Town of Canandaigua

5440 Routes 5 & 20 West
Canandaigua, NY 14424

PLANNING BOARD

Tuesday, June 14, 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: *NONE AT THIS TIME*

CONTINUED PUBLIC HEARINGS / ONE STAGE SITE PLANS:

CPN-118-15
CPN-014-16 Venezia Associates, representing German Brothers Industrial Park, LLC, owners of 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.

NEW PUBLIC HEARINGS / ONE-STAGE SITE PLANS:

CPN-025-16 John Casey, owner of property at 3796 County Road 16, TM#113.09-2-3.000, is requesting a site plan approval to install an in-ground swimming pool and associated patio in the RLD Zoning district

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 May 24, 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:
- Comprehensive Plan – General Discussion
- Other Business as Required:

  CPN-064-13 McMahon LaRue Associates representing Morgan Canandaigua Land LLC, owners of property at Brickyard/Thomas Roads, seeking the modification of an approved sidewalk plan.

STAFF REPORTS

UPCOMING APPLICATIONS

JUNE 28, 2016 MEETING:

CPN-036-16 McMahon LaRue Assoiates representing Morgan Canandaigua Land LLC, owners of property at southeast corner of Brickyard Road and Yerkes Road, TM#56.00-1-55.220, are seeking Site Plan Approval for construction of 13 apartment buildings with a total of 122 units.

July 12, 2016 Meeting:

ADJOURNMENT

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 June 14, 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, _____, 2016** Planning Board Meeting.

The above resolution was offered by _____ and seconded by _____ at a meeting of the Planning Board held on Tuesday, June 14, 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 June 14, 2016 meeting.

_____ L. S.
John Robortella, Secretary of the Board

TOWN OF CANANDAIGUA PLANNING BOARD RESOLUTION
JOHN & CHRISTINA CASEY RESIDENCE – POOL ADDITION
3796 COUNTY ROAD 16 – RLD ZONING DISTRICT
CPN 025-16 TM# 113.09-2-3.000
ONE 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 One Stage Site Plan approval for the construction of an 18'x 40' in ground swimming pool, patio, and associated landscaping in the rear yard of the existing single-family dwelling located at 3796 County Road 16 within the RLD Zoning District and detailed on site plans dated May 5, 2016 prepared by Pinewoods Engineering, P.C., and all other relevant information submitted as of June 14, 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, June 14, 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 June 14, 2016 meeting.

_____ L. S.
John Robortella, Secretary of the Board

TOWN OF CANANDAIGUA PLANNING BOARD RESOLUTION
JOHN & CHRISTINA CASEY RESIDENCE – POOL ADDITION
3796 COUNTY ROAD 16 – RLD ZONING DISTRICT
CPN 025-16 TM# 113.09-2-3.000
ONE STAGE SITE PLAN APPROVAL

WHEREAS, the Town of Canandaigua Planning Board, (hereinafter referred to as Planning Board) is considering a One Stage Site Plan approval for the construction of an 18'x 40' in ground swimming pool, patio, and associated landscaping in the rear yard of the existing single-family dwelling located at 3796 County Road 16 within the RLD Zoning District and detailed on site plans dated May 5, 2016 prepared by Pinewoods Engineering, P.C., and all other relevant information submitted as of June 14, 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 and a recommendation of denial was provided; 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**; X **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 is to be accepted by the Town Board prior to the issuance of building permits.
3. The comments within the Town Engineer's letter dated June 7, 2016 are to be addressed to the satisfaction of the Town Engineer prior to signing by the Planning Board Chairman.
4. The signature line labeled as "Signature" on the Site Plans is to be revised to Highway and Water Superintendent.
5. All comments from the Highway and Water Superintendent letter dated May 20, 2016 are to be addressed to the satisfaction of the Highway and Water Superintendent prior to signing by the Planning Board Chairman.
6. A landscape schedule is to be added to the Landscaping Plan identifying all proposed landscape by name, type, size, and quantity. A Signature line for the Planning Board Chairman is also to be added to the plan.

