

TO: Town of Canandaigua Town Board

FROM: Town of Canandaigua Planning Board

DATE: 11/17/2023

RE: Petition to Amend the Zoning Code of the Town of Canandaigua for 3907 County Road 16 from Residential Lake District to Incentive Zoning

At the request of Town Board, as stated in Resolution No.2023-207, the Town Planning Board at its public meeting on November 14, 2023 took testimony from the applicant, German Brothers Marina LLC, who is requesting a zoning change of a property located at 3907 CR16 from Residential Lake District (RLD) to Incentive Zoning (IZ) as described in Section 220-31 of the Town of Canandaigua Zoning Code.

The petition was presented by the applicant and acknowledged by the Planning Board that amenities including Safety Access Management, Public Lake Access, a Public Small Watercraft Launch Area, Public Boat Slips, Public Rest Rooms, Public Parking, Public Access for Trail Connectors, and a Reduced Mooring Area would be provided by the applicant in return for several incentives from the Town including an increase in dwelling unit density, changes in lot area and lot dimensional requirements, changes of use and UDML Designation. The applicant also presented to the Board a recent drafted financial breakdown by phases of the value of the amenities offered and the incentives gained by the applicant as a result of the zoning change.

As stated in Section 220-31 (I), The Planning Board focused of the planning aspects of what was proposed and the amenities being offered. It was the consensus of the Board that the application met most of the planning objectives of Incentive Zoning described in Section 220-31 C including protecting (or improving) highly valued ecological resources, geological features and environmentally sensitive areas, high quality scenic resources, as well as secure important public works improvements. It was also determined that the project met the applicable goals of the Town Comprehensive Plan. Of significant importance to the Board, it would remove a non conforming commercial use of the lakefront and "wipe the slate clean" in order to create a more environmentally sensitive, publicly accessible and safe lakefront property.

As part of its review, the Planning Board discussed with the applicant specific items related to the application including: the need to comply in the site plan process with the Town Shoreline Guideline and Scenic Viewshed requirements, stormwater management to control runoff to the lake, infrastructure to prevent invasive vegetation from entering the lake from the marina's operations, access from the proposed lodging to the lake frontage, remediation of any underground storage tanks if needed, delineating the channel to the marina to reduce wakes and lake shore erosion, safe pedestrian crossings of CR16, the dock design layout to reduce boat conflicts, concern about the number of public boat slips being offered (7) being not enough, the parking layout design and of course, the over all protection and hopefully improvement of the lake water quality.

Although other than the applicant's presentation on the monetary amounts associated with the amenities offered and incentives requested, the board did not discuss the financial aspects of the request but it appeared to some members that looking at the totals presented they were

somewhat inequitable in terms of benefits received compared to the value of the incentives gained.

In conclusion, the Planning Board found from a planning standpoint, the requested zoning change met the intent of the Incentive Zoning and Comprehensive Plan and pending successful negotiations of incentives gained to amenities received, the Planning Board looks forward to reviewing the required site plans to insure the planning aspects of our Town Code will be met.