basis is to be paid at the time of application building permits.
12. A response letter to the Town Engineers comment letter dated October 17, 2014 is to be provided by the design engineer. An approval letter from the Town Engineer is to be provided to the Town Development Office prior to the Planning Board Chairman's signature being affixed on the Final Subdivision Plans.
13. All comments from the Town Highway and Water Superintendent are to be addressed prior to the Planning Board Chairman's signature being affixed on the Final Subdivision Plans.
14. A Letter of Credit in favor of the Town of Canandaigua, in the amount to be determined by the Town Engineer is to be provided and accepted by the Town Board prior to the issuance of building permits.

TOWN OF CANANDAIGUA PLANNING BOARD RESOLUTION
VENEZIA ASSOCIATES – FOX RIDGE SUBDIVISION – PHASE 5B-1
CPN-061-14 TM# 097.04-1-009.211
FINAL SUBDIVISION (PHASED) PLAT APPROVAL

15. An approval from the Canandaigua Lake County Sewer District (CLCSD) regarding their review of the sanitary sewer improvements is to be provided to the Development Office prior to the issuance of the Certificate of Occupancy.

The above resolution was offered by _____ and seconded by _____ at a meeting of the Planning Board held on Tuesday, October 28, 2014. Following discussion thereon, the following roll call vote was taken and recorded:

Richard Gentry -
Charles Oyler -
Jane Hollen -
Ryan Staychock -
Thomas Schwartz -

I, Kathleen Gingerich, Secretary of the Board, do hereby attest to the accuracy of the above resolution being acted upon and recorded in the minutes of the Town of Canandaigua Planning Board for the October 28, 2014 meeting.

Kathleen Gingerich, Secretary of the Board

L. S.

TOWN OF CANANDAIGUA PLANNING BOARD FINDINGS
VENEZIA ASSOCIATES – FOX RIDGE SUBDIVISION – PHASE 5B-1
CPN-061-14 TM# 097.04-1-009.211
FINAL SUBDIVISION (PHASED) PLAT APPROVAL

Preliminary

1. In compliance with NYS Town Law and the regulations of the State Environmental Quality Review Act (SEQR), the Town of Canandaigua Town Board during its review of the rezoning request for the original Fox Ridge Overall Subdivision in June of 1989, declared this action to be a Type I Action, completed a coordinated review of the prepared Environmental Impact Statement (EIS), made a determination of non-significance, and issued a Negative Declaration.
2. The Preliminary Overall (Phased) Subdivision Plat Plans were approved at the July 25, 1989 Planning Board meeting.
3. March 16, 2007 an application for Concept Subdivision revising the Preliminary Overall (Phased) Subdivision Plans for Fox Ridge Sections 5 & 6, creating Phase 5A and Phase 5B and removing Section 6.
4. Phase 5A was under construction at the time as it was previously approved as Section 5 of the Fox Ridge Subdivision. Section 6 was removed and now being called Phase 5B.
5. The proposed Concept Subdivision Plans for Phases 5A and 5B reduced the total number of lots from 52 to 48 and in lieu of the originally approved continuous link for Lake Breeze Way, created two cul-de-sacs (LaCrosse Circle and Lake Breeze Way) within Phase 5B.
6. The Concept Subdivision Plans titled Conceptual Subdivision Fox Ridge Subdivision Phase 5B were submitted to outside agencies for review/comment and were discussed at the April 10, 2007 Planning Board meeting.
7. In an email dated April 6, 2007, Marilyn Schafer of Ontario County Public Works stated that they have contacted the design engineer at the time (Professional Engineering Group) regarding a request to service the existing homes along Middle Cheshire Road that are adjacent to this project (west property line) with a sanitary sewer.
8. An application for Preliminary/ Final (Phased) Subdivision Plat Plan approval for Phase 5B of the Fox Ridge Subdivision depicting two cul-de-sacs, 28 lots, conservation easement area and utility improvements including a sanitary sewer extension for those homes along Middle Cheshire Road adjacent to Phase 5B was submitted Development Office and reviewed at the April 18, 2007 PRC meeting.
9. October 23, 2007, the revised Preliminary (Phased) Subdivision Plat Plans for the Fox Ridge Phase 5B were approved with fourteen (14) conditions.
10. October 23, 2007, the revised Final (Phased) Subdivision Plat Plans for the Fox Ridge Phase 5B were approved with ten (10) conditions.
11. The Preliminary (Phased) Subdivision Plat Plans for Fox Ridge Phase 5B were signed by all parties including the Planning Board Chairman.
12. The Preliminary (Phased) Subdivision Plat Plan approval for Phase 5B has not been revoked and remains in effect as per the Zoning Law Determination dated May 6, 2013.

TOWN OF CANANDAIGUA PLANNING BOARD FINDINGS
VENEZIA ASSOCIATES – FOX RIDGE SUBDIVISION – PHASE 5B-1
CPN-061-14 TM# 097.04-1-009.211
FINAL SUBDIVISION (PHASED) PLAT APPROVAL

13. The applicant did not file the approved Final (Phased) Subdivision Plat Plans for 5B in the Office of the Ontario County Clerk.
14. NYS Town Law Section 276, part 11 states that approved final plats shall expire if not filed within 62 days of approval.
15. Venezia Associates submitted an amended Preliminary (Phased) Subdivision Plat Plan for Fox Ridge Phase 5B dated March 20, 2014 and a letter dated April 2, 2014 containing a matrix of the site statistics for the previous 2007 approved subdivision plan versus the proposed 2014 new plan.
16. The Planning Board reviewed Amended Preliminary (Phased) Subdivision Plat Plans to determine if they were in substantial agreement with the approved 2007 Preliminary (Phased) Subdivision Plat Plans for Fox Ridge Phase 5B dated February 2007 and last revised September 25, 2008.
17. The amended (phased) subdivision plans titled Fox Ridge Subdivision, Phase 5B, dated March 20, 2014 propose a similar layout of 28 lots for single family dwellings, two (2) cul-de-sacs (LaCrosse Circle and Lake Breeze Way), a conservation area in the same area as previously approved, utility improvements including water, sanitary and storm sewers throughout Phase 5B and an easement to Canandaigua Lake County Sewer District (CLCSD) for the sanitary sewer extension to those homes along Middle Cheshire Road which were all part of the original 2007 Preliminary (Phased) Subdivision Plat Plan approval.
18. The Planning Board on April 22, 2014 completed a review of the matrix and a comparison of the proposed Amended Preliminary (Phased) Subdivision Plat Plans with the approved 2007 Preliminary (Phased) Subdivision Plat Plans and determined that the proposed Amended Fox Ridge 5B Preliminary (Phased) Subdivision Plat Plans dated March 20, 2014 were in substantial agreement with the previously approved 2007 Preliminary (Phased) Subdivision Plat Plans dated February 2007 and last revised September 25, 2008 (signed).
19. The Amended Preliminary (Phased) Subdivision Plat Plans were revised per the conditions of approval and the Amended Preliminary (Phased) Subdivision Plat Plans were signed by the Planning Board Chairman.