TOWN OF CANANDAIGUA PLANNING BOARD RESOLUTION
JOHN & CHRISTINA CASEY RESIDENCE – POOL ADDITION
3796 COUNTY ROAD 16 – RLD ZONING DISTRICT
CPN 025-16 TM# 113.09-2-3.000
ONE STAGE SITE PLAN APPROVAL

7. The following notes regarding phosphorous use should be added to the plans:
   - No Phosphorous shall be used at planting time unless soil testing has been completed and tested by a Horticultural Testing Lab and the soil tests specifically indicate a phosphorous deficiency that is harmful, or will prevent new lawns and plantings from establishing properly.
   - If soil tests indicate a phosphorous deficiency that will impact plant and lawn establishment, phosphorous shall be applied at the minimum recommended level prescribed in the soil test following all NYS DEC regulations.

The above resolution was offered by _____ and seconded by _____ at a meeting of the Planning Board held on Tuesday, June 14, 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 June 14, 2016 meeting.

_____ L. S.
John Robortella, Secretary of the Board

TOWN OF CANANDAIGUA PLANNING BOARD FINDINGS
JOHN & CHRISTINA CASEY RESIDENCE – POOL ADDITION
3796 COUNTY ROAD 16 – RLD ZONING DISTRICT
CPN 025-16 TM# 113.09-2-3.000
ONE STAGE SITE PLAN APPROVAL

1. The Town of Canandaigua Planning Board received an application for One Stage Site Plan Approval for the construction of an 18'x 40' in ground swimming pool, patio, and associated landscaping in the rear yard of the existing single-family dwelling.
2. The project is located at 3796 County Road 16 within the RLD Zoning District and detailed on a Site Plan dated May 5, 2016 prepared by Pinewoods Engineering, P.C. and Landscaping Plan prepared by Nature's Accents, Inc. and all other relevant information submitted as of June 14, 2016.
3. 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.
4. 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.
5. A Zoning Law Determination was prepared dated May 18, 2016 and made the following determination:

DETERMINATION:

- A single family dwelling is a permitted principal use in the residential zoning district.
- A soil and erosion control permit is required.
- Site plan review is required for all development in the Residential Lake District which require soil and sedimentation control permit be issued.

REFERRAL TO ONTARIO COUNTY PLANNING BOARD) FOR:

- This application is required to be reviewed by the Ontario County Planning Board due to proximity to Canandaigua Lake and County Road 16.

REFERRAL TO PLANNING BOARD FOR:

- Due to the requirement of a soil and erosion control permit within the RLD zoning district, an application requesting site plan approval shall be submitted to the Town's Planning Board.

6. This application was referred to the following agencies for review and comment:
   - Kevin Olvany, Canandaigua Lake Watershed Council
   - James Fletcher, Town Highway Superintendent
   - Town Engineer, MRB Group
   - Ontario County Planning Board
7. A referral to the Ontario County Planning Board (OCPB) was completed.
8. Ontario County issued comments and findings for referrals #174-2015 and classified as Class 2 and returned with a recommendation of **disapproval.**
9. Comments dated June 7, 2016 were received from the Town Engineer.
10. Comments dated May 20, 2016 were received from the Town Highway and Water Superintendent.

TOWN OF CANANDAIGUA PLANNING BOARD FINDINGS
JOHN & CHRISTINA CASEY RESIDENCE – POOL ADDITION
3796 COUNTY ROAD 16 – RLD ZONING DISTRICT
CPN 025-16 TM# 113.09-2-3.000
ONE STAGE SITE PLAN APPROVAL

11. No comments were received from the following:
    - Kevin Olvany, Canandaigua Lake Watershed Council
12. The Planning Board has reviewed these comments and has considered them as part of their review of the application.
13. An area variance was granted by the ZBA for 14.8% lot coverage area variance at the March 15, 2016 meeting.
14. The Planning Board discussed the need for a soil stabilization and erosion control surety estimate.
15. The Planning Board discussed the Shoreline Development Guidelines and determined that the site plans are in compliance with these requirements.

