

Town of Canandaigua

5440 Routes 5 & 20 West
Canandaigua, New York 14424

PLANNING BOARD

Established February 20, 1962

Tuesday, January 24, 2023 • 6:00 p.m.

MINUTES—DRAFT #1—SUBJECT TO CHANGE

The following minutes are the official and permanent record of the actions taken by the Town of Canandaigua Planning Board. Remarks delivered during discussions are summarized and are not intended to be verbatim transcriptions. An audio recording of the meeting is retained for three months.

The meeting was conducted at the Canandaigua Town Hall and via remote video conference.

***R** = Attended via remote video conference.*

Meeting called by: Charles Oyler, *Chairperson*

Board members present: Robert Lacourse
Scott Neal
Mark Tolbert
Amanda VanLaeken

Alternate: Position vacant

Staff present: Shawna Bonshak, Town Planner
Lance S. Brabant, CPESC, MRB Group, D.P.C.
Kimberly Burkard, Remote Access Facilitator

Attending:

Samantha Bentley, 3650 Woolhouse Road, Canandaigua, N.Y. 14424

Fritz Cermak—**R**

William and Marcia McMahon, 5430 Wells Curtice Road, Canandaigua, N.Y. 14424

Charles and Ellen Miller, 3272 Hickox Road, Canandaigua, N.Y. 14424

Brennan Marks, Marks Engineering, 42 Beeman Street, Canandaigua, N.Y. 14424—**R**

David Sauter, Canandaigua Town Board Member

Zakery Steele, RLA, ASLA, LEED-AP, Landscape Architect; Sue Steele Landscape
Architecture PLLC, 9 Summit Street, Fairport, N.Y. 14450

4. NEW SINGLE-STAGE SITE PLAN

CPN-22-085 Marks Engineering, 42 Beeman Street, Canandaigua, N.Y. 14424; representing Mark Valerio, 5542 Thomas Road, Canandaigua, N.Y. 14424; owner of property at 0000 Brickyard Road.

TM #55.00-1-24.211

Requesting a Single-Stage Site Plan approval for the construction of a new single-family residence and associated site improvements on an existing parcel within the AR-2 Zoning District as shown on the Single-Stage Site Plan prepared by Marks Engineering dated October 28, 202; last revised January 9, 2023; and all other relevant information submitted as of January 24, 2023 (the current application).

This application was reviewed by the Planning Review Committee (PRC) on November 14, 2022.

The PRC referred this application to the following Town offices and agencies:

Chris Jensen, Town Code Enforcement Officer
David Conti, Canandaigua–Farmington Water and Sewer District
James Fletcher, Town Highway and Water Superintendent
Town Environmental Conservation Board
Town Agricultural Advisory Committee
MRB Group D.P.C.
Canandaigua City Fire Department

Mr. Marks (Marks Engineering) presented this application via remote video conference.

He described the proposed new house as a single-family residence with an attached garage and walk-out basement on the north side of the home. Water and electric utility services will be provided from Brickyard Road. The in-ground conventional septic system will be installed on the north side of the house.

Mr. Marks said that a New York State Department of Environmental Conservation (DEC)-designated wetland is located on the north side of the parcel. He said that a 100-foot buffer zone will be preserved to avoid encroachment upon the wetland. Mr. Marks said that the DEC delineated the wetland and that the boundary flags are depicted upon the existing conditions drawing which was displayed on the video screen.

Mr. Marks said that the driveway sight distance is tight but it is better than the driveway sight distance of the parcel to the south [of the applicant's property]. He said that the sight distance is not ideal but is do-able. Mr. Marks said that he does note that the entrance [to the parcel] is tricky but that the entrance was installed by the Town of Canandaigua.

Mr. Lacourse asked if the septic system has been approved. Mr. Marks said that the property is not within the Canandaigua Lake Watershed and that the system will not be a raised bed which would have required approval from the New York State Department of Health. As such, he said that Town Code Enforcement Officer Chris Jensen will approve the system. Mr. Brabant said that the septic system is now under review by Mr. Jensen.