Final

20. Town of Canandaigua Planning Board is considering a request for Final (Phased) Subdivision Plat approval of the Fox Ridge, Phase 5B-1 Subdivision Plans dated August 1, 2014, last revised October 13, 2014.
21. Proposed Phase 5B-1, is the first of 3 phases within Section 5B containing 10 of the approved 28 lots for single-family dwellings.
22. The 10 lots are proposed off of Lakebreeze Way, which will be extended and terminate with a cul-de-sac as described in the Final Subdivision Plans dated August 1, 2014, last revised October 13, 2014 and all other relevant information submitted as of October 28, 2014.
23. The minimum approved lot size is 20,000 SQ. FT.

TOWN OF CANANDAIGUA PLANNING BOARD FINDINGS
VENEZIA ASSOCIATES – FOX RIDGE SUBDIVISION – PHASE 5B-1
CPN-061-14 TM# 097.04-1-009.211
FINAL SUBDIVISION (PHASED) PLAT APPROVAL

24. The minimum lot size proposed for Phase 5B-1 is 25,213 SQ. FT. with a maximum lot size of 105,690 SQ. FT. proposed.
25. Public water and sanitary sewer services will be extended to all lots within Phase 5B-1.
26. Existing stormwater management facilities sized to handle the water quality and quantity requirements for this portion of development was approved with earlier phases. Section 5B and Phase 5B-1 meet all NYSDEC General Permit and Town of Canandaigua requirements regarding stormwater.
27. This application was forwarded to the following outside agencies for review:
 - Jim Fletcher, Highway & Water Superintendent
 - MRB Group, Town Engineers
 - John Berry, Canandaigua Lake County Sewer District
 - Kevin Olvany, Canandaigua Lake Watershed
28. The Planning Board makes the following findings pursuant to New York State Town Law § 277 and Town Code § 111-9.
29. The Planning Board hereby finds that a proper case exists for requiring that a park be located for playgrounds or other recreational purposes on the proposed subdivision plat because of the increase in population that will be created by the proposed new developments.
30. The Town Comprehensive Plan indicates that the Town is in need of more land for parks and recreation.
31. The Town Parks and Recreation Master Plan indicates that the Town is in need of more land for parks and recreation.
32. The proposed subdivision includes 28 new homes, many of which will be occupied by families with one or more children.
33. The proposed subdivision will increase the Town's population.
34. This increase in population will intensify the need for land to be used for parks and recreation.
35. A suitable park of adequate size to meet the Town's needs cannot be properly located on the proposed subdivision plat.
36. The area of the proposed subdivision will be 28 +/- acres.
37. The area of the proposed subdivision will include residential lots and dedicated conservation areas. Adequate land for dedication of parkland is not available on the proposed subdivision plat.
38. There is not an existing park in the vicinity of the proposed subdivision.

TOWN OF CANANDAIGUA PLANNING BOARD FINDINGS
VENEZIA ASSOCIATES – FOX RIDGE SUBDIVISION – PHASE 5B-1
CPN-061-14 TM# 097.04-1-009.211
FINAL SUBDIVISION (PHASED) PLAT APPROVAL

39. A fee in lieu of parkland shall be paid at the time of issuance of building permits in the amount per family dwelling unit as established by the Town Board pursuant to Town Code § 111-8.
40. The Planning Board discussed the need to delineate the conservation easement area in the field to better define the limits of this area on each lot.
41. Conservation easement monuments are to be provided along the lot lines and conservation easement boundary.
42. The Final Subdivision Plans are to note any and all restrictive covenants in detail of the conservation easement areas.
43. The Conservation Easement along lots 52-57 as depicted on the approved Final Subdivision Plans dated August 1, 2014, last revised October 13, 2014 has been filed with the Ontario County Clerk's Office per Liber 1225 and Page 175.
44. If the Applicant wishes to modify the existing Conservation Easement, the Applicant is required to apply to the Town Board for permission to modify the existing Conservation Easement prior to filing the approved Phase 5B-1 Final Subdivision Plat with the Ontario County Clerk's Office.
45. If the Conservation Easement is approved by the Town Board and modified, the Final Subdivision Plans will be revised to depict the approved modified Conservation Easement alignment and resubmitted to the Town Development Office to obtain the Planning Board Chairman's signature.
46. If the Conservation Easement is approved by the Town Board and modified, the Conservation Easement will be submitted to the Planning Board Attorney for approval prior to the Planning Board Chairman's signature being affixed to the Final Subdivision Plan.
47. The Conservation Easements will be filed at the Ontario County Clerk's Office at the same time as the approved Final Subdivision Plan.
48. Copies of the filed easements are to be submitted to the Town Clerk within five (5) days of them being filed. Failure to file such easements at the time of filing the Final Subdivision Plan shall invalidate this approval.
49. All comments in the Town Engineers Letter dated October 17, 2014 are to be addressed prior to the Planning Board Chairman's signature being affixed on the Final Subdivision Plans.
50. All comments from the Town Highway and Water Superintendent are to be addressed prior to the Planning Board Chairman's signature being affixed on the Final Subdivision Plans.
51. A Letter of Credit in favor of the Town of Canandaigua, in the amount to be determined by the Town Engineer is to be provided and accepted by the Town Board prior to the issuance of building permits.

TOWN OF CANANDAIGUA PLANNING BOARD FINDINGS
VENEZIA ASSOCIATES – FOX RIDGE SUBDIVISION – PHASE 5B-1
CPN-061-14 TM# 097.04-1-009.211
FINAL SUBDIVISION (PHASED) PLAT APPROVAL

52. The Canandaigua Lake County Sewer District (CLCSD) approval letter regarding their review of the sanitary sewer improvements is required to be provided to the Development Office prior to the issuance of Certificate of Occupancy.
53. A comment letter from Kevin Olvany of the Canandaigua Lake Watershed Council dated October 2, 2104 was received by the Town Planning board.
54. The Planning Board has considered the comments identified in the Canandaigua Lake Watershed Council comment letter.

TOWN OF CANANDAIGUA PLANNING BOARD RESOLUTION
DVR, INC REPRESENTING SCHOTTLAND CHOSEN SPOT LLC
4711 NORTH MENTETH DRIVE & 5273 MENTETH DRIVE
CPN 039-14 TM# 140.11-1-19.000 & 140.11-1-21.200
SINGLE-STAGE SITE PLAN APPROVAL – DENIAL

WHEREAS, the Town of Canandaigua Planning Board (hereinafter referred to as Planning Board) is considering a Single-Stage Site Plan approval to remove an existing driveway located on 4711 North Menteth Drive (Tax Map Parcel #140.11-1-19.000) and construct a new driveway, walking trails, and septic system improvements on 5273 Menteth Drive (Tax Map Parcel #140.11-1-21.200) and on 4702 County Road 16 (Tax Map Parcel #140.11-1-37.2) in the RLD zoning district and as described on the Site Plans dated September 2014 and all other relevant information submitted as of October 28, 2014 (the current application), and

WHEREAS,

WHEREAS,

NOW, THEREFORE, BE IT RESOLVED that the Town of Canandaigua Planning Board does hereby find the following facts:

- 1.
- 2.
- 3.
- 4.

BE IT FURTHER RESOLVED that the Town of Canandaigua Planning Board does hereby deny CPN 039-14 for Single-Stage Site Plan Approval based upon the findings contained herein and the reasons set forth above.

