

Town of Canandaigua

5440 Routes 5 & 20 West
Canandaigua, NY 14424

PLANNING BOARD

Tuesday, April 12, 2016, 6:30 p.m.

MEETING AGENDA

MEETING CALLED BY:	Thomas Schwartz
BOARD MEMBERS:	Karen Blazey, Richard Gentry, Charles Oyler, Ryan Staychock
SECRETARY:	John Robortella
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:

CPN-093-15 New Energy Works, representing Daniel Hoffend, owner of property at 4853 County Road 16, TM#140.18-1-6.000, is requesting Landscape Plan approval.

CONTINUED PUBLIC HEARINGS / ONE STAGE SITE PLANS:

CPN-118-15 Venezia Associates, representing German Brothers Industrial Park, LLC, owners of
CPN-014-16 property at 0000 North Street, TM#70.00-1-69.110, is requesting one stage site plan approval for the construction of a boat storage facility and a special use permit for outside boat storage in the IND zoning district.

CPN-011-16 Venezia Associates representing Joy Wegman, owner of property at 4417 County Road 16, TM#126.16-2-3.310, is requesting a one stage site plan approval for the tear-down/rebuild of a single family dwelling in the RLD zoning district.

NEW PUBLIC HEARINGS / ONE-STAGE SITE PLANS: *None at this time*

CLOSED PUBLIC HEARINGS: *None at this time*

FINAL SUBDIVISIONS: *None at this time*

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

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

INCOMPLETE APPLICATION / ADDITIONAL INFORMATION REQUIRED:

BOARD BUSINESS

- ❑ Approval of March 22, 2016 meeting minutes
- ❑ Referrals to Town Board: *None at this time*
- ❑ Recommendations to Zoning Board of Appeals: *None at this time*
- ❑ Recommendations to the Code Enforcement Officer: *None at this time*
- ❑ Resubdivision / Annexations: *None at this time*
- ❑ Letter of Credit/Bond Releases: *None at this time*
- ❑ Comprehensive Plan – General Discussion
- ❑ Other Business as Required:

Town of Canandaigua: Town Code Update: Onsite Wastewater

CPN-023-15 Sarah Genecco, owner of property at 1880 NYS Route 332, TM#55.02-1-7.100, is requesting one stage site plan approval for a commercial addition and site modifications in the CC zoning district. Updated Site Plan, Rendering and Elevation plans to be reviewed.

STAFF REPORTS

UPCOMING APPLICATIONS

APRIL 26, 2016 MEETING:

- CPN-115-15 Marathon Engineering, representing Ted & Patricia Brewer, owner of property at 4727 County Road 16, TM#140.11-1-30.000, is requesting one stage site plan approval for a tear-down/rebuild of a single-family dwelling in the RLD zoning district. **Applicant has requested to be heard at the 4/19/16 ZBA meeting**
- CPN-009-16 Bayer Landscape Architecture, representing Joel Reiser & Nancy Hyman, owners of property at 5265 Mentheth Drive, TM#140.11-1-25.000, has submitted sketch plans for variance requests to the Zoning Board Appeals.

May 10, 2016 Meeting:

- CPN-027-15 BME Associates representing RSM West Lake LLC, owner of property at 3950 County Road 16 (The Residences at West Lake Road), TM#112.000-1-24.100, requesting an Amended (Phased) Final Subdivision Plan approval to subdivide the 61 single-family lots into 16 single-single family lots with seven lots in the SCR-1 Zoning District and nine lots within the RLD, a similar road Alignment; preservation of open space areas; utility improvements including water, sanitary, storm sewers; and storm-water management areas. (Continued from the meetings of June 23, 2015, July 14, 2015, August 25, 2015, September 22, 2015, October 27, 2015, November 10, 2015, November 24, 2015 and February 9, 2016; and from the discussion of this application at a Special Workshop held on August 11, 2015)
- CPN-056-15 Venezia for Jan Rt. 332 Realty (Ontario Honda): request for 2nd 90 day extension.

ADJOURNMENT

TOWN OF CANANDAIGUA PLANNING BOARD RESOLUTION
VENEZIA ASSOCIATES REPRESENTING JOY WEGMAN
TEAR DOWN & REBUILD SINGLE FAMILY DWELLING
4417 COUNTY ROAD 16 – RLD DISTRICT
CPN 011-16 TM# 126.16-2-3.310
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 tear down and rebuild of a single family dwelling (6,022 sq. ft.) located at 4417 County Road 16 within the RLD zoning district and detailed on site plans dated February 12, 2016 and all other relevant information submitted as of April 12, 2016 (the current application); and

WHEREAS, the Planning Board has requested the site plans be revised to address Town Engineer comments and demonstrate compliance with the Town of Canandaigua Shoreline Development Guidelines; and

WHEREAS, the Planning Board cannot make the findings required by §220-71(B) that the proposal clearly and accurately describes the existing conditions as well as the proposed development of same; and

NOW, THEREFORE, BE IT RESOLVED that the Planning Board does hereby move to table the application and continue the Public Hearing to their **Tuesday, April 26, 2016** Planning Board Meeting.

