

Town of Canandaigua

5440 Routes 5 & 20 West
Canandaigua, New York 14424

ENVIRONMENTAL CONSERVATION BOARD MEETING MINUTES

Established November 4, 2009

TUESDAY, OCTOBER 6, 2022, 4:30 P.M.

MINUTES—PREPARED OCTOBER 24, 2022

The meeting was conducted via Zoom.com video conference and in-person meeting at Town Hall in the Oriana conference room.

Notice of the format of the meeting, the agenda, and the video conference identification number were posted upon the Town website on October 4, 2022 and have remained posted.

Meeting Called by: Adeline Rudolph

Board Members Present: Eric Obenauer Kimberly Burkard Justin Damann
Pat Venezia Edith Davey Meghan Miller
Gary Kochersberger (R)

Secretary: Kimberly Burkard

Town Staff: Shawna Bonshak

Guests: Elke Schmitt (R)

R = attended remotely

a. Call to Order

The business meeting was opened by Ms. Rudolph at 4:31pm.

b. Pledge of Allegiance

c. Introduction of Guests by the Facilitator

d. Zoom Etiquette Reminder

e. Approval of the Minutes—September 1, 2022

Ms. Davey made the motion to approve the minutes from September 1, 2022 and Ms. Venezia seconded the motion. Motion carried by voice vote.

f. Privilege of the Floor

g. Report of the Development Office

Ms. Bonshak said that the Development Office has been very busy with full agendas for October and November. Popeye's Chicken signage ZBA application coming up along with 4 other ZBA applications at the upcoming meeting. Discussion about the Popeye's signage.

h. Referral from the Town Board

Ms. Rudolph said that the Town Board in a split vote decided to not exercise the right to purchase the RSM property. The property was listed for sale shortly after. Ms. Rudolph noted that for future purchase options she wants a maximum value included into the agreement. Mr. Obenauer noted that Mr. Finch had secured funding for the project from the DEC if the town purchased the property. Ms. Rudolph explained how the DEC would have purchased some of property back from the town and put in a fishing dock and kayak launch. Ms. Rudolph said a bond would not have been necessary.

Mr. Kochersberger said that he believed that Kevin Olvany gave a balanced assessment of the project.

i. Referrals from the Citizens' Implementation Committee (CIC)

Ms. Rudolph shared that September's CIC had Kevin Olvany as the guest speaker with lots of great information for the ECB. She shared hardcopies of the minutes. The algae bloom was light for 2022. Permeable pavers are like concrete (not permeable) if not maintained correctly. Ms. Rudolph mentioned a permeable parking lot on East Street that was sealed. Ms. Davey talked about a Syracuse permeable asphalt basketball court that was very quiet.

Ms. Venezia said that the next meeting featured Mr. Fennelly with the Public Works update. He talked about water infrastructure projects. He talked about the Transfer Facility rebuild. Ms. Rudolph said that a swap area in the new transfer station may be possible. Mr. Damann said that it is successful in Victor. There might be a charge by weight for garbage. Mr. Kochersberger asked if there is a partnership with the City with regards to the transfer station and Ms. Rudolph said that there is.

j. Referral from the Ordinance Committee

Ms. Rudolph said that the Ordinance Committee is heavily discussing solar laws and which zones that they should be allowed in. There are tier 1, 2, 3, and 4 solar projects. (Tiers 1 & 2 are residential.) Ms. Rudolph said there are discussions about disallowing

them in much of the town. [She is referring to tier 3, not tiers 1 and 2 which are home-based units or tier 4 which is directed by NY State.] A special use permit would be required for installation.

Ms. Bonshak said tier 1 and 2 are very small and are residential panels on the roof or in the yard. Tier 3 can get big, up to 40 acres. Tier 4 is much larger and dictated by NYS. Tier 4 isn't that much of a worry as land like that is not available. Per the proposed regulations, no projects greater than 8 acres would not be allowed except in Industrial and Commercial zones. The projects currently in the town are on 10 or less acres. Mr. Damann asked about how that size chosen as solar developers are looking for at least 10-20 acres. Mr. Damann asked if the Ag Committee had input on this. Ms. Bonshak said that they have looked at it multiple times but they will see it again with the new changes. Mr. Kochersberger also questioned the basis behind the 8-acre cutoff. Ms. Bonshak said it was from Bob Lacourse's recommendations. Mr. Kochersberger said this would effectively eliminate any commercial solar. Ms. Bonsha agreed. Battery storage would be another ordinance. Mr. Damann asked if there would be allowances for soil analysis. Ms. Bonshak said that they are adding provisions for that. Special Use permits would be required.