The above resolution was offered by _____ and seconded by _____ at a meeting of the Planning Board held on Tuesday, October 28, 2014. Following discussion thereon, the following roll call vote was taken and recorded:

Richard Gentry -
Charles Oyler -
Jane Hollen -
Ryan Staychock -
Thomas Schwartz -

I, Kathleen Gingerich, Secretary of the Board, do hereby attest to the accuracy of the above resolution being acted upon and recorded in the minutes of the Town of Canandaigua Planning Board for the October 28, 2014 meeting.

L. S.
Kathleen Gingerich, Secretary of the Board

TOWN OF CANANDAIGUA PLANNING BOARD RESOLUTION
DVR, INC REPRESENTING SCHOTTLAND CHOSEN SPOT LLC
4711 NORTH MENTETH DRIVE & 5273 MENTETH DRIVE
CPN 039-14 TM# 140.11-1-19.000 & 140.11-1-21.200
SINGLE-STAGE SITE PLAN APPROVAL – CONTINUATION

WHEREAS, the Town of Canandaigua Planning Board (hereinafter referred to as Planning Board) is considering a Single-Stage Site Plan approval to remove an existing driveway located on 4711 North Menteth Drive (Tax Map Parcel #140.11-1-19.000) and construct a new driveway, walking trails, and septic system improvements on 5273 Menteth Drive (Tax Map Parcel #140.11-1-21.200) and on 4702 County Road 16 (Tax Map Parcel #140.11-1-37.2) in the RLD zoning district and as described on the Site Plans dated September 2014 and all other relevant information submitted as of October 28, 2014 (the current application), and

WHEREAS,

WHEREAS,

NOW, THEREFORE, BE IT RESOLVED that the Planning Board does hereby move to continue the application to their Tuesday, _____, 2014 Planning Board Meeting.

The above resolution was offered by _____ and seconded by _____ at a meeting of the Planning Board held on Tuesday, October 28, 2014. Following discussion thereon, the following roll call vote was taken and recorded:

Richard Gentry -
Charles Oyler -
Jane Hollen -
Ryan Staychock -
Thomas Schwartz -

I, Kathleen Gingerich, Secretary of the Board, do hereby attest to the accuracy of the above resolution being acted upon and recorded in the minutes of the Town of Canandaigua Planning Board for the October 28, 2014 meeting.

Kathleen Gingerich, Secretary of the Board

L. S.

TOWN OF CANANDAIGUA PLANNING BOARD RESOLUTION
DVR, INC REPRESENTING SCHOTTLAND CHOSEN SPOT LLC
4711 NORTH MENTETH DRIVE & 5273 MENTETH DRIVE
CPN 039-14 TM# 140.11-1-19.000 & 140.11-1-21.200
SINGLE-STAGE SITE PLAN - SEQR RESOLUTION- TYPE II ACTION

WHEREAS, the Town of Canandaigua Planning Board (hereinafter referred to as Planning Board) is considering a Single-Stage Site Plan approval to remove an existing driveway located on 4711 North Menteth Drive (Tax Map Parcel #140.11-1-19.000) and construct a new driveway, walking trails, and septic system improvements on 5273 Menteth Drive (Tax Map Parcel #140.11-1-21.200) and on 4702 County Road 16 (Tax Map Parcel #140.11-1-37.2) in the RLD zoning district and as described on the Site Plans dated September 2014 and all other relevant information submitted as of October 28, 2014 (the current application), and

NOW, THEREFORE, BE IT RESOLVED THAT, the Planning Board does hereby classify the above referenced Action to be a Type II Action under Section 617.5 (c) of the State Environmental Quality Review (SEQR) Regulations; and

BE IT FURTHER RESOLVED THAT, Type II Actions are not subject to further review under Part 617 of the SEQR Regulations; and

BE IT FINALLY RESOLVED THAT, the Planning Board in making this classification has satisfied the procedural requirements under SEQR and directs this Resolution to be placed in the file on this Action.

The above resolution was offered by _____ and seconded by _____ at a meeting of the Planning Board held on Tuesday, October 28, 2014. Following discussion thereon, the following roll call vote was taken and recorded:

Richard Gentry -
Charles Oyler -
Jane Hollen -
Ryan Staychock -
Thomas Schwartz -

I, Kathleen Gingerich, Secretary of the Board, do hereby attest to the accuracy of the above resolution being acted upon and recorded in the minutes of the Town of Canandaigua Planning Board for the October 28, 2014 meeting.

_____, L. S.
Kathleen Gingerich, Secretary of the Board

TOWN OF CANANDAIGUA PLANNING BOARD RESOLUTION
DVR, INC REPRESENTING SCHOTTLAND CHOSEN SPOT LLC
4711 NORTH MENTETH DRIVE & 5273 MENTETH DRIVE
CPN 039-14 TM# 140.11-1-19.000 & 140.11-1-21.200
SINGLE-STAGE SITE PLAN APPROVAL

WHEREAS, the Town of Canandaigua Planning Board (hereinafter referred to as Planning Board) is considering a Single-Stage Site Plan approval to remove an existing driveway located on 4711 North Menteth Drive (Tax Map Parcel #140.11-1-19.000) and construct a new driveway, walking trails, and septic system improvements on 5273 Menteth Drive (Tax Map Parcel #140.11-1-21.200) and on 4702 County Road 16 (Tax Map Parcel #140.11-1-37.2) in the RLD zoning district and as described on the Site Plans dated September 2014 and all other relevant information submitted as of October 28, 2014 (the current application), and

WHEREAS, the Planning Board completed a formal review of the proposed development in compliance with the implementing regulations of the State Environmental Quality Review Act (SEQRA), and

WHEREAS, the Planning Board classified the above referenced Action to be a Type II Action under Section 617.5 (c) of the State Environmental Quality Review (SEQR) Regulations; and

WHEREAS, Type II Actions are not subject to further review under Part 617 of the SEQR Regulations; and

WHEREAS, the Planning Board has compiled the attached list of findings to be kept on file with the application in the Town Development Office, and

NOW, THEREFORE, BE IT RESOLVED, the Planning Board hereby ☐ Approves without Conditions; ☒ Approves with the following Conditions; or ☐ Denies the application for the following reasons:

1. The Single-Stage Site Plan Approval with conditions as specified is valid for a period of 180 days from today and shall expire unless an extension is requested by the Applicant and approved by the Planning Board at a later date with a separate resolution.
2. Once all conditions of Single-Stage Site Plan Approval have been met and shown on revised drawings including the revision dates, and all required signatures are affixed to four (4) prints of the Single-Stage Site Plan Approval, the Planning Board Chairperson's signature shall be affixed and the maps filed in the Town Development Office within 180 days from today.
3. The Town CEO is to determine if a "Permit Application for Development in the Flood Hazard Areas" is required as the property is within the RLD and a SFHA Zone 'AE' (Elevation 692') special flood hazard area. If so, the permit is to be completed and submitted to the Development Office for review by the Town CEO prior to issuance of Building Permits.
4. An approval letter from the Town Engineer is to be provided to the Town Development Office prior to the Planning Board Chairman's signature being affixed on the Final Subdivision Plans.
5. A landscaping surety in the amount to be determined by the Town Code Enforcement Officer is to be provided and accepted by the Town Board prior to the issuance of building permits.