The above resolution was offered by _____ and seconded by _____ at a meeting of the Planning Board held on Tuesday, April 12, 2016. Following discussion thereon, the following roll call vote was taken and recorded:

Richard Gentry -
Charles Oyler -
Karen Blazey -
Ryan Staychock -
Thomas Schwartz -

I, John Robortella, 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 April 12, 2016 meeting.

John Robortella, Secretary of the Board

L. S.

TOWN OF CANANDAIGUA PLANNING BOARD RESOLUTION
VENEZIA ASSOCIATES REPRESENTING JOY WEGMAN
TEAR DOWN & REBUILD SINGLE FAMILY DWELLING
4417 COUNTY ROAD 16 – RLD DISTRICT.
CPN 011-16 TM# 126.16-2-3.310

SINGLE-STAGE SITE PLAN APPROVAL - 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 tear down and rebuild of a single family dwelling (6,022 sq. ft.) located at 4417 County Road 16 within the RLD zoning district and detailed on site plans dated February 12, 2016, last revised _____ and all other relevant information submitted as of April 12, 2016 (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, April 12, 2016. Following discussion thereon, the following roll call vote was taken and recorded:

Richard Gentry -
Charles Oylar -
Karen Blazey -
Ryan Staychock -
Thomas Schwartz -

I, John Robortella, 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 April 12, 2016 meeting.

John Robortella, Secretary of the Board

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TOWN OF CANANDAIGUA PLANNING BOARD RESOLUTION
VENEZIA ASSOCIATES REPRESENTING JOY WEGMAN
TEAR DOWN & REBUILD SINGLE FAMILY DWELLING
4417 COUNTY ROAD 16 – RLD DISTRICT
CPN 011-16 TM# 126.16-2-3.310
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 tear down and rebuild of a single family dwelling (6,022 sq. ft.) located at 4417 County Road 16 within the RLD zoning district and detailed on site plans dated February 12, 2016, last revised _____ and all other relevant information submitted as of April 12, 2016 (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, this application was forwarded to Ontario County Planning Board (referral no. 40-2016) and comments were provided dated March 1, 2016; and

WHEREAS, the Ontario County Planning made no formal recommendation to deny or approve; 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. Site Plan Approval with conditions specified above herein is valid for a period of 180 days from today. Once all conditions of Site Plan Approval have been met and shown on revised drawings including the revision dates, the Planning Board Chairperson will then sign the Site Plans.
2. A soil stabilization and erosion control surety estimate is to be prepared by the applicant and provided to the Town Development Office for review and accepted by the Town Board prior to the issuance of building permits.
3. A Renovation Permit from Ontario County DPW as per the comment letter dated March 3, 2016 is required prior to the issuance of a Certificate of Occupancy.
4. The comments within the Town Engineer's letter dated March 16, 2016 are to be addressed to the satisfaction of the Town Engineer prior to signing by the Planning Board Chairman.
5. The comments within the Town Highway and Water Superintendents letter dated February 26, 2016 are to be addressed to the satisfaction of the Town Highway and Water Superintendent prior to signing by the Planning Board Chairman.

TOWN OF CANANDAIGUA PLANNING BOARD RESOLUTION
VENEZIA ASSOCIATES REPRESENTING JOY WEGMAN
TEAR DOWN & REBUILD SINGLE FAMILY DWELLING
4417 COUNTY ROAD 16 – RLD DISTRICT
CPN 011-16 TM# 126.16-2-3.310
SINGLE-STAGE SITE PLAN APPROVAL

6. The Planning Board has discussed the character of the proposed shoreline in relation to the Town's Shoreline Development Guideline requirements and determined that the proposed site plans are in compliance with the Town's Shoreline Development Guideline requirements.
7. An approval from New York State Department of Environmental Conservation (NYSDEC) and Army Corps of Engineers (ACOE) regarding the relocation of the stream and new discharge location to the lake is required to be provided to the Town Development Office prior to the issuance of building permits.
8. Pursuant to §1.1(D) of the Town of Canandaigua's Site Design & Development Criteria, the Planning Board hereby waives the driveway slope requirement contained in §2.12(A)(1) of said Site Design & Development Criteria based upon its finding that this requirement is not necessary to meet the purposes stated in §1.0 of the Site Design & Development Criteria.
9. Demo Permit and Building Permit applications are to be completed and provided to the Town of Canandaigua Development Office prior to the Planning Board Chairman's signature being affixed to the final site plans.
10. A note is to be added to the site plans stating that the applicant and project will comply with the New York State Department of Conservation Fertilizer Law.
- 11.