There was discussion about protecting soils as well as keeping gatekeepers like the Ag Committee and the ECB involved.

There would be no solar allowed in the Scenic Viewshed Overlay.

The Ordinance Committee also discussed Blue Line Streams. Ms. Bonshak explained that there is a discrepancy in code regarding them. Watercourses are defined very clearly in the code but stream setback regulations say that a stream is a body of water running at least six months out of the year. There is a subjectivity problem with that. The change would use defined blue line streams. Setbacks were not discussed.

k. Referrals from the Planning Review Committee (PRC)

Referred September 12, 2022

PLANNING BOARD FOR TUESDAY, OCTOBER 25, 2022

CPN-22-074 Venezia Land Surveyors, 5120 Laura Lane, Canandaigua, N.Y. 14424; representing Gerber Homes & Additions LLC, 1260 Ridge Road, Ontario, N.Y. 14519; owner of property at 0000 Foster Road. TM #126.00-1-46.420. Requesting a Single-Stage Site Plan approval for the construction of a single-family home.

Reviewer: ECB Members

Summary of Key Points:

- Recent subdivided lot.
- Limited NRI features on parcel.
- Oncor notes site as mostly northern hardwoods
- Ranch home

- Subdivision and homes (4-5) intended for back parcel
- Pond near to property line on adjacent parcel.

Additional Comments from the ECB Meeting:

- Parcel is on north side of Foster Road and streams to do not extend to the property.
- Ms. Bonshak noted that this was subdivided recently—this lot and one to the east of the barn. Not many NRI features on the site. She noted that there will likely be a subdivision for the rear of the property and there will be additional NRI features with that.
- Ms. Venezia noted that what looks like a stream at the top of the Oncor image is a gully.
- Ms. Bonshak said that the back portion may be split into 4-5 lots. Ms. Venezia said that the terrain would limit doing more than that.
- Ms. Burkard noted that the site plan noted seeding the land with crown vetch for erosion control. It is an invasive plant. Ms. Davey suggested winter rye. Ms. Bonshak said it was noted in the stabilization for steep slopes.
- Ms. Burkard noted that Oncor says the site is covered in northern hardwoods. She wondered if the house could be moved slightly closer to the road to leave more a tree buffer at the back of the property. This would help to protect any runoff from lawn to the pond nearby on the adjacent parcel or beyond. Mr. Obenauer noted that the natural flow in the back of the parcel would be to the southeast and that the backyard dips down some.

Recommendations:

- The ECB recommends that the crown vetch (nonnative, invasive) be removed from the seeding done on site.
- The ECB recommends shifting the house 20' closer to the road which would allow a larger tree/vegetative buffer at the back of the parcel to be retained. This will help to capture any lawn runoff from reaching the nearby pond (adjacent parcel) or any other subsequent watercourses. Given plans to subdivide and build on the large parcel behind this property, this denser buffer may also help to improve privacy for the applicant from future development as well as serving ecological needs.

I. Old Business

1. ECB Page for Town Newsletter (Ms. Venezia)

July:	Ms. Burkard, Makin Friends with our Tiniest Neighbors
August:	Mr. Kochersberger, Hungry Deer
September:	Ms. Miller w/ apple trees, fruits, etc.
October:	Event Notice, Ms. Rudolph
November:	Mr. Obenauer, Climate Change
December:	Mr. Damann, TBD, Xmas tree recycling?
January 2023:	TBD—Possible Electric Boat Article by Ms. Venezia.
February:	Safe Sidewalk Salting by Ms. Miller
March:	TBD
April:	TBD—Bioretention Areas and Rain Gardens: Adding them and

Maintenance Needed

May: TBD
June: TBD

2. Town Hall Display Case (Ms. Davey)

Summer Exhibit: Tree ID Display by Ms. Davey
Fall Exhibit: October Event
Ms. Bonshak will put the ECB flyer up onto the electronic billboard (Lamar).