TOWN OF CANANDAIGUA PLANNING BOARD RESOLUTION
DVR, INC REPRESENTING SCHOTTLAND CHOSEN SPOT LLC
4711 NORTH MENTETH DRIVE & 5273 MENTETH DRIVE
CPN 039-14 TM# 140.11-1-19.000 & 140.11-1-21.200
SINGLE-STAGE SITE PLAN APPROVAL

6. A soil erosion surety in the amount to be determined by the Town Code Enforcement Officer shall be provided to and accepted by the Town Board prior to the issuance of building permits.
7. A generator is to be installed and operational prior to the Certificate of Occupancy being issued as the site is being served by a non-conventional onsite wastewater treatment system.

The above resolution was offered by _____ and seconded by _____ at a meeting of the Planning Board held on Tuesday, October 28, 2014. Following discussion thereon, the following roll call vote was taken and recorded:

Richard Gentry -
Charles Oyler -
Jane Hollen -
Ryan Staychock -
Thomas Schwartz -

I, Kathleen Gingerich, Secretary of the Board, do hereby attest to the accuracy of the above resolution being acted upon and recorded in the minutes of the Town of Canandaigua Planning Board for the October 28, 2014 meeting.

L. S.

Kathleen Gingerich, Secretary of the Board

TOWN OF CANANDAIGUA PLANNING BOARD FINDINGS
DVR, INC REPRESENTING SCHOTTLAND CHOSEN SPOT LLC
4711 NORTH MENTETH DRIVE & 5273 MENTETH DRIVE
CPN 039-14 TM# 140.11-1-19.000 & 140.11-1-21.200
SINGLE-STAGE SITE PLAN APPROVAL

1. The Town of Canandaigua Planning Board is considering a Single-Stage Site Plan approval for the removal of an existing driveway and construction of a new driveway including walking trails and septic system and leach field improvements within the RLD.
2. The existing driveway to be removed is located on 4711 North Menteth Drive (Tax Map Parcel #140.11-1-19.000).
3. The proposed new driveway for 4711 North Menteth Drive will cross onto the neighboring parcel to the south 5273 Menteth Drive (Tax Map Parcel #140.11-1-21.200) and connect to Menteth Drive.
4. The proposed project also includes the abandonment of existing septic systems and leach fields located on both parcels 4711 North Menteth Drive and 5273 Menteth Drive.
5. The applicant is proposing to construct two new septic systems and leach fields to service the two lots with the two leach fields located across County Road 16 on 4702 County Road 16 (Tax Map Parcel #140.11-1-37.2).
6. The septic systems will be pumped across County Road 16 to the leach field systems.
7. The Planning Board discussed the need of a generator is to be installed and operational prior as the site is being served by a non-conventional onsite wastewater treatment system requiring a pump.
8. An approval from the George Barden, Canandaigua Lake Watershed Inspector regarding the proposed septic systems and leach fields for both lots (4711 North Menteth Drive and 5273 Menteth Drive) located on 4702 County Road 16 is required.
9. An approval from George Barden regarding his review of the septic systems was provided to the Town Code Enforcement Officer.
10. An approval from NYSDOH regarding their review of the septic system was provided to the Town Code Enforcement Officer.
11. The project also includes walking trails on 5273 Menteth Drive connecting from Menteth Drive to the proposed new driveway and existing tennis court located on 4711 North Menteth Drive.
12. Both parcels are serviced with existing public water with no improvements proposed.
13. The above referenced information is based on the Site Plans dated September 2014 and all other relevant information submitted as of October 28, 2014.
14. The project was reviewed in compliance with applicable procedural requirements including a coordinated review pursuant to State Environmental Quality Review Act (SEQRA) and the Town of Canandaigua Planning Board's Rules of Procedure.
15. The Planning Board has classified the project as a Type II Action under Section 617.5 (c) of the State Environmental Quality Review (SEQR) Regulations.

TOWN OF CANANDAIGUA PLANNING BOARD FINDINGS
DVR, INC REPRESENTING SCHOTTLAND CHOSEN SPOT LLC
4711 NORTH MENTETH DRIVE & 5273 MENTETH DRIVE
CPN 039-14 TM# 140.11-1-19.000 & 140.11-1-21.200
SINGLE-STAGE SITE PLAN APPROVAL

16. Type II Actions are not subject to further review under Part 617 of the SEQR Regulations.

17. This application was referred to the following agencies for review and comment:

- Jim Fletcher, Town of Canandaigua Highway Superintendent
- Mike Miller, Chief Cheshire Fire Department
- Tad Gerace, OC Soil & Water Conservation District
- George Barden, Watershed Inspector
- Kevin Olvany, Canandaigua Lake Watershed Council
- MRB Group, Town Engineer
- John Berry, Canandaigua lake County Sewer District
- William Wright, Ontario County DPW
- Hyland Hartsough PE, NYS DOH
- Geoff Brennessel, NYSEG
- Paul Damato, Regional Director, NYSDEC
- Ontario County Planning Board
- Town Environmental Conservation Board

2. A referral to the Ontario County Planning Board (OCPB) was completed and reviewed at the October 8, 2014 meeting.
 3. OCPB responses were received with a final classification of Class 1 and 5 comments with no formal recommendation to deny or approve.
 4. The Planning Board has reviewed these comments and has considered them as part of their review of the application.
 5. A comment letter dated October 24, 2014 was received from the Town Engineer.
 6. Comments were received from the Canandaigua Watershed Manager in an e-mail dated October 24, 2014.
 7. NYSDEC has completed a review of this application and forwarded a comment letter dated October 7, 2014.
 8. The Planning Board has reviewed these comments and has considered them as part of their review of the application.
18. No variances were required.
19. The Planning Board has discussed the character of the proposed shoreline in relation to the Town's Shoreline Development Guideline requirements.

TOWN OF CANANDAIGUA PLANNING BOARD FINDINGS
DVR, INC REPRESENTING SCHOTTLAND CHOSEN SPOT LLC
4711 NORTH MENTETH DRIVE & 5273 MENTETH DRIVE
CPN 039-14 TM# 140.11-1-19.000 & 140.11-1-21.200
SINGLE-STAGE SITE PLAN APPROVAL

20. The Town CEO is to determine if a "Permit Application for Development in the Flood Hazard Areas" is required as the property is within the RLD.
21. The Planning Board **is/is not** requiring a Landscaping Surety and Soil Erosion Surety in the amount to be determined by the Town Code Enforcement Officer as the application is located within the RLD.

TOWN OF CANANDAIGUA PLANNING BOARD RESOLUTION
GARY BURGERT REPRESENTING NATIONAL BANK OF GENEVA (FIVE STAR BANK)
PLACEMENT OF BUILDING & GROUND SIGNS 2425 NYS ROUTE 332
CPN 066-14 TM# 70.00-1-72.100
SINGLE-STAGE SITE PLAN APPROVAL – DENIAL

WHEREAS, the Town of Canandaigua Planning Board (hereinafter referred to as Planning Board) is considering a Single-Stage Site Plan approval for the placement of a building sign and a ground sign for the Five Star Bank located at 2425 NYS Route 332 in the CC District and as described on the renderings received by the Town Development Office dated September 4, 2014 and all other relevant information submitted as of October 28, 2014 (the current application), and

WHEREAS,

WHEREAS,

NOW, THEREFORE, BE IT RESOLVED that the Town of Canandaigua Planning Board does hereby find the following facts:

- 1.
- 2.
- 3.
- 4.