The above resolution was offered by _____ and seconded by _____ at a meeting of the Planning Board held on Tuesday, April 12, 2016. Following discussion thereon, the following roll call vote was taken and recorded:

Richard Gentry -
Charles Oyler -
Karen Blazey -
Ryan Staychock -
Thomas Schwartz -

I, John Robortella, 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 April 12, 2016 meeting.

John Robortella, Secretary of the Board

L. S.

TOWN OF CANANDAIGUA PLANNING BOARD FINDINGS
VENEZIA ASSOCIATES REPRESENTING JOY WEGMAN
TEAR DOWN & REBUILD SINGLE FAMILY DWELLING
4417 COUNTY ROAD 16 – RLD DISTRICT
CPN 011-16 TM# 126.16-2-3.310
SINGLE-STAGE SITE PLAN APPROVAL

1. The Town of Canandaigua Planning Board received an application for Single-Stage Site Plan approval for the tear down and rebuild of a single family dwelling approximately 6,022 sq. ft.
2. The proposed project is located at 4417 County Road 16 within the RLD zoning district and detailed on site plans dated February 12, 2016, last revised _____ and all other relevant information submitted as of April 12, 2016.
3. Public sewer and water is available.
4. The project includes a new water service connection requiring the approval from the Town Water Superintendent.
5. The project includes a new sanitary sewer lift station and grinder pump including forcemain improvements requiring the approval from the Canandaigua Lake County Sewer District.
6. The project includes the relocation of the existing stream and associated piping requiring the approval from NYSDEC and ACOE.
7. 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. Type II Actions are not subject to further review under Part 617 of the SEQR Regulations.
8. In making this classification the Planning Board has satisfied the procedural requirements under SEQR and directed the Resolution to be placed in the file on this project.
9. This application was referred to the following agencies for review and comment:
 - Kevin Olvany, Canandaigua Lake Watershed Council
 - John Berry, Canandaigua County Sewer District
 - William Wright, Ontario County DPW
 - Ray Henry, Town Historian
 - Town Environmental Conservation Board
 - James Fletcher, Highway and Water Superintendent
 - MRB Group, Town Engineer
 - Ontario County Planning Board
 - Michael Miller, Chief Cheshire Fire Department
 - Harold Keppner, Army Corps of Engineers
 - Benjamin Groth, NYSDEC
 - Carleen Pierce, Canandaigua City School District

TOWN OF CANANDAIGUA PLANNING BOARD FINDINGS
VENEZIA ASSOCIATES REPRESENTING JOY WEGMAN
TEAR DOWN & REBUILD SINGLE FAMILY DWELLING
4417 COUNTY ROAD 16 – RLD DISTRICT
CPN 011-16 TM# 126.16-2-3.310
SINGLE-STAGE SITE PLAN APPROVAL

10. A “No Impact” letter was received from the State Historic Preservation Office (SHPO) dated January 30, 2014.
11. A referral to the Ontario County Planning Board (OCPB) was completed and reviewed at the March 9, 2016 meeting.
12. Ontario County Planning made no formal recommendation to deny or approve.
13. No comments were received from the Environmental Conservation Board.
14. Comments were received from Ontario County DPW in a letter dated March 3, 2016 requiring the applicant to obtain a Renovation Permit.
15. Comments were received from the Town Engineer in a letter dated March 16, 2016.
16. Comments were received from the Town Highway and Water Superintendent in a letter dated February 26, 2016.
17. The Planning Board has reviewed these comments and has considered them as part of their review of the application.
18. A Zoning Law Determination was provided dated February 22, 2016 with the following determination:

DETERMINATION:

- One single-family dwelling per lot is a permitted principal use within the RLD zoning district.
- The existing detached garage (across County Road 16) is under 900sq.ft., less than 16ft. in height, and is a permitted accessory structure within the RLD zoning district.
- The area and dimensions of the proposed development meets the requirements for zoning and building purposes. (lot coverage, building coverage, and setbacks)
- The total area of disturbance for the project is approximately 1.3 acres and requires permit coverage from the NYSDEC. (SPDES General permit for Stormwater Discharges from Construction Activities) The project involves disturbance within an area of class ‘F’ soils. Due to the existence of existing impervious cover, the project is eligible for coverage under the General permit.
- The project involves filling and grading quantities which require the applicant to obtain a soil & erosion control permit from the Town.