TOWN OF CANANDAIGUA PLANNING BOARD RESOLUTION
DVC, INC. FOR RICHARD SANDS
4947 COUNTY ROAD 16 – RLD ZONING DISTRICT
CPN 089-15 TM# 154.06-1-7.100
SINGLE-STAGE SITE PLAN APPROVAL
1ST 90 DAY EXTENSION

WHEREAS, the Town of Canandaigua Planning Board (hereinafter referred to as Planning Board) has considered the above referenced request for the 1st 90-day extension of the Single-Stage Site Plan approval for the construction of a 280 sq.ft. porch addition to the existing carriage house located at 4947 County Road 16 within the RLD zoning district; and

WHEREAS, the applicant is still working to address the conditions of approval granted at the November 24, 2015 Planning Board meeting and has requested the Planning Board consider the 1st 90-day extension; 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 (November 24, 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 first 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 June 28, 2016. The new expiration date is **Monday, September 26, 2016.**

The above resolution was offered by _____ and seconded by _____ at a meeting of the Planning Board held on Tuesday, June 14, 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 June 14, 2016 meeting.

_____ L. S.
John Robortella, Secretary of the Board

TOWN OF CANANDAIGUA PLANNING BOARD RESOLUTION
FIELDS CONSTRUCTION FOR RICHARD SANDS
4947 COUNTY ROAD 16
CPN 068-15 TM# 154.06-1-7.100
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 construction of an single family dwelling located at 4947 County Road 16 within the RLD zoning district; and

WHEREAS, the Planning Board granted the 1st 90-day extension at the March 8, 2016 meeting which expired June 6, 2016; and

WHEREAS, the applicant is still working to address the conditions of approval granted at the September 22, 2015 Planning Board meeting and has requested the Planning Board consider another 90-day extension; 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 (September 22, 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 June 14, 2016. The new expiration date is **Monday, September 12, 2016**.

The above resolution was offered by _____ and seconded by _____ at a meeting of the Planning Board held on Tuesday, June 14, 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 June 14, 2016 meeting.

_____ L. S.
John Robortella, Secretary of the Board

TOWN OF CANANDAIGUA PLANNING BOARD RESOLUTION
JEREMY FIELDS FOR RICHARD SANDS (2-LOT SUBDIVISION)
4947 COUNTY ROAD 16
CPN 45-15 – TM#154.06-1-7.100
PRELIMINARY & FINAL SUBDIVISION 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 Preliminary and Final Subdivision Plan approval for a 2-lot subdivision in the RLD zoning district creating 2 lots from the 3.99 acre parent parcel including Lot 1 at 3.46 acres, Lot 2 at .531 acres; and

WHEREAS, the Planning Board granted the 1st 90-day extension at the March 8, 2016 meeting which expired June 6, 2016; and

WHEREAS, the applicant is still working to address the conditions of approval granted at the September 8, 2015 Planning Board meeting and has requested the Planning Board consider another 90-day extension; 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 (September 8, 2015)** ☐ **Approves with the following Conditions**; or ☐ **Denies the application** for the following reasons:

The Preliminary and Final Subdivision 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 June 14, 2016. The new expiration date is **Monday, September 12, 2016**.

The above resolution was offered by _____ and seconded by _____ at a meeting of the Planning Board held on Tuesday, June 14, 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 June 14, 2016 meeting.

_____ L. S.
John Robortella, Secretary of the Board

TOWN OF CANANDAIGUA PLANNING BOARD
ACTION RESOLUTION – SURETY RELEASE

APPLICANT(S): SCOTT MORRELL - MORRELL BUILDERS
PROJECT NAME – LAKEWOOD MEADOWS, SECTION 9A
RELEASE – LETTER OF CREDIT RELEASE #4
CPN NO. 094-14

WHEREAS, the Town of Canandaigua Planning Board (hereinafter referred to as Planning Board) has received a completed and signed Town of Canandaigua Surety Release Form dated May 31, 2016 and a cover letter from the Town Engineer (MRB Group) dated June 6, 2016 describing the items involved with the subject release of the Surety for this project; and

WHEREAS, the Planning Board has considered the requested release and the amount of funds associated therewith; and

WHEREAS, the Planning Board is satisfied with the details described in the requested release documents referenced above herein.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board does hereby approve of the requested partial release of **$10,964.41** and for the items specified on said documents.

BE IT FURTHER RESOLVED that the Planning Board Chairperson is hereby directed to sign and date the Surety Release Form and transmits said documents along with a copy of this resolution to the Town Supervisor for processing the release of the amount specified in said documents.

The above resolution was offered by _____ and seconded by _____ at a meeting of the Planning Board held on Tuesday, June 14, 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 June 14, 2016 meeting.

_____ L. S.
John Robortella, Secretary of the Board