BE IT FURTHER RESOLVED that the Town of Canandaigua Planning Board does hereby deny CPN 066-14 for Single-Stage Site Plan Approval based upon the findings contained herein and the reasons set forth above.

The above resolution was offered by _____ and seconded by _____ at a meeting of the Planning Board held on Tuesday, October 28, 2014. Following discussion thereon, the following roll call vote was taken and recorded:

Richard Gentry -
Charles Oyler -
Jane Hollen -
Ryan Staychock -
Thomas Schwartz -

I, Kathleen Gingerich, Secretary of the Board, do hereby attest to the accuracy of the above resolution being acted upon and recorded in the minutes of the Town of Canandaigua Planning Board for the October 28, 2014 meeting.

Kathleen Gingerich, Secretary of the Board

L. S.

TOWN OF CANANDAIGUA PLANNING BOARD RESOLUTION
GARY BURGERT REPRESENTING NATIONAL BANK OF GENEVA (FIVE STAR BANK)
PLACEMENT OF BUILDING & GROUND SIGNS 2425 NYS ROUTE 332
CPN 066-14 TM# 70.00-1-72.100
SINGLE-STAGE SITE PLAN APPROVAL – CONTINUATION

WHEREAS, the Town of Canandaigua Planning Board (hereinafter referred to as Planning Board) is considering a Single-Stage Site Plan approval for the placement of a building sign and a ground sign for the Five Star Bank located at 2425 NYS Route 332 in the CC District and as described on the renderings received by the Town Development Office dated September 4, 2014 and all other relevant information submitted as of October 28, 2014 (the current application), and

WHEREAS,

WHEREAS,

NOW, THEREFORE, BE IT RESOLVED that the Planning Board does hereby move to continue the application to their Tuesday, _____, 2014 Planning Board Meeting.

The above resolution was offered by _____ and seconded by _____ at a meeting of the Planning Board held on Tuesday, October 28, 2014. Following discussion thereon, the following roll call vote was taken and recorded:

Richard Gentry -
Charles Oyler -
Jane Hollen -
Ryan Staychock -
Thomas Schwartz -

I, Kathleen Gingerich, Secretary of the Board, do hereby attest to the accuracy of the above resolution being acted upon and recorded in the minutes of the Town of Canandaigua Planning Board for the October 28, 2014 meeting.

Kathleen Gingerich, Secretary of the Board

L. S.

TOWN OF CANANDAIGUA PLANNING BOARD RESOLUTION
GARY BURGERT REPRESENTING NATIONAL BANK OF GENEVA (FIVE STAR BANK)
PLACEMENT OF BUILDING & GROUND SIGNS 2425 NYS ROUTE 332
CPN 066-14 TM# 70.00-1-72.100
SINGLE-STAGE SITE PLAN - SEQR RESOLUTION- TYPE II ACTION

WHEREAS, the Town of Canandaigua Planning Board (hereinafter referred to as Planning Board) is considering a Single-Stage Site Plan approval for the placement of a building sign and a ground sign for the Five Star Bank located at 2425 NYS Route 332 in the CC District and as described on the renderings received by the Town Development Office dated September 4, 2014 and all other relevant information submitted as of October 28, 2014 (the current application), and

NOW, THEREFORE, BE IT RESOLVED THAT, the Planning Board does hereby classify the above referenced Action to be a Type II Action under Section 617.5 (c) of the State Environmental Quality Review (SEQR) Regulations; and

BE IT FURTHER RESOLVED THAT, Type II Actions are not subject to further review under Part 617 of the SEQR Regulations; and

BE IT FINALLY RESOLVED THAT, the Planning Board in making this classification has satisfied the procedural requirements under SEQR and directs this Resolution to be placed in the file on this Action.

The above resolution was offered by _____ and seconded by _____ at a meeting of the Planning Board held on Tuesday, October 28, 2014. Following discussion thereon, the following roll call vote was taken and recorded:

Richard Gentry -
Charles Oylar -
Jane Hollen -
Ryan Staychock -
Thomas Schwartz -

I, Kathleen Gingerich, Secretary of the Board, do hereby attest to the accuracy of the above resolution being acted upon and recorded in the minutes of the Town of Canandaigua Planning Board for the October 28, 2014 meeting.

Kathleen Gingerich, Secretary of the Board

TOWN OF CANANDAIGUA PLANNING BOARD RESOLUTION
GARY BURGERT REPRESENTING NATIONAL BANK OF GENEVA (FIVE STAR BANK)
PLACEMENT OF BUILDING & GROUND SIGNS 2425 NYS ROUTE 332
CPN 066-14 TM# 70.00-1-72.100
SINGLE-STAGE SITE PLAN APPROVAL

WHEREAS, the Town of Canandaigua Planning Board (hereinafter referred to as Planning Board) is considering a Single-Stage Site Plan approval for the placement of a building sign and a ground sign for the Five Star Bank located at 2425 NYS Route 332 in the CC District and as described on the renderings received by the Town Development Office dated September 4, 2014 and all other relevant information submitted as of October 28, 2014 (the current application), and

WHEREAS, the Planning Board completed a formal review of the proposed development in compliance with the implementing regulations of the State Environmental Quality Review Act (SEQRA), and

WHEREAS, the Planning Board classified the above referenced Action to be a Type II Action under Section 617.5 (c) of the State Environmental Quality Review (SEQR) Regulations; and

WHEREAS, Type II Actions are not subject to further review under Part 617 of the SEQR Regulations; and

WHEREAS, the Planning Board has compiled the attached list of findings to be kept on file with the application in the Town Development Office, and

NOW, THEREFORE, BE IT RESOLVED, the Planning Board hereby ☐ Approves without Conditions; ☒ Approves with the following Conditions; or ☐ Denies the application for the following reasons:

1. The Single-Stage Site Plan Approval with conditions as specified is valid for a period of 180 days from today and shall expire unless an extension is requested by the Applicant and approved by the Planning Board at a later date with a separate resolution.
2. Once all conditions of Single-Stage Site Plan Approval have been met and shown on revised drawings the Planning Board Chairperson's signature shall be affixed to the site plans and the sign renderings and the maps filed in the Town Development Office within 180 days from today.
- 3.

The above resolution was offered by _____ and seconded by _____ at a meeting of the Planning Board held on Tuesday, October 28, 2014. Following discussion thereon, the following roll call vote was taken and recorded:

Richard Gentry -
Charles Oyler -
Jane Hollen -
Ryan Staychock -
Thomas Schwartz -

I, Kathleen Gingerich, Secretary of the Board, do hereby attest to the accuracy of the above resolution being acted upon and recorded in the minutes of the Town of Canandaigua Planning Board for the October 28, 2014 meeting.

