

Town of Canandaigua

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Established 1789

The following motion was adopted by the Town Board on Monday, October 17, 2016.

RESOLUTION NO. 2016-249: ACCEPTANCE OF PLANNING BOARD NOTIFICATION FOR MODIFICATION TO PLANNED UNIT DEVELOPMENT

WHEREAS, pursuant to Town Code §220-28(E)(7)(c)(4), the Town of Canandaigua Planning Board has notified the Town Board of the Town of Canandaigua that the Planned Unit Development (PUD) known as Centerpointe Apartments has submitted a proposal that has been modified from the originally approved PUD; and

WHEREAS, as required by Town Code §220-28(E)(7)(c)(4), the Planning Board has stated the particulars of the matter including modifications in a memo dated September 30, 2016 to the Town Board of the Town of Canandaigua; and

WHEREAS, a copy of the Project Revisions presented to the Town Board for consideration is included with this resolution and is identified as Attachment 13 to the agenda; this information is also available for review on the Town's website and is on file with the Town Clerk's office; and

WHEREAS, the Planning Board finds the modifications would constitute 59 units more than currently permitted under the approved PUD, and the apartments would constitute 68.3% of the total residential units instead of 65% as required; and

WHEREAS, the Planning Board finds the 50 foot setback requirement would not be met within the internal road system; and

WHEREAS, the 60 foot setback requirement between apartment buildings would not be met; and

WHEREAS, the overall project would have 51 fewer residential units than originally approved in 1986; and

WHEREAS, the Planning Board is recommending the modified plan should be continued; and

WHEREAS, the Planning Board's position is that the applicant's proposal is in substantial conformity with the intent of the PUD approved by the Town Board in 1986; and

NOW THEREFORE BE IT RESOLVED, the Town Board of the Town of Canandaigua hereby grants consent pursuant to Town Code §220-28(E)(7)(c)(4), for the Planning Board to continue with the approval process including the modifications identified in the Planning Board's memo dated September 30, 2016 for the Planned Unit Development known as Centerpointe.

Motion made by Councilman Fennelly, seconded by Councilman Westbrook

A question was asked if a local law was required for this amendment as well. Mr. Finch explained that a previous local law was written identifying some specific findings in 2013 but there were some inconsistencies. The Planning Board has gone back through the local laws and finds the site plan is in keeping with original approved local law. The Planning Board cannot approve the site plan until the Town Board grants consent because of the modification

to the PUD. The Planning Board is requesting the Town Board grant the consent which is what this resolution would do.

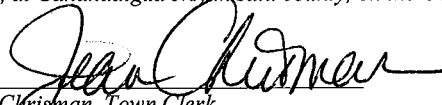
5 Ayes: Cutri, Fennelly, Helming, Reynolds, Westbrook

STATE OF NEW YORK}
County of Ontario}
Town of Canandaigua}

I DO HEREBY CERTIFY that I have compared the preceding with the original thereof, on file and on record in the Town Clerk's office, and that the same is a correct copy and transcript therefrom and of the whole of said original; and that said original was duly adopted at a meeting of the Town Board held at Canandaigua, New York, on October 17, 2016.

SEAL

Given under my hand and the official seal of said Town, at Canandaigua NY, in said county, on the October 19, 2016


Jean Chrisman, Town Clerk