

# *Town of Canandaigua*

5440 Routes 5 & 20 West  
Canandaigua, NY 14424

## **PLANNING BOARD**

**Tuesday, July 12, 2016, 6:30 p.m.**

## **MEETING AGENDA**

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**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

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**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**

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**SKETCH PLANS:**

*NONE AT THIS TIME*

**CONTINUED PUBLIC HEARINGS / ONE STAGE SITE PLANS:**

**CPN-036-16** McMahon LaRue Associates 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.

**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 June 28, 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.
    - CPN-094-14 S & J Morrell, owners of property at 3880 Middle Cheshire Road, TM# 112.00-1-70.000, are seeking an amendment to site previously approved site plan for section 9A. Lakewood Meadows 9A-Modification –Removal of unsafe barn. The applicant wishes to have the words “Barn and shed to remain” to be removed from the plan.
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## STAFF REPORTS

### UPCOMING APPLICATIONS

#### JULY 26, 2016 MEETING:

- CPN-039-16** Premier Signs representing Widewaters Group, owners of property at 3225 State Route 364, TM# 98.00-1-46.100, are seeking an Area Variance for a second tenant identification sign when only one is allowed and a Special Use permit for sign placement in a business district.
- CPN-041-16** Robert Raeman representing The City of Canandaigua, owners of property at 4620 County Road 46, TM#84.00-1-32.000, are seeking Site Plan Approval for construction of a 10.5 acre Solar Array.
- CPN-046-16** Lewis Norry, owner of property at 4625 County Road 16, TM#140.07-1-34.000, is seeking Site Plan Approval for the construction of a new Tram system from house to new dock, boat accessory structure, new retaining wall and erosion control blanket on steep slope.
- CPN-047-16** Bayer Architecture representing Richard Sands, owner of property at 4947 County Road 16, TM#154.06-1-7.100, is seeking a Site Plan Approval for removal of existing tennis court and tennis court pavilion and replace with a swimming pool, spa, ornamental pool, pool wing with pergola and related amenities

#### August 9, 2016 Meeting:

## ADJOURNMENT

TOWN OF CANANDAIGUA PLANNING BOARD RESOLUTION  
MORGAN CANANDAIGUA LAND LLC – CENTERPOINTE TOWNHOUSES  
BRICKYARD ROAD & THOMAS ROAD – PUD ZONING DISTRICT  
CPN-064-13 TM# 56.00-1-54.115  
AMENDED SINGLE-STAGE SITE PLAN APPROVAL

**WHEREAS**, the Town of Canandaigua Planning Board (hereinafter referred to as Planning Board) is considering amended single-stage site plan approval to relocate the 5' wide concrete sidewalks approximately 10' closer to the Townhomes along Thomas Road and change the material to stone dust in lieu of concrete and as described in the Final Supplemental Walk Plans dated July 2016 and all other relevant information submitted as of July 12, 2016 (the current application); and

**WHEREAS**, the Planning Board at the June 28, 2016 meeting requested that the applicant provide a revised site plan extending the 5' wide sidewalks (stone dust trail) further east along Thomas Road to provide a future connection with the exiting sidewalks and trails within the area; and

**WHEREAS**, revised plans depicting the requested sidewalk extension along Thomas Road have been provided and are detailed in the Final Supplemental Walk Plans dated July 2016; and

**WHEREAS**, in compliance with NYS Town Law and the regulations of the State Environmental Quality Review Act (SEQR), a determination of significance was previously adopted by the Town of Canandaigua Town Board in October 1986 and supplemented by the adoptions of local laws amending the PUD (Planned Unit Development); 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. An easement map and legal description for the proposed realigned sidewalk (stone dust trail) is to be provided to the Town of Canandaigua Development Office and Planning Board Attorney prior to Planning Board Chairman's signature being affixed to the Final Supplemental Walk 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.
- 4.

The above resolution was offered by \_\_\_\_\_ and seconded by \_\_\_\_\_ at a meeting of the Planning Board held on Tuesday, July 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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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 July 12, 2016 meeting.

\_\_\_\_\_  
John Robortella, Secretary of the Board

L. S.

DRAFT

TOWN OF CANANDAIGUA PLANNING BOARD FINDINGS  
MORGAN CANANDAIGUA LAND LLC – CENTERPOINTE TOWNHOUSES  
BRICKYARD ROAD & THOMAS ROAD – PUD ZONING DISTRICT  
CPN-064-13 TM# 56.00-1-54.115  
AMENDED SINGLE-STAGE SITE PLAN APPROVAL