Kathleen Gingerich, Secretary of the Board

TOWN OF CANANDAIGUA PLANNING BOARD FINDINGS
GARY BURGERT REPRESENTING NATIONAL BANK OF GENEVA (FIVE STAR BANK)
PLACEMENT OF BUILDING & GROUND SIGNS 2425 NYS ROUTE 332
CPN 066-14 TM# 70.00-1-72.100
SINGLE-STAGE SITE PLAN APPROVAL

1. The Town of Canandaigua Planning Board is considering a Single-Stage Site Plan approval for the placement of a building sign and a ground sign for the Five Star Bank.
2. The proposed project is located at 2425 NYS Route 332 in the CC District.
3. The above referenced information is based on the Site Plans and renderings received by the Town Development Office dated September 4, 2014 and all other relevant information submitted as of October 28, 2014.
4. There are no other site improvements proposed as part of this application other than the placement of a new ground sign and building sign.
5. The proposed ground sign is for an electronic 41.3 sq. ft. sign (8'-1" height by 5'-1" wide) and stands 20' from the ground to the top of the sign.
6. The ground sign is proposed on the south side of the existing driveway entrance off NYS Route 332.
7. The project was reviewed in compliance with applicable procedural requirements including a coordinated review pursuant to State Environmental Quality Review Act (SEQRA) and the Town of Canandaigua Planning Board's Rules of Procedure.
8. The Planning Board has classified the project as a Type II Action under Section 617.5 (c) of the State Environmental Quality Review (SEQR) Regulations.
9. Type II Actions are not subject to further review under Part 617 of the SEQR Regulations.
10. This application was referred to the following agencies and Staff for review and comment:
 - Greg Trost, NYSDOT
2. A referral to the Ontario County Planning Board (OCPB) was completed and responses were received. They designated the application as a _____ with a recommendation of _____.
3. The Planning Board has reviewed these comments and has considered them as part of their review of the application.
11. No variances were required.
12. The applicant has submitted a Waiver Request (pursuant to Town Code 220-65) for a professionally prepared site plan dated October 22, 2014.
13. The Planning Board reviewed the request and granted the waiver for a professionally prepared site plan.

TOWN OF CANANDAIGUA PLANNING BOARD RESOLUTION
BME ASSOCIATES REPRESENTING VISION NISSAN CANANDAIGUA
2375/ 2409 NYS ROUTE 332
CPN 074-14 TM# 56.00-2-54.000 & 56.00-2-22.210
SINGLE-STAGE SITE PLAN APPROVAL – DENIAL

WHEREAS, the Town of Canandaigua Planning Board, (hereinafter referred to as Planning Board) is considering a request for single-stage site plan approval of the Vison Nissan Canandaigua Plans containing a car dealership located at the corner of NYS Route 332 and Aroline Road as described in the Site Plans dated September 2014, and last revised September 24, 2014 and all other relevant information submitted as of October 28, 2014 (the current application), and

WHEREAS,

WHEREAS,

NOW, THEREFORE, BE IT RESOLVED that the Town of Canandaigua Planning Board does hereby find the following facts:

- 1.
- 2.
- 3.
- 4.

BE IT FURTHER RESOLVED that the Town of Canandaigua Planning Board does hereby deny CPN 074-14 for Single-Stage Site Plan Approval based upon the findings contained herein and the reasons set forth above.

The above resolution was offered by _____ and seconded by _____ at a meeting of the Planning Board held on Tuesday, October 28, 2014. Following discussion thereon, the following roll call vote was taken and recorded:

Richard Gentry -
Charles Oyler -
Jane Hollen -
Ryan Staychock -
Thomas Schwartz -

I, Kathleen Gingerich, Secretary of the Board, do hereby attest to the accuracy of the above resolution being acted upon and recorded in the minutes of the Town of Canandaigua Planning Board for the October 28, 2014 meeting.

Kathleen Gingerich, Secretary of the Board

L. S.

TOWN OF CANANDAIGUA PLANNING BOARD RESOLUTION
BME ASSOCIATES REPRESENTING VISION NISSAN CANANDAIGUA
2375/ 2409 NYS ROUTE 332
CPN 074-14 TM# 56.00-2-54.000 & 56.00-2-22.210
SINGLE-STAGE SITE PLAN APPROVAL – CONTINUATION

WHEREAS, the Town of Canandaigua Planning Board, (hereinafter referred to as Planning Board) is considering a request for single-stage site plan approval of the Vison Nissan Canandaigua Plans containing a car dealership located at the corner of NYS Route 332 and Aroline Road as described in the Site Plans dated September 2014, and last revised September 24, 2014 and all other relevant information submitted as of October 28, 2014 (the current application), and

WHEREAS,

WHEREAS,

NOW, THEREFORE, BE IT RESOLVED that the Planning Board does hereby move to continue the application to their Tuesday, _____, 2014 Planning Board Meeting.

The above resolution was offered by _____ and seconded by _____ at a meeting of the Planning Board held on Tuesday, October 28, 2014. Following discussion thereon, the following roll call vote was taken and recorded:

Richard Gentry -
Charles Oyler -
Jane Hollen -
Ryan Staychock -
Thomas Schwartz -

I, Kathleen Gingerich, Secretary of the Board, do hereby attest to the accuracy of the above resolution being acted upon and recorded in the minutes of the Town of Canandaigua Planning Board for the October 28, 2014 meeting.

Kathleen Gingerich, Secretary of the Board

TOWN OF CANANDAIGUA PLANNING BOARD RESOLUTION
BME ASSOCIATES REPRESENTING VISION NISSAN CANANDAIGUA
2375/ 2409 NYS ROUTE 332
CPN 074-14 TM# 56.00-2-54.000 & 56.00-2-22.210
SINGLE-STAGE SITE PLAN APPROVAL
SEQR – DECLARING INTENT TO BECOME LEAD AGENCY

WHEREAS, the Town of Canandaigua Planning Board (hereinafter referred to as Planning Board) has reviewed the Environmental Assessment Form (SEQR EAF Part 1, Long Form), prepared by BME Associates on the above referenced Vision Nissan Canandaigua (hereinafter referred to as Action); and

WHEREAS, the Planning Board determines that said Action is classified as an Unlisted Action under the State Environmental Quality Review (SEQR) Regulations; and

WHEREAS, the Planning Board determines that said Action is also subject to review and approval by other involved agencies under SEQR Regulations; and

WHEREAS, the Planning Board determines that it is the most appropriate agency to insure the coordination of this Action and will provide written notifications to the involved and interested agencies, for the purposes of conducting a coordinated review and making the determination of significance thereon under the SEQR Regulations.

NOW, THEREFORE BE IT RESOLVED that the Planning Board does hereby declare its intent to be designated as the lead agency for the Action.

BE IT FURTHER RESOLVED, that the Town of Canandaigua Development Office is directed to provide notice hereof to the involved and interested agencies, seeking their agreement (or objection thereto) in writing on or before noon on **Monday, December 1, 2014**.

The above resolution was offered by _____ and seconded by _____ at a meeting of the Planning Board held on Tuesday, October 28, 2014. Following discussion thereon, the following roll call vote was taken and recorded:

Richard Gentry -
Charles Oyler -
Jane Hollen -
Ryan Staychock -
Thomas Schwartz -

I, Kathleen Gingerich, Secretary of the Board, do hereby attest to the accuracy of the above resolution being acted upon and recorded in the minutes of the Town of Canandaigua Planning Board for the October 28, 2014 meeting.

