

# Town of Canandaigua

5440 Routes 5 & 20 West  
Canandaigua, NY 14424

## PLANNING BOARD

Tuesday, August 12, 2014, 6:30 p.m.

### MEETING AGENDA

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**MEETING CALLED BY:** Thomas Schwartz  
**BOARD MEMBERS:** Richard Gentry, Charles Oyler, Stephen Richardson, Ryan Staychock  
**SECRETARY:** Kathy Gingerich  
**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:**

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 8/26 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. *(continued to 8/26 meeting)*

**NEW FINAL (PHASED) / ONE-STAGE SITE PLANS:** *None at this time*

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## BOARD BUSINESS

- ❑ Approval of July 22, 2014 meeting minutes
  - ❑ Referrals from 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:
    - Old Brookside Subdivision, Section 4 – LOC Release #6 (final)
    - Lakewood Meadows Section 8B – LOC Release #3 & 4
    - Villas @ Canandaigua – Lot-line applications, Lots 13-16, 73-76
    - Happiness House sign application – PUD zoning Local Law review
    - 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
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## STAFF REPORTS:

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

## UPCOMING APPLICATIONS

- Venezia Associates for Michael Spoleta, 3448 Poplar Beach Road, TM#98.15-1-16.111, CPN-058-14, tear down rebuild single-family dwelling
- Parrone Engineering for Christa Construction, 0000 Parkside Drive, TM#70.11-1-31.000, CPN-045-14, construction of a 48-unit apartment complex
- Brenda & Carl Eldredge, 2125 New Michigan Road, TM#55.00-1-33.000, CPN-051-14, 2-lot subdivision
- September meetings: Lakewood Meadows Section 9 & 10, Fox Ridge Section 5B, Venezia-Kinsella 3-lot subdivision (Canandaigua-Farmington TL Road)

## ADJOURNMENT

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

**WHEREAS**, the applicant has not yet provided the information requested by the Planning Board including an updated subdivision plan and needs additional time; and

**NOW, THEREFORE, BE IT RESOLVED** that the Planning Board does hereby move to continue the public hearing and table the application to their September 9, 2014 Planning Board Meeting.

The above resolution was offered by \_\_\_\_\_ and seconded by \_\_\_\_\_ at a meeting of the Planning Board held on Tuesday, August 12, 2014. Following discussion thereon, the following roll call vote was taken and recorded:

Richard Gentry -  
Charles Oyler -  
*One Vacancy* -  
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 August 12, 2014 meeting.

\_\_\_\_\_  
Kathleen Gingerich, Secretary of the Board

L. S.

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

**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 Town of Canandaigua Planning Board does hereby find the following facts:

1. Town Code section 174-13(C)(6)(o) requires that: "[W]here on-site wastewater treatment will be required for development of the proposed lots and regardless of whether or not the current application includes proposed development, the following information shall be provided:
  - Delineation of sufficient area for at least one potential on-site wastewater treatment system for each proposed lot unless such lot has an existing and functioning on-site wastewater treatment system.
  - Field test results and the name of the individual taking the tests to determine soil percolation capabilities within that area."
  
2. Applicant has refused to provide the requested information including delineating sufficient area for at least one potential on-site wastewater treatment system for the proposed lot.

**BE IT FURTHER RESOLVED** that the Town of Canandaigua Planning Board does hereby deny CPN 035-14 for Single-Stage Subdivision Plan based upon the findings contained herein and the reasons set forth above.

The above resolution was offered by \_\_\_\_\_ and seconded by \_\_\_\_\_ at a meeting of the Planning Board held on Tuesday, August 12, 2014. Following discussion thereon, the following roll call vote was taken and recorded:

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

Richard Gentry -  
Charles Oyler -  
*One Vacancy* -  
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 August 12, 2014 meeting.

\_\_\_\_\_  
Kathleen Gingerich, Secretary of the Board

L. S.

**TOWN OF CANANDAIGUA PLANNING BOARD  
ACTION RESOLUTION – SURETY RELEASE**

**APPLICANT(S): TODD GOODWIN, OLD BROOKSIDE, LP  
PROJECT NAME – OLD BROOKSIDE SUBDIVISION, SECTION 4  
RELEASE – LETTER OF CREDIT RELEASE #6 (FINAL)  
CPN No. 037-09**

**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 21, 2014 and a cover letter from the Town Engineer (MRB Group) dated July 15, 2014 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 final release of \$65,123.48 and for the items specified on said documents closing out the account.

**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, August 12, 2014. Following discussion thereon, the following roll call vote was taken and recorded:

Richard Gentry -  
Charles Oyler -  
*One Vacancy* -  
Ryan Staychock -  
Thomas Schwartz -

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Kathleen Gingerich, Secretary of the Board

L. S.

**TOWN OF CANANDAIGUA PLANNING BOARD  
ACTION RESOLUTION – SURETY RELEASE**

**APPLICANT(S): SCOTT MORRELL - MORRELL BUILDERS  
PROJECT NAME – LAKEWOOD MEADOWS, SECTION 8B  
RELEASE – LETTER OF CREDIT RELEASE #3  
CPN No. 021-13**

**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 June 30, 2014 and a cover letter from the Town Engineer (MRB Group) dated August 4, 2014 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 release of \$78,729.05 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.

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Richard Gentry -  
Charles Oyler -  
*One Vacancy* -  
Ryan Staychock -  
Thomas Schwartz -

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\_\_\_\_\_  
Kathleen Gingerich, Secretary of the Board L. S.

**TOWN OF CANANDAIGUA PLANNING BOARD  
ACTION RESOLUTION – SURETY RELEASE**

**APPLICANT(S): SCOTT MORRELL - MORRELL BUILDERS  
PROJECT NAME – LAKEWOOD MEADOWS, SECTION 8B  
RELEASE – LETTER OF CREDIT RELEASE #4  
CPN No. 021-13**

**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 July 18, 2014 and a cover letter from the Town Engineer (MRB Group) dated August 4, 2014 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 release of \$61,088.18 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, August 12, 2014. Following discussion thereon, the following roll call vote was taken and recorded:

Richard Gentry -  
Charles Oyler -  
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Kathleen Gingerich, Secretary of the Board L. S.