1. The Town of Canandaigua Planning Board granted final site plan approval for an application including the construction of 109 total Townhouse dwelling units for rental use with 50 units on 6.329 acres (TM# 56.00-1-54.115) and 59 units on 8.907 acres (TM# 56.00-1-54.116) at the September 10, 2013 meeting.
2. Because this application proposed development on two separate parcels, it was divided into two separate projects identified as CPN-064-13 containing 50 units on 6.329 acres (TM# 56.00-1-54.115) and CPN-070-13 containing 59 units on 8.907 acres (TM# 56.00-1-54.116). These applications even though separate were considered as one application and approved as such as they cannot stand alone due to the proposed drainage improvements/ requirements.
3. In 1986 the Town Board zoned the overall project site (425 acres) to Planned Unit Development (PUD) and established allowed uses and bulk density requirements.
4. The Town Board completed an Environmental Review of the project pursuant to the State Environmental Quality Review (SEQR) as part of the PUD in 1986 and supplemented by the adoptions of local laws amending the PUD.
5. In 2005, Local Law 10 of 2005 was adopted amending the Official PUD Map to allow single family detached dwellings on a total of 37 lots. This also reduced the total number residential units from 571 to 461.
6. The proposed application is in substantial compliance with Local Law 10 of 2005 which is regarding the total number of dwelling units allowed within the PUD.
7. Local Law 5 of 2013 amended the Centerpointe PUD zoning from 37 single family homes to allow Townhouses and created separate bulk density requirements.
8. The proposed application is in substantial compliance with Local Law 5 of 2013.
9. The project includes driveways with garages for each unit, drainage improvements onsite and offsite (golf course), and utility improvements including appurtenances.
10. Landscaping Calculations:
  - Lot Size: 29.585 acres (1,288,717.9 sq ft)
  - 30% (required green space) = 8.875 acres (386,615.37 sq ft)
  - 1,250 sq ft = **309 canopy shade trees are required**
  - 250 sq ft = **1,546 deciduous shrub / evergreens are required**
11. Entrances are off-of Brickyard Road and Thomas Road.
12. This application is serviced by public water and sanitary sewers.
13. Lighting was approved at all entrance/exit locations. All lighting is dark sky compliant.
14. No basements were provided.

TOWN OF CANANDAIGUA PLANNING BOARD FINDINGS  
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CPN-064-13 TM# 56.00-1-54.115  
AMENDED SINGLE-STAGE SITE PLAN APPROVAL

15. Sprinklers were not required.
16. This application is in compliance with Town and NYSDEC General Permit requirements regarding water quality and quantity mitigation.
17. The application included the removal of all of the existing trees along the property lines of the golf course.
18. An aerial photo of the parcels depicting the existing tree line and golf course location has been provided to the Planning Board for review.
19. An Agricultural Data Statement was required and was provided for this application.
20. This application was referred to the following agencies for review and comment:
  - John Berry, Ontario County DPW
  - Dave Degear, Canandaigua-Farmington Water/ Sewer District Superintendent
  - Jim Fletcher, Town of Canandaigua Highway Superintendent
  - Mark Marentette, Chief of the Canandaigua City Fire Department
  - MRB Group, Town Engineer
21. A referral to the Ontario County Planning Board (OCPB) was completed and responses were received. They designated the application as a Site Plan Class 1 with “No County Intermunicipal Impacts”.
22. The Planning Board reviewed these comments and considered them as part of their review of the application.
23. Pursuant to Chapter 111 of Town Code and NYS Town Law the Planning Board choose to require set aside of parkland or payment of a fee in lieu thereof.
24. The Planning Board determined that payment of a fee per unit in lieu of set aside of parkland was required for the following reasons:
  - a. The project will add 109 dwelling units, which will significantly add to the Town's population.
  - b. The additional population will significantly increase demand on the Town's park and recreation facilities.
  - c. There is no adequate or appropriate portion of the project site that can be set aside for dedication to the Town for purposes of park and recreation facilities.
  - d. Therefore, pursuant to Town Code Chapter 111, and NYS Town Law, the Planning Board hereby determines that a proper case exists for the payment of a fee per unit in lieu of a set-aside of parkland as set by the Town Board.



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25. The locations of the Bus pick-up/ drop-off shelters as requested by the Canandaigua City School District Transportation Department (Scott Goble) were provided on the plans.
26. The bus shelters are illuminated.
27. Patio privacy fencing (if provided) is shown on the plans.
28. A copy of the filing of the permanent deed restriction that prohibits onsite storage of boats, trailers, and recreational vehicles and limits onsite storage of personal vehicles to two licensed, registered, and inspected vehicles per townhouse filed with the Office of the Ontario County Clerk was provided to the Town Development Office.
29. The Planning Board determined that having each building the same color would be monotonous and have a negative visual impact on Brickyard Road, Thomas Road, and the adjacent properties.
30. The Planning Board determined that alternating the color of each building between 3 or more distinct colors will minimize said negative visual impact.

**Amended Plans**

31. The applicant has requested an Amended Single-Stage Site Plan approval to relocate the 5' wide concrete sidewalks approximately 10' closer to the Townhomes along Thomas Road including a change of material to stone dust in lieu of the concrete.
32. Plans titled: Final Grading Plans dated July 2013, last revised October 6, 2015 were provided for review.
33. The Planning Board at their June 28, 2016 meeting requested that the applicant provide revised site plans extending the 5' wide sidewalk (stone dust trail) further east along Thomas Road to provide a future connection with the exiting sidewalks and trails within the area.
34. Revised plans titled: Final Supplemental Walk Plans dated July 2016 were provided for review.
35. The revised plans depict a 5' wide stone dust trail extending along Thomas Road through the existing development, to the most eastern property line of the Morgan Management property.
36. The plans also depict a proposed 7' wide sidewalk easement to the Town of Canandaigua extending the length of the stone dust trail.
37. Where the stone dust trail meets the existing pavement areas (parking lots) of the existing Town Houses, a 4' white stripe identifying the walking path is proposed.
38. An easement map and legal description for the proposed realigned sidewalk (stone dust trail) will be required to be provided to the Town of Canandaigua Development Office and Planning Board Attorney.