

Town of Canandaigua

5440 Routes 5 & 20 West
Canandaigua, NY 14424

PLANNING BOARD

Tuesday, July 8, 2014, 6:30 p.m.

MEETING AGENDA

MEETING CALLED BY: Thomas Schwartz
BOARD MEMBERS: Richard Gentry, Charles Oyler, Ryan Staychock, One Vacancy
SECRETARY: Kathy Gingerich
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:

CPN-034-14 Tony Yannotti, owner of property at 2536-2538 NYS Route 21, TM#71.00-1-18.200, is requesting a special use permit for a small commercial establishment in the AR-1 zoning district. *(continued to July 22 meeting)*

CPN-035-14 Katie Dixon, owner of property at 4845 NYS Route 21, TM#139.00-1-29.110, is requesting single stage subdivision approval for a 2-lot subdivision in the RR-3 zoning district.

NEW PUBLIC HEARINGS: *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*

CONTINUED FINAL (PHASED) / ONE-STAGE SITE PLANS:

CPN-033-14 Daryl Rossi, owner of property at 3798 County Road 10, TM#71.00-1-26.200, is requesting one stage site plan approval for the rezoning of the parcel from I to MUO-3 district.

NEW FINAL (PHASED) / ONE-STAGE SITE PLANS:

BOARD BUSINESS

- ☐ Approval of June 24, 2014 meeting minutes
 - ☐ Referrals from Town Board: *None at this time*
 - ☐ Recommendations to Zoning Board of Appeals:
 - CPN-042-14, Karl & Barbara Fuge, 4858 Bedford Drive, expansion of non-conformity
 - ☐ 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-063-13 Morgan Management LLC for Keuka Park Strong Hall LLC, TM#56.00-1-55.220, construction of 13 apartment buildings / 122 units (Centerpointe Phase III)
 - Annual Report to Town Board
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STAFF REPORTS:

- ☐ Town Consulting Engineer
- ☐ Planning Board Attorney
- ☐ Director of Development
- ☐ Board Member Reports
- ☐ Topics

UPCOMING APPLICATIONS

- ☐ Nick and Leanne Bossert, 4600 County Road 46, Re-zone from I to MUO-3
- ☐ Guidelines/Requirements for the Approval of Landscaping, Tree Removal and/or Pruning Within Deed Restricted Areas
- ☐ CIC revision of Implementation Plan: review RLD district zoning, review “green” building practices and “LEED” best practices for ongoing development
- ☐ Old Brookside Section 6 – final subdivision application (24-lots)
- ☐ Nixon-Peabody for Mrozak, 3000 McCann Road, one stage site plan approval for wireless communication facilities

ADJOURNMENT

TOWN OF CANANDAIGUA PLANNING BOARD RESOLUTION
KATIE DIXON – 4845 NYS ROUTE 21
CPN 035-14 TM# 139.00-1-29.110
SINGLE-STAGE SITE PLAN APPROVAL – CONTINUATION

WHEREAS, the Town of Canandaigua Planning Board (hereinafter referred to as Planning Board) is considering an application for a two lot subdivision of a 22.089 acre parcel creating proposed lot 1 a 3.310 acre parcel with no proposed development, and lot 2 a 18.779 acre parcel with the existing structure on site located at 4845 NYS Route 21, as described in the final plat last revised May 31, 2012 and all other relevant information submitted as of July 8, 2014 (current application); and

WHEREAS, the Planning Board cannot take action on this application until all the Planning Review Committee (PRC) meeting notes from May 21, 2014 submitted to the applicant have been addressed; and

WHEREAS, the Planning Board cannot take action on this application until the final plat plan is revised to address the Preliminary & Final Subdivision Plat Checklists pursuant to §174-13 and §174-14 of the Town of Canandaigua Town Code; and

WHEREAS, the Planning Board has requested additional information including the submittal of an updated site plan depicting the buildable area based on the environmental constraints and zoning setback requirements on the proposed lot, and an approvable septic system and leach field location is to be shown on the plans supported by the perc test and deep hole test results; and

NOW, THEREFORE, BE IT RESOLVED that the Planning Board does hereby move to continue the public hearing and table the application to their August 12, 2014 Planning Board Meeting.

The above Resolution was offered by _____ and seconded by _____ at a regular scheduled Planning Board Meeting held on July 8, 2014. Following discussion, a voice vote was recorded:

Richard Gentry -
Charles Oyler -
Dan O'Bine -
Ryan Staychock -
Thomas Schwartz -

I, Kathleen Gingerich, 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 8, 2014 meeting.

