

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: February 9, 2016

Project: CPN-109-15

Applicant

Melissa Buchanan

Owner

Mark Case
2465-2485 NYS
Route 332

Project Type

Special Use Permit
Application and Site
Plan for Special Use
Permit

Project Location

2465-2485 NYS
Route 332

Tax Map #

70.11-1-24.000

TYPE OF APPLICATION:

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

STATE ENVIRONMENTAL QUALITY REVIEW (SEQR):

- ☐ Type I ☒ Type II ☐ Unlisted

☒ See Attached resolution(s)

Applicant Request:

- ☒ Granted ☐ Denied ☐ Tabled

☐ Continued to:

☒ See attached resolution(s)

Negative Declaration Date:

Positive Declaration Date:

Recommendation To:

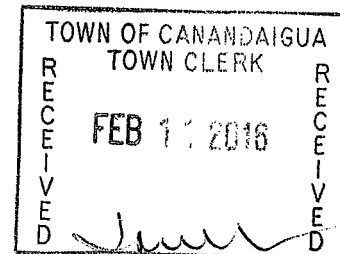
- ☐ Town Board ☐ ZBA ☐ N/A ☐ See attached resolution(s)

Recommendation:

Surety Requirements:

- ☐ Landscaping: \$ ☐ Soil Erosion: \$
☐ Other (specify): \$

Surety Release:



Deputy TC

Certified By:

James A. Schwartz

Chairperson, Planning Board

Date:

2-10-16

TOWN OF CANANDAIGUA PLANNING BOARD RESOLUTION
MELISSA BUCHANAN FOR MARK CASE
SPECIAL USE PERMIT APPROVAL – §220-35 & §220-62.1
COMMERCIAL SPEECH SIGN (BUILDING SIGN)
2465-2485 NYS ROUTE 332
CPN 109-15 TM# 70.11-1-24.000
SEQR RESOLUTION- TYPE II ACTION

WHEREAS, the Town of Canandaigua Planning Board (hereinafter referred to as Planning Board) is considering an application for a Special Use Permit for commercial speech sign (building mounted sign) in the CC zoning district located at 2465-2485 NYS Route 332; and

WHEREAS, the Planning Board did review the comments provided by Ontario County Planning Board regarding referral #11-2016; 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 Karen Blazey and seconded by Thomas Schwartz at a meeting of the Planning Board held on Tuesday, February 9, 2016. Following discussion thereon, the following roll call vote was taken and recorded:

Richard Gentry - Absent
Charles Oylar - *Aye*
Karen Blazey - *Aye*
Ryan Staychock - *Aye*
Thomas Schwartz - *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 February 9, 2016 meeting.

John Robortella L. S.
John Robortella, Secretary of the Board

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WHEREAS, the Town of Canandaigua Planning Board (hereinafter referred to as Planning Board) is considering an application for a Special Use Permit for commercial speech sign (building mounted sign) in the CC zoning district located at 2465-2485 NYS Route 332; and

WHEREAS, the Planning Board did review the comments provided by Ontario County Planning Board regarding referral #11-2016, which classified the application as a Class 1; and

WHEREAS, the Planning Board has 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 thereby completing the environmental review; and

WHEREAS, the Planning Board does hereby determine the proposed Special Use Permit to be consistent with the provisions of Chapter 220-35, §220-83, and §220-62.1 of the Town Code; and

NOW, THEREFORE, BE IT RESOLVED that the Planning Board does hereby approves the requested special use permit with the following conditions:

1. The special use permit shall remain in effect for the current and future owners of the premises and/or operators with no requirement for renewal, provided the use remains in compliance with the conditions of approval and Town Code §220-35, §220-61, and §220-83.
2. In compliance with Town Code §220-35, §220-61, and §220-83 the Town Zoning Officer shall make an on-site visit at least once every three years, or as may be necessary to insure that the special use permit is being operated in accordance with the conditions specified by the Planning Board.
3. This specially permitted use if not begun, by way of start of operations or physical development of the site, within one year of the Planning Board vote to approve the special use permit, shall expire unless renewed by the Planning Board.
4. Before beginning operations, the subject property will be subject to inspection by the Town Code Enforcement Officer and/or Zoning Officer to determine compliance with NYS Building Code requirements and Town Code requirements and conditions of this approval.
5. There shall be no outdoor storage of any equipment, materials, or supplies associated with this Special Use Permit.
6. The proposed building signage is to comply with the Town of Canandaigua Town Code, §220-83, 3(a)-3(d) and §220-62.1 and shall be submitted to the Town Development Office for approval.
7. A separate approval by the Planning Board is required for proposed building and ground signage.

TOWN OF CANANDAIGUA PLANNING BOARD RESOLUTION
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8. The Planning Board granted a waiver from a professional prepared site plan pursuant to Town Code §220-65 (L) as requested for the applicant.

