

CPB has previously reviewed subdivision, rezoning, and site plan/SUP referrals regarding this development. Most recently, *referral #120-2018, 120.1-2018 and 120.2-2018 from July were retained as Class 2 and returned to the local board with the recommendation of approval with the following modifications.*

**Modification #1** *The referring Board shall make its approval conditional on final execution of an agreement regarding the trail and stormwater easements and a cap on the square feet of impervious and semi-permeable surfaces to be constructed at full build-out on both parcels resulting from the split of tax parcel 98.11-2-8.00 as outlined in the letter from Mary Krause, County Administrative, to the Planning Board dated June 28, 2018.*

**Modification #1** *The referring Board shall review comments from Canandaigua Watershed Manager and OCSWCD.*

**Comments** Will the SUP prohibit use of the temporary parking area during CMAC events due to operational concerns at site driveway and SR 364?

**Comments of Ontario County Sheriff's Office**

Temporary parking should be prohibited during CMAC events. There are existing safety issues related to vehicles exiting small temporary parking lots serving CMAC users in this area. Of concern are the lack of lighting at the access points, conflicts with pedestrians, and vehicles backing onto public roads. Of particular concern with respect to this site is the proximity of the driveway to Marvin Sands Drive which is used for emergency access.

**CPB Comments**

The SUP should prohibit use of temporary parking area during CMAC events.

Referring body should ensure easements are filed as per previous modification prior to issuance of a certificate of occupancy or approval of the SUP.

**Board Motion:** A motion to retain referrals 69-2019, 69.1-2019, 70-2019, 72-2019, 75-2019, 76-2019, 77-2019 78-2019, 78.1-2019, 79-2019, 79.1-2019 and 81-2019 as Class 1s and return them to the local boards with recommendation of approval with comments.  
**Motion made by:** Carol O'Brien  
**Seconded by:** David Wink  
**Vote:** 13 in favor, 0 opposed, 0 abstention **Motion carried.**

73 - 2019	Town of Canandaigua Zoning Board of Appeals	Class: AR 2
Referral Type:	Area Variance	
Applicant:	Meagher Engineering	
Property Owner:	Valerie Polisseni Wilcox, David Wilcox	
Tax Map No(s):	113.05-1-28.000 113.05-1-20.000	
Brief Description:	Lot line adjustment to combine 2 lots with .89 acres, demolish 2 houses and a garage and construct a new home and garage requiring area variances for a 12' front setback when 60' is required, a 9.6' north side setback when 11' is required, 17% building coverage when 15% is allowed, & 27% lot coverage when 25% is allowed at 3719 & 3725 CR 16 south of Butler Road in the Town of Canandaigua.	

The proposed 6,975 SF home will reduce pre-existing non-conforming setbacks slightly from existing conditions. The site plan shows a 12' deep, 45' reinforced turf parking area along the CR 16 ROW.

According to OnCOR, both lots are entirely in the floodplain. There are areas of 16 to 30 % slope and existing retaining walls near the CR 16 ROW on both lots. There is a stream along the southern property boundary. The proposed patio area is approximately 18' from the stream centerline. Existing soils are Howard Gravelly loam, 3 to 8 % slope with the following characteristics:

**Prime Farmland**

**Permeability:** high **Erodibility:** medium

**Hydrological Group** A **Not Hydric**

**Policy AR 5 Applications involving one single family residential site, including home occupations.**

**Part B Development of Lakefront Parcels.**

The following applies to all development on parcels with lake frontage that require;

- variances pertaining to lot coverage or,
- variances pertaining to side yard setbacks or,
- variance pertaining to lake shore setbacks

The CPB's role of reviewing and making recommendations on county wide development has provided a unique perspective on the trend of more intensive development and use of lakefront lots. Of particular concern are the incremental negative impacts to water quality and the character of our lakefront neighborhoods. The following policy is a result of discussion and debate spanning 18 months as well as consultation with outside agencies directly involved with water quality issues in Ontario County. The intent is to address over development of lakefront lots and support the clearly stated interest by local decision makers to do the same.

**Final Classification:** 2

**Findings:**

1. Protection of water features is a stated goal of the CPB.
2. The Finger Lakes are an indispensable part of the quality of life in Ontario County.
3. Increases in impervious surface lead to increased runoff and pollution.
4. Runoff from lakefront development is more likely to impact water quality.
5. It is the position of this Board that the legislative bodies of lakefront communities have enacted setbacks and limits on lot coverage that allow reasonable use of lakefront properties.
6. Protection of community character, as it relates to tourism, is a goal of the CPB.
7. It is the position of this Board that numerous variances can allow over development of properties in a way that negatively affects public enjoyment of the Finger Lakes and overall community character.
8. It is the position of this Board that such incremental impacts have a cumulative impact that is of countywide and intermunicipal significance.

**Final Recommendation:** Denial

**Comments**

1. The referring board is encouraged to grant only the minimum variance necessary to allow reasonable use of the lot.
2. The applicant and referring agency should Consult with the Ontario County Highway Department and ensure that the sight distances for the proposed driveway comply with standards established by the American Association of State Highway and Transportation Officials (AASHTO).
3. The applicant and referring agency are strongly encouraged to involve Canandaigua Lake Watershed Inspector as early in the review process as possible to ensure proper design and placement of on-site septic.
4. The applicant and referring agency are strongly encouraged to involve Canandaigua Lake Watershed Manager as early in the review process as possible to ensure proper design and implementation of storm water and erosion control measures. The proposed fire pit is not included in the area of disturbance or lot coverage.
5. Proposed fire pit is outside the area of disturbance as are any changes to access to this area or to the sidewalk to the dock.
6. Demolition debris should be reused, recycled, or disposed of in a licensed facility as appropriate.
7. Does the patio area require a stream setback variance or waiver?

**Canandaigua Lake Watershed Manager Comments**

1. The existing riparian buffer vegetation along the stream should be retained.
2. Drainage from any imperious areas in the pool/patio area should avoid discharging directly to the stream.

74 - 2019	Town of Richmond Town Board	Class: 2
Referral Type:	Map Amendment	
Applicant:	Town of Richmond	
Tax Map No(s):	136.17-1-43.000	
Brief Description:	Map amendment to change zoning of parcel on Main Street in the Town of Richmond across from Parklawn Apartments and between a home and a gas station to Industrial <a href="https://www.co.ontario.ny.us/DocumentCenter/View/17618/74-2019-Aerial-2">https://www.co.ontario.ny.us/DocumentCenter/View/17618/74-2019-Aerial-2</a>	

Properties along SR 20A in the hamlet of Honeoye are zoned A-Residential-Agricultural, E. Business, and F- Industrial. The lot proposed for rezoning is in the A district adjacent to the F district. To the west is a gas station and to the east is a residence that also reportedly provides access to a lumber business on the lot to the north. The 15,000 SF lot with approximately 50' of frontage