Mr. Lacourse discussed the steep bank which is located on the southern portion of the applicant's property. He asked if any kind of a wall is proposed for construction on the bank. Mr. Marks said that no construction is planned for the bank but that the plans depict erosion control measures. He said that this existing bank is mostly taken over by vegetation and that he would not have a problem for additional seed and erosion control measures if the Planning Board would so require. Mr. Lacourse said that the bank is really steep.

Mr. Oyler asked if the bank is within the limits of disturbance. Mr. Marks said no. He said that seeding and erosion control measures are not considered disturbance and that they will be staying away from the bank. Mr. Oyler said that the applicant may wish to consider some additional erosion control measures [on the steep bank].

Mr. Neal discussed the DEC-delineated wetland. He said that the northern portion of the property is wet.

Mr. Brabant said that the applicant has addressed the MRB Group engineering comments. He said that MRB Group has worked on the delineation of the wetland which is shown on the plans. Mr. Brabant said that the wetland has been documented and field verified. He confirmed that all site disturbance will be outside of the delineated wetland.

Mr. Oyler said that Canandaigua–Farmington Water and Sewer Superintendent David Conti requires that the water service line must be 1 inch minimum Municipex.

Mr. Oyler said that no comments were received from Town Highway Superintendent James Fletcher.

Mr. Oyler also said that the Town Environmental Conservation Board (ECB) expressed concern about the high ground water area. Mr. Marks said that a four-foot deep hole for the septic system was drilled and that no groundwater was found.

Mr. Oyler said that the ECB recommended that a landscaping plan be submitted, and that if this was not possible that the applicant “. . . should make every effort to plant native landscaping material and avoid any invasive/non-native species. . . .” but he said that the Planning Board could not hold the applicant to this recommendation because a landscaping plan is not required in this zoning district. Mr. Marks said that two apple trees on the east side of the septic system, between the septic system and the road, will be preserved.

Mr. Oyler also recommended that the future homeowner include shrubs and flower beds around the new house. Mr. Marks said that he was sure about this.

Mr. Oyler said that no comments on this application were received from the City of Canandaigua Fire Department. He also asked about the steep slopes on the property. Mr. Marks said that the slopes have been identified on the existing conditions drawing.

Ms. Bonshak said that this parcel is a pre-existing non-conforming lot and that the applicant can build on this pre-existing non-conforming lot.

Mr. Oyler asked if any trees will be removed [during construction]. Mr. Marks said that two apple trees will be removed in the area of the septic system. Mr. Lacourse said that some areas of the lot already have been cleared.

Mr. Oyler said that the Town Agricultural Advisory Committee determined that there will be no loss of farmland by the construction of the new home.

Mr. Oyler asked if anyone in the meeting room or on the remote video conference wished to ask questions or to comment on this application. There were no questions or comments on this application from those in the meeting room or from those on the remote video conference.

There were no additional comments or questions on this application this evening.

■ A motion was made by MR. NEAL, seconded by MR. LACOURSE, 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; that Type II Actions are not subject to further review under Part 617 of the SEQR Regulations; and 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.

Motion carried by voice vote.

■ A motion was made by MR. NEAL, seconded by MR. LACOURSE, that the application of Marks Engineering, representing Mark Valerio, owner of property at 0000 Brickyard Road, requesting a Single-Stage Site Plan approval for the construction of a new single-family residence and associated site improvements on an existing parcel within the AR-2 Zoning District as shown on the Single-Stage Site Plan prepared by Marks Engineering dated October 28, 202; last revised January 9, 2023; and all other relevant information submitted as of January 24, 2023 (the current application), be approved with conditions.

Mr. Brabant then reviewed the conditions of approval.

Draft Condition #6 regarding the Town Code Enforcement Officer's comments and Draft Condition #7 regarding the Canandaigua–Farmington Water and Sewer District Superintendent's comments were reviewed by Mr. Brabant. No additional conditions of approval were offered.

Motion carried by voice vote.