The above resolution was offered by Ryan Staychock and seconded by Karen Blazey at a meeting of the Planning Board held on Tuesday, February 9, 2016. Following discussion thereon, the following roll call vote was taken and recorded:

Richard Gentry - Absent
Charles Oyler - *Aye*
Karen Blazey - *Aye*
Ryan Staychock - *Aye*
Thomas Schwartz - *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 February 9, 2016 meeting.

John Robortella L. S.
John Robortella, Secretary of the Board

TOWN OF CANANDAIGUA PLANNING BOARD RESOLUTION
MELISSA BUCHANAN FOR MARK CASE
SPECIAL USE PERMIT APPROVAL – §220-35 & §220-62.1
COMMERCIAL SPEECH SIGN (BUILDING SIGN)
2465-2485 NYS ROUTE 332
CPN 109-15 TM# 70.11-1-24.000
SITE PLAN APPROVAL

WHEREAS, the Town of Canandaigua Planning Board (hereinafter referred to as Planning Board) is considering an application for a Special Use Permit for commercial speech sign (building mounted sign) in the CC zoning district located at 2465-2485 NYS Route 332; and

WHEREAS, the Planning Board has 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 thereby completing the environmental review; and

WHEREAS, the Planning Board did review the comments provided by Ontario County Planning Board regarding referral #11-2016, which classified the application as a Class 1; and

WHEREAS, the Planning Board approved the request for a Special Use Permit and determined the Special Use Permit was consistent with the provisions of Chapter 220-35, §220- 83, and §220-62.1 of the Town Code; 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 above herein is valid for a period of 180 days from today.
2. The Planning Board granted a waiver from a professional prepared site plan pursuant to Town Code §220-65 (L) as requested for the applicant.
3. There shall be no outdoor storage of any equipment, materials, or supplies associated with this Special Use Permit.
4. The proposed building signage is to comply with the Town of Canandaigua Town Code, §220-83, 3(a)-3(d) and §220-62.1 and shall be submitted to the Town Development Office for approval.
5. A separate approval by the Planning Board is required for proposed building and ground signage.

The above resolution was offered by Thomas Schwartz and seconded by Karen Blazey at a meeting of the Planning Board held on Tuesday, February 9, 2016. Following discussion thereon, the following roll call vote was taken and recorded:

Richard Gentry - Absent
Charles Oyler - *Aye*
Karen Blazey - *Aye*
Ryan Staychock - *Aye*
Thomas Schwartz - *Aye*

TOWN OF CANANDAIGUA PLANNING BOARD RESOLUTION
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COMMERCIAL SPEECH SIGN (BUILDING SIGN)
SITE PLAN APPROVAL

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 February 9, 2016 meeting.

 L. S.
John Robortella, Secretary of the Board

TOWN OF CANANDAIGUA PLANNING BOARD FINDINGS
MELISSA BUCHANAN FOR MARK CASE
SPECIAL USE PERMIT APPROVAL – §220-35 & §220-62.1
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SITE PLAN APPROVAL

1. On February 9, 2016 in compliance with NYS Town Law, the Planning Board held a public hearing on the current application and completed a formal review of the application.
2. 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.
3. 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.
4. The applicant has submitted an application for Special Use Permit approval for a commercial speech sign (building mounted only) located at 2465-2485 NYS Route 332 in a CC Zoning District.
5. The proposed building sign is 33 sq.ft. when 40' is allowed per code.
6. The proposed building sign will be back lit.
7. No additional site improvements are proposed.
8. The Planning Board has determined the proposed Special Use Permit to be consistent with the provisions of Chapter §220-35, §220-62.1, §220-83 of the Town Code.
9. The Planning Board discussed outdoor storage. No outdoor storage of any equipment, materials, or supplies associated with this Special Use Permit is permitted.
10. A referral to the Ontario County Planning Board (OCPB) was required.
11. The Planning Board did review the Ontario County Planning Board's comments regarding referral #11-2106 with a recommendation of approval.
12. A Town of Canandaigua Waiver Request from a professional prepared site plan pursuant to Town Code §220-65 (L) was completed and provided to the Planning Board.
13. The Planning Board granted the waiver from a professional prepared site plan.
14. A separate approval by the Town of Canandaigua Planning Board will be required for any additional signage.
15. The Planning Board reviewed the proposed application in accordance with the requirements of §220-62.1 and §220-83 Special Use Permit for a Commercial Speech Sign in the CC Community Commercial District and the following standards are met:
 - Prior to granting Special Use Permit Approval, the Town Planning Board must make a finding that the proposed sign is in compliance with the standards set forth in §220-83.
 - The specific location of the proposed sign must be shown on a Site Plan approved by the Planning Board.

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- Prior to granting Special Use Permit Approval, the Planning Board must make a finding that the proposed signage will not compromise the aesthetic appearance of the surrounding neighborhood.
- Prior to granting Special Use Permit Approval, the Town Planning Board must make a finding that the proposed signage will not significantly increase the magnitude of hazards to motorists and pedestrians caused by sign distractions.