

Town of Canandaigua

5440 Routes 5 & 20 West • Canandaigua, NY 14424
Phone (585) 394-1120 • Fax (585) 394-9476

Planning Board Decision Notification

Meeting Date: January 24, 2023

Project: CPN-22-085

Applicant

Marks Engineering
42 Beeman Street
Canandaigua, NY
14424

Owners

Mark Valerio
5542 Thomas Road
Canandaigua, NY
14424

Project Type

Single-Stage Site
Plan

Project Location

0000 Brickyard
Road

Tax Map #

55.00-1-24.211

TYPE OF APPLICATION:

- ☐ Preliminary ☐ Final Phased ☒ One/Single Stage
☐ Subdivision ☒ Site Plan ☐ Special Use Permit

Applicant Request:

- ☒ Granted ☐ Denied ☐ Tabled
☐ Continued to:
☒ See attached resolution(s)

STATE ENVIRONMENTAL QUALITY REVIEW (SEQR):

- ☐ Type I ☒ Type II ☐ Unlisted
☒ See Attached resolution(s):

Negative Declaration Date:

Positive Declaration Date:

CANANDAIGUA TOWN CLERK

JAN 26 2023

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Recommendation To:

- ☐ Town Board ☐ ZBA ☐ N/A ☐ See attached resolution(s)

Recommendation:

Surety Requirements:

☐ Landscaping: \$

☐ Other (specify): \$

☐ Soil Erosion: \$

THIS APPROVAL SHALL EXPIRE IF YOU FAIL TO
OBTAIN THE PLANNING BOARD CHAIR'S SIGNATURE
ON THE FINAL PLAN BY: 7/24/23
YOU ARE RESPONSIBLE FOR REQUESTING AN
EXTENSION PRIOR TO THIS EXPIRATION DATE IF
THIS REQUIREMENT CANNOT BE MET.

Surety Release:

Certified By: [Signature]
Chairperson, Planning Board

Date: 1/25/23

TOWN OF CANANDAIGUA PLANNING BOARD RESOLUTION
MARKS ENGINEERING REPRESENTING MARK VALERIO
0000 BRICKYARD ROAD – AR-2 ZONING DISTRICT
CPN 22-085 – TM# 55.00-1-24.211
SINGLE-STAGE SITE PLAN APPROVAL

SEQR RESOLUTION – TYPE II ACTION

WHEREAS, the Town of Canandaigua Planning Board (hereinafter referred to as Planning Board) is considering 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, 2022, last revised January 9, 2023, and all other relevant information submitted as of January 24, 2023 (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

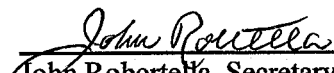
BE IT FURTHER RESOLVED THAT, Type II Actions are not subject to further review under Part 617 of the SEQR Regulations; and

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 Scott Neal and seconded by Bob Lacourse at a meeting of the Planning Board held on Tuesday, January 24, 2023. Following discussion thereon, the following roll call vote was taken and recorded:

Mark Tolbert -	<i>AYE</i>
Scott Neal -	<i>AYE</i>
Bob Lacourse -	<i>AYE</i>
Amanda VanLaeken -	<i>AYE</i>
Charles Oyler -	<i>AYE</i>

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 January 24, 2023 meeting.


John Robortella, Secretary of the Board L. S.

CANANDAIGUA TOWN CLERK

JAN 26 2023

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HC

TOWN OF CANANDAIGUA PLANNING BOARD RESOLUTION
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SINGLE STAGE SITE PLAN APPROVAL RESOLUTION

WHEREAS, the Town of Canandaigua Planning Board (hereinafter referred to as Planning Board) is considering 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, 2022, last revised January 9, 2023, and all other relevant information submitted as of January 24, 2023 (the current application); and

WHEREAS, the Planning Board completed a formal review of the proposed site plan in compliance with the implementing regulations of the State Environmental Quality Review Act (SEQR); 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, 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; ☒ Approves with the following Conditions; or ☐ Denies the application for the following reasons:

1. Site Plan Approval with conditions specified 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 Site Development Building Permit application is to be completed and provided to the Town of Canandaigua Development Office prior to the Planning Board Chairman's signature being affixed to the site plans.
3. 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 processing in accordance with Local Law 19 of 2017 Amending Chapter 174, Section 174-32(F).
4. Payment of a fee in lieu of a set aside of parkland shall be made at the time of issuance of a building permit pursuant to Town Code Chapter 111 and NYS Town Law.
5. Prior to the issuance of a building permit, the on-site wastewater treatment system design is to be reviewed and approved by the Town Code Enforcement Officer.
6. The Town Code Enforcement Officer's comments are to be addressed to their satisfaction prior to signing by the Planning Board Chairman.
7. The Canandaigua-Farmington Water and Sewer District's comments are to be addressed to their satisfaction prior to signing by the Planning Board Chairman.