Kathleen Gingerich, Secretary of the Board

TOWN OF CANANDAIGUA PLANNING BOARD RESOLUTION
BME ASSOCIATES REPRESENTING VISION NISSAN CANANDAIGUA
2375/ 2409 NYS ROUTE 332
CPN 074-14 TM# 56.00-2-54.000 & 56.00-2-22.210
SINGLE-STAGE SITE PLAN APPROVAL
SEQR – DETERMINATION OF SIGNIFICANCE/ NEGATIVE DECLARATION

WHEREAS, the Town of Canandaigua Planning Board (hereinafter referred to as Planning Board) has reviewed the State Environmental Quality Review (SEQR) Long Environmental Assessment Form Part 1, prepared by the BME Associates and the EAF Part 2 & Part 3 completed by the Planning Board on the above referenced Vision Nissan Canandaigua (hereinafter referred to as proposed development); and

WHEREAS, the Planning Board determines that said proposed development is classified as an Unlisted Action under the SEQR Regulations; and

WHEREAS, the Planning Board has determined that the proposed development is subject to a single agency review pursuant to Part 617.6(b) (4) of the SEQR Regulations; and

WHEREAS, the Planning Board determines that it is the most appropriate agency for making the determination of significance thereon under the SEQR Regulations; and

WHEREAS, the Planning Board does hereby designate itself as lead agency for the proposed development above herein; and

WHEREAS, the Planning Board has given consideration to the criteria for determining significance as set forth in Section 617.7(c) (1) of the SEQR Regulations and the information contained in the Short Environmental Assessment Form Part 1; and

WHEREAS, the Planning Board has completed Part 2 and Part 3 of the Long Environmental Assessment Form; and

NOW, THEREFORE, BE IT RESOLVED that the Planning Board has reasonably concluded the following impacts are expected to result from the proposed Action, when compared against the criteria in Section 617.7 (c):

- (i) there will not be a substantial adverse change in existing air quality, ground or surface water quality or quantity, traffic noise levels; a substantial increase in solid waste production; a substantial increase in potential for erosion, flooding, leaching or drainage problems;
- (ii) there will not be large quantities of vegetation or fauna removed from the site or destroyed as the result of the proposed Action; there will not be substantial interference with the movement of any resident or migratory fish or wildlife species as the result of the proposed Action; there will not be a significant impact upon habitat areas on the site; there are no known threatened or endangered species of animal or plant, or the habitat of such species; or, are there any other significant adverse impacts to natural resources on the site;
- (iii) there are no known Critical Environmental Area(s) on the site which will be impaired as the result of the proposed Action;
- (iv) the overall density of the site is consistent with the Town's Comprehensive Plan land use recommendations;
- (v) the site is within an identified archaeological sensitive area and the applicant is working with the State Historic Preservation Office (SHPO) to resolve these potential impacts;

TOWN OF CANANDAIGUA PLANNING BOARD RESOLUTION
BME ASSOCIATES REPRESENTING VISION NISSAN CANANDAIGUA
2375/ 2409 NYS ROUTE 332
CPN 074-14 TM# 56.00-2-54.000 & 56.00-2-22.210
SINGLE-STAGE SITE PLAN APPROVAL
SEQR – DETERMINATION OF SIGNIFICANCE/ NEGATIVE DECLARATION

- (vi) there will not be an increase in the use of either the quantity or type of energy resulting from the proposed Action;
- (vii) there will not be any hazard created to human health;
- (viii) there will not be a change in the use of active agricultural lands that receive an agricultural use tax exemption or that will ultimately result in the loss of ten acres of such productive farmland;
- (ix) there will not be a larger number of persons attracted to the site for more than a few days when compared to the number of persons who would come to the site absent the Action;
- (x) there will not be created a material demand for other Actions that would result in one of the above consequences;
- (xi) there will not be changes in two or more of the elements of the environment that when considered together result in a substantial adverse impact; and
- (xii) there are not two or more related Actions which would have a significant impact on the environment.

BE IT FURTHER RESOLVED, based upon the information and analysis above and the supporting documentation referenced above, the proposed Action **WILL NOT** result in any significant adverse environmental impacts.

BE IT FINALLY RESOLVED, that the Planning Board does hereby make a Determination of Non-Significance on the proposed development, and the Planning Board Chairman is hereby directed to sign the Long Environmental Assessment Form Part 3 and issue the Negative Declaration as evidence of the Planning Board's determination.

The above resolution was offered by _____ and seconded by _____ at a meeting of the Planning Board held on Tuesday, October 28, 2014. Following discussion thereon, the following roll call vote was taken and recorded:

Richard Gentry -
Charles Oyler -
Jane Hollen -
Ryan Staychock -
Thomas Schwartz -

I, Kathleen Gingerich, Secretary of the Board, do hereby attest to the accuracy of the above resolution being acted upon and recorded in the minutes of the Town of Canandaigua Planning Board for the October 28, 2014 meeting.

Kathleen Gingerich, Secretary of the Board

TOWN OF CANANDAIGUA PLANNING BOARD RESOLUTION
BME ASSOCIATES REPRESENTING VISION NISSAN CANANDAIGUA
2375/ 2409 NYS ROUTE 332
CPN 074-14 TM# 56.00-2-54.000 & 56.00-2-22.210
SINGLE-STAGE SITE PLAN APPROVAL

WHEREAS, the Town of Canandaigua Planning Board, (hereinafter referred to as Planning Board) is considering a request for Single-Stage Site Plan approval of a propose car dealership (Vison Nissan Canandaigua) on Lot R-2 a 16.314 acre parcel (Tax Map No. 56.00-2-54.000 & 56.00-2-22.210) located at the corner of NYS Route 332 and Aroline Road as described in the Site Plans dated September 2014, and last revised September 24, 2014 and all other relevant information submitted as of October 28, 2014 (the current application), and

WHEREAS, in compliance with NYS Town Law and the regulations of the State Environmental Quality Review Act (SEQRA), a determination of significance and a negative declaration was adopted by the Town of Canandaigua Planning Board on October 28, 2014; and

WHEREAS, the Planning Board hereby approves a second point of access pursuant to Town Code 220-75(B)(2).

WHEREAS, the Planning Board has compiled the attached list of findings to be kept on file with the application in the Town Development Office, and

NOW, THEREFORE, BE IT RESOLVED, the Planning Board hereby ☐ Approves without Conditions; ☒ Approves with the following Conditions; or ☐ Denies the application for the following reasons:

1. The Single-Stage Site Plan Approval with conditions as specified is valid for a period of 180 days from today and shall expire unless an extension is requested by the Applicant and approved by the Planning Board at a later date with a separate resolution.
2. Once all conditions of Single-Stage Site Plan Approval have been met and shown on revised drawings including the revision dates, and all required signatures are affixed to four (4) prints of the Single-Stage Site Plan Approval, the Planning Board Chairperson's signature shall be affixed and the maps filed in the Town Development Office within 180 days from today.
3. An approval letter from the Town Engineer is to be provided to the Town Development Office prior to the Planning Board Chairman's signature being affixed on the Final Subdivision Plans.
4. All comments from the Town Highway and Water Superintendent are to be addressed prior to the Planning Board Chairman's signature being affixed on the Final Subdivision Plans.
5. A landscaping surety in the amount to be determined by the Town Code Enforcement Officer is to be provided and accepted by the Town Board prior to the issuance of building permits.
6. A soil erosion surety in the amount to be determined by the Town Code Enforcement Officer shall be provided to and accepted by the Town Board prior to the issuance of building permits.

