

5251 Parkside Drive

Site Plan approval to remove existing residential home and rebuild a 2-story house with attached garage,

Final Recommendation: The CRC will make no formal recommendation to deny or approve.

39-2016	Town of Canandaigua Zoning Board of Appeals		Class: 1
Referral Type:	Area Variance		
Applicant:	Tyman, Andy		
Property Owner:	Tyman, Andy		
Representative:	Caruso, John		
Tax Map No(s):	70.11-1-29.000		
Brief Description:	Area Variance request due to the misplacement of a surveying marker during the design phase. The building has been built, which is when the applicant realized it did not meet the rear and side setback requirements. The rear setback is 2 ft under the minimum and the side setback is 2.6 ft under the minimum. Project is located at 5251 Parkside Dr. in the Town of Canandaigua.		

**COMMENTS:**

Project Description:

Area variance requested due to the discovery of a misplaced survey marker during design phase. Project was approved by the board back in October 2012, and since then the building in question has been built. The building does not meet the rear and side setback

**Class Abbreviations**

AR 1: Administrative Review Class 1

AR 2: Administrative Review Class 2

EX: Exempt

W: Withdrawn

requirements.

## **2012 September (121-2012)/October (139-2016 & 139.1-2016) Minutes**

### **September 2012 Comments for 121-2012:**

This project will meet a serious need for housing for veterans including those with families. This is a good location given its proximity to the Canandaigua VA Center, near CATS public transportation service, public schools, and retail businesses (grocery, drug store, restaurants) and is within walking distance of Blue Heron Town Park.

The Town is encouraged to coordinate site planning for this development as well as the proposed adjoining multifamily development in order take advantage of joint planning for stormwater management, maximize usable open space, and provide pedestrian linkages.

With the amenities and location, this subarea of the Town has great potential for developing as a neighborhood that reflects the scale and character of the City of Canandaigua if developed with that neighborhood-scale in mind.

Verification of Location and Activities within the pipeline/transmission line easement: The applicant is proposing site improvements that are located on top of the pipeline.

- It is strongly recommended that any approval of the area variance applications by the ZBA for setbacks and additional road access be subject to receipt of the pipeline company's written approval of proposed site improvements that may impact the pipeline.
- Before the town planning board considers action on the project, it is strongly recommended that the applicant be required to consult with the pipeline company and received the company's written approval of any activities proposed for the area under the easement prior to approving the site plan.

### **Stormwater Management (OC SWCD)**

- Soils on this site are very poorly drained.
- Page 2 of the SWPPP indicates there are no federal wetlands on site. However, on page 6 the SWPPP calls for silt fence to be installed next to wetland locations. Are there wetland/hydrologically sensitive areas on site? Has this been determined by the site owner/engineer.
- A truck wash down area is called for in the SWPPP on page 7, but does not show on the grading and erosion control plan.
- In appendix 1 the order of activities should be revised to protect the existing vegetation on the first step of the sequencing.
- Will this project require a 5-acre waiver? If so, special conditions will apply.
- On page 2 of appendix 1 it calls for adding fertilizer to the disturbed area prior to seeding and mulching. Soil tests should be done prior to ensure fertilizer is even needed.
- Dust control will be crucial during all phases of construction. How will this be addressed?
- The SWPPP inspection form should clearly list all BMP's to inspect and be specific to the site. Also, the SWPPP documents must be signed prior to construction.
- On page C-103 the construction sequence should follow the suggested revisions listed above, in the SWPPP.

### **2016 Comments:**

According to ONCOR data:

- No State or Federal wetlands are present on the property.
- The property is not located within a FEMA floodplain.
- The property is not located within 500 ft. of an Agricultural District.

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