19. No Variances were required.
20. The Planning Board discussed the need for a soil stabilization and erosion control surety estimate to be provided prior to the issuance of building permits.
21. The Planning Board discussed the character of the proposed shoreline in relation to the Town’s Shoreline Development Guideline requirements.
22. The Planning Board determined that the proposed site plans are in compliance with the Town’s Shoreline Development Guideline requirements.

TOWN OF CANANDAIGUA PLANNING BOARD FINDINGS
VENEZIA ASSOCIATES REPRESENTING JOY WEGMAN
- TEAR DOWN & REBUILD SINGLE FAMILY DWELLING
4417 COUNTY ROAD 16 – RLD DISTRICT
CPN 011-16 TM# 126.16-2-3.310
SINGLE-STAGE SITE PLAN APPROVAL

23. The driveway slope requirement contained in § 2.12(A)(1) of the Town's Site Design & Development Criteria is not necessary to protect the health, safety, and welfare of the Town's residents and the natural environment because of the size and shape of this particular lot.

DRAFT

TOWN OF CANANDAIGUA PLANNING BOARD RESOLUTION
VENEZIA ASSOCIATES FOR GERMAN BROTHERS INDUSTRIAL PARK, LLC
BOAT STORAGE – 0000 NORTH STREET (COUNTY ROAD 30)
CPN 118-15 - TM# 70.00-1-69.110 - INDUSTRIAL (I) ZONING DISTRICT
SPECIAL USE PERMIT – §220-35 & §220-43
COMMERCIAL OUTDOOR STORAGE OF BOATS AND BOAT ACCESSORIES
SINGLE-STAGE SITE PLAN APPROVAL - CONTINUATION

WHEREAS, the Town of Canandaigua Planning Board (hereinafter referred to as Planning Board) is considering an application for Single-Stage Site Plan Approval for the construction of 6 boat storage buildings, an office and boat repair building, associated utility, drainage, landscaping, and lighting improvements as detailed on site plans dated December 18, 2015 prepared by Venezia Associates and all other relevant information submitted as of April 12, 2016 (the current application); and

WHEREAS, the Planning Board is also considering an application for Special Use Permit for commercial outdoor storage of boats and boat accessories (§220-35 & §220-43) in the Industrial Zoning District as a primary use or in addition to an existing primary use located at 0000 North Street (County Road 30); and

WHEREAS, the applicant and the Planning Board have agreed to continue this application to a later date to allow additional time for revisions to the comments received; and

NOW, THEREFORE, BE IT RESOLVED that the Planning Board does hereby move to table the application and continue the Public Hearing to their **Tuesday, April 26, 2016** Planning Board Meeting.

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Richard Gentry -
Charles Oyler -
Karen Blazey -
Ryan Staychock -
Thomas Schwartz -

I, John Robortella, 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 April 12, 2016 meeting.

John Robortella, Secretary of the Board

L. S.

TOWN OF CANANDAIGUA PLANNING BOARD RESOLUTION
VENEZIA ASSOCIATES REPRESENTING JAN RTE. 332 REALTY CORP.
ONTARIO HONDA - 2311 NYS ROUTE 332
CPN 056-15 TM# 56.00-2-25.210 & 56.00-2-25.710
SINGLE-STAGE SITE PLAN APPROVAL
2ND 90 DAY EXTENSION

WHEREAS, the Town of Canandaigua Planning Board (hereinafter referred to as Planning Board) has considered the above referenced request for the second 90-day extension of the Single-Stage Site Plan approval for the proposed 4,816 SF building addition and parking lot expansion to the existing car dealership (Ontario Honda) located at 2311 NYS Route 332; and

WHEREAS, the applicant is still working to address the conditions of approval granted at the August 25, 2015 Planning Board meeting and requested a second 90 day extension in an email dated March 31, 2016; and

WHEREAS, the Planning Board has reviewed the public record on said Action; and

NOW, THEREFORE, BE IT RESOLVED that the Planning Board ☒ **Approves with Previous Conditions (August 25, 2015)** ☐ **Approves with the following Conditions;** or ☐ **Denies the application** for the following reasons:

The Single Stage Site Plan approval is hereby approved for the second 90-day extension, as provided for in Section 276.7 (c) of New York State Town Law, which shall expire 90 days from the date of May 22, 2016. The new expiration date is **Thursday, October 20, 2016.**

The above resolution was offered by _____ and seconded by _____ at a meeting of the Planning Board held on Tuesday, April 12, 2016. Following discussion thereon, the following roll call vote was taken and recorded:

Richard Gentry -
Charles Oyler -
Karen Blazey -
Ryan Staychock -
Thomas Schwartz -

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