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SINGLE STAGE SITE PLAN APPROVAL RESOLUTION

The above resolution was offered by Scott Neal and seconded by Bob Lacourse at a meeting of the Planning Board held on Tuesday, January 24, 2023. Following discussion thereon, the following roll call vote was taken and recorded:

Mark Tolbert - *AYE*
Scott Neal - *AYE*
Bob Lacourse – *AYE*
Amanda VanLaeken – *AYE*
Charles Oyler - *AYE*

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 January 24, 2023 meeting.

 L. S.
John Robortella, Secretary of the Board

CANANDAIGUA TOWN CLERK

JAN 26 2023

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SINGLE-STAGE SITE PLAN APPROVAL

FINDINGS

1. The Town of Canandaigua Planning Board is considering 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.
2. The project is detailed on the Single-Stage Site Plan prepared by Marks Engineering, dated October 28, 2022, last revised January 9, 2023, and all other relevant information submitted as of January 24, 2023.
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 December 1, 2022:

DETERMINATION:

Single family residential structures are permitted in the AR-2 zoning district.
The Zoning schedule for the AR-2 district has been met.
The site plan lacks any landscape detail.

REFERRAL TO PLANNING BOARD FOR:

All single-family residential site plans require Planning Board review and approval.

CODE SECTIONS: Chapter §1-17; §220-15 §220-70

6. This application was referred to the following agencies for review and comment:

- Chris Jensen, Town CEO
- 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
- Canandaigua City Fire Department

7. Chris Jensen, Town CEO, provided comments on November 21, 2022:

CPN 2022-085

Valerio – Brickyard Road

- Reference source of delineation on existing conditions plan and site plan. When it was completed – who completed it. Provide copy of delineation report. DEC and Federal Wetlands.

8. David Conti, Canandaigua-Farmington Water and Sewer District, provided comments in an email dated November 29, 2022:

Water service line to be 1" minimum Municipex.

9. No comments were received from James Fletcher, Town Highway and Water Superintendent.

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FINDINGS

10. The Town ECB provided comments at their December 1, 2022 meeting:

Additional Comments from the ECB Meeting:

- Ms. Davey commented that it is likely really wet in this location.
- Mr. Kochersberger shared photos he took. He noted wetness in the southern area, a swale, and no culvert at location. No flowing water but encroachment on the Padelford designated wetland area. Scrubby trees on parcel.
- Ms. Davey noted it as a high ground water area. Mr. Kochersberger noted dryness in the soil.
- Mr. Kochersberger noted that there is evidence of excavation on site. Oncor reviewed for changes to the parcel over the years. It appears as though the northern area may have been trees before being cleared.
- Ms. Davey said that the area was likely stream bottom as one time.
- Mr. Kochersberger said that there is no landscaping plan and it would be good to get one.
- Ms. Bonshak said that the acreage size is a pre-existing so the size of acreage is not an issue.

Recommendations:

- The ECB recommends that the homeowner consider the installation of geothermal heating/cooling for the home.
- The ECB recommends that the open soil be seeded down for the winter with winter rye and/or coverage of straw to help control erosion.
- The ECB recommends that applicant submits a landscaping plan. If that is not possible, the homeowner should make every effort to plant native landscaping material and avoid any invasive/nonnative species.

11. The Town Agricultural Advisory Committee reviewed the application at their December 8, 2022 meeting.
12. MRB forwarded an email dated January 19, 2023 that all comments have been addressed.
13. No comments were received from the Canandaigua City Fire Department.
14. The Planning Board has considered all comments as part of their review of the application.
15. The Planning Board discussed the need for a soil stabilization and erosion control surety estimate to be provided prior to the issuance of building permits.
16. The Planning Board makes the following findings pursuant to New York State Town Law § 277 and Town Code § 111-9.

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FINDINGS

- The Planning Board hereby finds that a proper case exists for requiring that a park be located for playgrounds or other recreational purposes on the proposed site because of the increase in population that will be created by the proposed new development.
 - The Town Comprehensive Plan indicates that the Town is in need of more land for parks and recreation.
 - The Town Parks and Recreation Master Plan indicates that the Town is in need of more land for parks and recreation.
 - The proposed site plan includes 1 new home, of which will be occupied by a family with one or more children.
 - The proposed site plan will increase the Town's population.
 - This increase in population will intensify the need for land to be used for parks and recreation.
 - A suitable park of adequate size to meet the Town's needs cannot be properly located on the proposed site plan.
 - There is not an existing park in the vicinity of the proposed site
25. Therefore, a fee in lieu of parkland shall be paid at the time of issuance of building permits as established by the Town Board pursuant to Town Code § 111-8.
26. The applicant forwarded to the Town the NYSDEC Wetland Determination dated May 13, 2021.