Kathleen Gingerich, Secretary of the Board

TOWN OF CANANDAIGUA PLANNING BOARD RESOLUTION
DARYL ROSSI – 2798 COUNTY ROAD 10
CPN 033-14 TM# 71.00-1-26.200
SINGLE-STAGE SITE PLAN APPROVAL – CONTINUATION

WHEREAS, the Town of Canandaigua Planning Board (hereinafter referred to as Planning Board) has received a referral from the Town of Canandaigua Town Board requesting a recommendation and review of the site plan regarding the rezoning of a 1.4-acre parcel from Industrial (I) to Mixed Use Overlay 3 (MUO-3) located at 2798 County Road 10, and

WHEREAS, the Planning Board is considering a Single-Stage Site Plan approval to convert an existing vacant building (building #3) located on 2798 County Road 10 into a Nano-Brewery making no modifications to the footprint of the existing building and proposing only minor landscaping improvements around the existing deck; and

WHEREAS, the Planning Board cannot take action until the requested information including the submittal of an updated site plan depicting the details of the test results of the existing and proposed septic systems and leach field locations, and conformation of the title transfer are provided; and

WHEREAS, the application is subject to a review from the Ontario County Planning Board as it is located on a County Road; and

WHEREAS, this application was formally submitted for review at the August 13, 2014 Ontario County Planning Board meeting; and

WHEREAS, the Planning Board cannot take action until the results from the Ontario County Planning Board meeting regarding their review of this application are provided; and

NOW, THEREFORE, BE IT RESOLVED that the Planning Board does hereby move to table the application to their August 26, 2014 Planning Board Meeting.

The above Resolution was offered by _____ and seconded by _____ at a regular scheduled Planning Board Meeting held on July 8, 2014. Following discussion, a voice vote was recorded:

Richard Gentry -
Charles Oyler -
Dan O'Bine -
Ryan Staychock -
Thomas Schwartz -

I, Kathleen Gingerich, 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 8, 2014 meeting.

Kathleen Gingerich, Secretary of the Board

Town of Canandaigua

5440 Routes 5 & 20 West
Canandaigua, NY 14424

July 8, 2014

Mr. Graham Smith, Chairman
Zoning Board of Appeals
Town of Canandaigua
5440 Routes 5 & 20 West
Canandaigua, New York 14424

**RE: KARL & BARBARA FUGE – 4858 BEDFORD DRIVE
AREA VARIANCE - EXPANSION OF A NON-CONFORMITY
CPN 042-14
TM # 97.04-1-38.000**

Dear Chairman Smith:

The Town of Canandaigua Planning Board has completed a review of the above referenced zoning application referred by the Zoning Board of Appeals for recommendations and comments regarding potential impacts (Chapter 220 §220-107-G-2). The Planning Board offers the following recommendations and comments for the Zoning Board of Appeals consideration:

1. Conforms to the existing setbacks of the neighboring parcels. The front setback to the existing garage is 42.8' and the requested variance for the front setback to the proposed house addition is 46.8'.
2. Does not appear to negatively impact the neighboring parcels view.
- 3.
- 4.

Sincerely,

Thomas Schwartz, Planning Board Chairman

C Planning Board Members

TOWN OF CANANDAIGUA PLANNING BOARD RESOLUTION
MORGAN MANAGEMENT LLC – CENTERPOINTE APARTMENTS, PHASE 3
CPN-063-13 TM# 56.00-55-22.000
3RD 90 DAY EXTENSION - FINAL SITE PLAN APPROVAL

WHEREAS, the Town of Canandaigua Planning Board (hereinafter referred to as Planning Board) has considered the above referenced request for the third 90 day extension for the final site plan approval for the Centerpointe Apartments, Phase 3 in a letter dated July 1, 2014 from McMahon LaRue Associates, P.C. as they continue to address Ontario County Department of Public Works comments; and

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

NOW, THEREFORE, BE IT RESOLVED that the Planning Board ☒ **Approves without Conditions;** ☐ **Approves with the following Conditions;** or ☐ **Denies the application** for the following reasons:

The final site plans for the “Centerpointe Apartments, Phase 3” 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 previous expiration date of August 9, 2014. The new expiration date is **November 8, 2014**.

The above Resolution was offered by _____ and seconded by _____ at a regular scheduled Planning Board Meeting held on July 8, 2014. Following discussion, a voice vote was recorded:

Richard Gentry -
Charles Oyler -
Dan O’Bine -
Ryan Staychock -
Thomas Schwartz -

I, Kathleen Gingerich, 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 8, 2014 meeting.

Kathleen Gingerich, Secretary of the Board

L. S.



Engineers & Surveyors

July 1, 2014

Town of Canandaigua
5440 Route 5 & 20 West
Canandaigua, NY 14424

Attention: Amanda Catalfamo

Re: Centerpointe Apartments

Dear Ms. Catalfamo,

On behalf of Morgan Management, LLC we would like to request ninety (90) day extensions to the final approvals for the following project:

CPN-063-13 Centerpointe Apartments

We have unresolved sewer capacity issues with the Ontario County Department of Public Works and are awaiting decisions from the County that will permit this project to proceed.

Should you have any questions or require any additional information, please call or contact me at gmcmahon@mcmahon-larue.com.

Very truly yours,

A handwritten signature in dark ink, appearing to read 'Gregory W. McMahon', is written over the typed name.

Gregory W. McMahon, P.E.