TOWN OF CANANDAIGUA PLANNING BOARD RESOLUTION
BME ASSOCIATES REPRESENTING VISION NISSAN CANANDAIGUA
2375/ 2409 NYS ROUTE 332
CPN 074-14 TM# 56.00-2-54.000 & 56.00-2-22.210
SINGLE-STAGE SITE PLAN APPROVAL

7. An approval from the Canandaigua Lake County Sewer District (CLCSD) regarding their review of the sanitary sewer improvements is to be provided to the Development Office prior to the issuance of the Certificate of Occupancy.

The above resolution was offered by _____ and seconded by _____ at a meeting of the Planning Board held on Tuesday, October 28, 2014. Following discussion thereon, the following roll call vote was taken and recorded: Y Y Y

Richard Gentry -
Charles Oyler -
Jane Hollen -
Ryan Staychock -
Thomas Schwartz -

I, Kathleen Gingerich, Secretary of the Board, do hereby attest to the accuracy of the above resolution being acted upon and recorded in the minutes of the Town of Canandaigua Planning Board for the October 28, 2014 meeting.

Kathleen Gingerich, Secretary of the Board

L. S.

TOWN OF CANANDAIGUA PLANNING BOARD FINDINGS
BME ASSOCIATES REPRESENTING VISION NISSAN CANANDAIGUA
2375/ 2409 NYS ROUTE 332
CPN 074-14 TM# 56.00-2-54.000 & 56.00-2-22.210
SINGLE-STAGE SITE PLAN APPROVAL

1. The Planning Board is considering a request for Single-Stage Site Plan approval of a proposed car dealership (Vision Nissan Canandaigua) on Lot R-2 a 16.314 acre parcel (Tax Map No. 56.00-2-54.000 & 56.00-2-22.210) located at the corner of NYS Route 332 and Aroline Road as described in the Site Plans dated September 2014, and last revised September 24, 2014 and all other relevant information submitted as of October 28, 2014.
2. The application is classified as an Unlisted Action in accordance with implementing regulations of NYS Environmental Quality Review Act (NYCRR Part 617).
3. The Planning Board determined that the proposed development is subject to a single agency review pursuant to Part 617.6(b) (4) of the SEQRA Regulations and determined that it is the most appropriate agency for making the determination of significance thereon under the SEQRA Regulations.
4. On October 28, 2014, the Planning Board designated itself as lead agency for the proposed development and determined that the development **WILL NOT** result in any significant adverse environmental impacts based on the review of the Full Environmental Assessment Form (EAF) Parts 1, 2, and 3 and the supporting information provided by the design engineers.
5. The Planning Board made a Determination of Non-Significance on the proposed development and issued a Negative Declaration as evidence of the Planning Board's determination.
6. The proposed project is located within an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) Archaeological Site Inventory.
7. The applicant is to coordinate with SHPO and provide a "No Effect" letter to the Town of Canandaigua Development Office.
8. The project involves the construction of an 18,750 square foot building (car dealership) with ancillary site improvements, including on-site customer and display parking spaces, a stormwater management facility and bio-retention area, public water and sanitary sewer and lighting improvements on Lot R-2 at the southwest corner of State Route 332 and Aroline Road in the Town of Canandaigua as per the site plans dated September 2014, and last revised September 24, 2014.
9. The project proposes entrances off of NYS Route 332 (existing) and two (2) entrances (one existing and one proposed) off Aroline Road for a total of three (3) entrances.
10. The project is serviced by existing public water off NYS Route 332 (Canandaigua-Farmington Water District).
11. The project is serviced by existing public sanitary sewer off NYS Route 332 (Canandaigua Lake County Sewer District).

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12. Parking spaces required: (1) space / per 300' of gross floor = 18,750/ 300 = 63 parking spaces required of which 3 spaces shall be marked for handicap parking.
13. The project is proposing 225 parking spaces of which 62 are for customer and 163 spaces are for display parking.
14. Landscaping Calculations for Lot R-2:
 - Lot Size: 16.314 acres (710,638 sq ft)
 - 30% required green space = 4.9 acres (213,191 sq ft)
 - 1,250 sq ft = **170 canopy shade trees are required**
 - 250 sq ft = **853 deciduous shrub / evergreens are required**
15. According to Section 220-76 D(15) in all districts, automotive use areas containing more than 10 parking spaces shall have at least one shade tree for each 10 parking spaces or portion thereof.
16. The plans depict 225 parking spaces requiring 23 shade trees to be provided within the parking area. 23 shade trees are provided.
17. According to Section 220-76 D(15) parking areas designed for more than 10 cars are required to provide a minimum of 5% of the interior of the parking area for landscaping.
18. The plans depict approximately 5,590 sq ft of devoted landscaping within the parking area where approximately 5,590 sq ft is required.
19. Federal Wetlands are located onsite and have been delineated by BME Associates on August 18, 2014.
20. No permits from NYSDEC or Army Core of Engineers (ACOE) is required as no disturbance is proposed to federal wetlands.
21. This application is in compliance with Town of Canandaigua and NYSDEC General Permit requirements regarding water quality and quantity mitigation.
22. This application was referred to the following agencies for review and comment:
 - Greg Trost, NYS DOT
 - Dave Degear, Canandaigua-Farmington Water District Superintendent
 - Jim Fletcher, Town of Canandaigua Highway Superintendent
 - Mark Marentette, Chief of the Canandaigua City Fire Department
 - Kevin Olvany, Canandaigua Lake Watershed Council
 - MRB Group, Town Engineer
 - John Berry, Canandaigua lake County Sewer District

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- William Wright, Ontario County DPW
 - Geoff Brennessel, NYSEG
 - Wayne Dunton, RG&E
 - Paul Damato, Regional Director, NYSDEC
 - Ontario County Planning Board
 - Town Environmental Conservation Board
23. A referral to the Ontario County Planning Board (OCPB) was completed and responses were received. They designated the application as a _____ with a recommendation of _____.
24. The Planning Board has reviewed these comments and has considered them as part of their review of the application.
25. A comment letter dated October 23, 2014 was received from the Town Engineer.
26. A comment letter dated October 24, 2014 was received from Ontario County Department of Public Works.
27. Comments were received from the Canandaigua-Farmington Water District Superintendent in an e-mail dated October 24, 2014.
28. NYSDEC has completed a review of this application and forwarded a comment letter dated October 10, 2014.
29. The Planning Board has reviewed these comments and has considered them as part of their review of the application.
30. The Planning Board hereby finds that the additional driveway onto Aroline Road **will/will not** degrade traffic operations and safety on the public street system.
31. The additional driveway onto Aroline Road **will/will not** improve the safe and efficient movement of traffic between the lot and the abutting public streets.