Winter Exhibit: Ms. Davey did winter tracks last year. Ms. Miller suggested safe winter sidewalk “salting.” A good article suggestion. Maybe for January article. Discussion about that or boat article.
Spring Exhibit: TBD

m. New Business**1. ECB October Event**

- Spending info requirements. Ms. Rudolph will purchase some table top compost bins and bio bags (compostable) with exemption card. \$22-\$30/each. Raffle them. Email address required. Ms. Rudolph will work with Ms. Reynolds. Will get \$150 worth of bins to give away.
- Mr. Damann will bring a compost bin in for Mr. Obenauer’s display.
- Ms. Miller needs to purchase seeds and compost. \$4/bag for compost. Clay needed (craft store). Ms. Miller shared amounts needed to make 60 seed bombs. Print out directions to take with the seed bombs and include recipe to make more. Include not throwing it on private property (without permission) on the card. American Meadows suggested as a seed source. Fruition Seeds suggested as a local source for buying seeds. Ms. Burkard will send Ms. Miller Petra’s (at Fruition) email and will ask Petra if Fruition can attend the event.
- Ms. Burkard noted that she had not yet received replies from the vendors she asked (Amanda’s Native Nursery, White Oak Nursery, Finger Lakes PRISM).
- Soil & Water Display—Ms. Davey to bring in display.
- Ms. Davey to bring in fossil activities. Ms. Davey to bring in displays: dead tree and good bugs.
- Mr. Damann will have information and pamphlets on natives to plant instead of nonnative species. He has older pamphlets from Monroe County and Finger Lakes PRISM. He is hoping to get updated pamphlets from those sources. There is a DEC pamphlet. Ms. Bonshak said she can make copies.
- Ms. Burkard will bring in some young plants to give away.
- Ms. Venezia will have a native perennials table with giveaways. She will contact Charlie Mays to see if she can get plants and coupons (for

Mayflowers) from him. Ms. Venezia will invite a local author. She can do a book signing and bring her dog.

- Mr. Obenauer has a composting display/table.
- Snack table. Ms. Bonshak will purchase cider and doughnut holes. Coffee filters for holding the doughnut holes.
- Tree Team will do a table on tree identification.
- Mr. Kochersberger will follow up with NYSERDA (clean energy) about having a table.
- Ms. Rudolph said the CCA (Community Choice Aggregation) would be a good one to include.
- The History and Cemetery Committees can be asked.
- Setup starting at 9am.
- Table coverings – brown paper.
- Maybe use leftover budget money to purchase a tree.
- Any copying or printing can be done in Town Hall or at Quick Print.
- Show up at 9-9:15am.
- Somebody needs to be a barker for the event to the transfer station visitors. Maybe Ms. Rudolph.
- Park by transfer station.
- Ms. Burkard has a foraging activity she can bring if needed to fill an empty table.
- Plan for 10-12 tables.
- Sign for Environmental Fair suggested.
- Sharing the event to facebook groups like Canandaigua Chronicles would be ideal. Ms. Burkard will make a social media graphic for the event. (Ms. Reynolds can add to the town page and share.) Ms. Burkard added the event to the Upstate Gardeners' event calendar. Ms. Miller will hang one at Ryan's and Wood Library.
- Get emails for raffle participants. Give aways: seed bombs, compost bins, perennials (Ms. Venezia), Chestnut seedlings and other native plants and seeds (Ms. Burkard)
- Ms. Davey described the fossil activity: bread with layers and different "fossils" like the grape jelly fish. A fossil matching activity.

n. Member Reports

- Citizens Implementation Committee Representatives
- Local History Team
- Town Tree Board
- 2022 Strategic Goals (ECB-related)
 - Permanently protect lands with natural resource significance and support recreation on protected lands.

- Promote housing and development growth within identified growth nodes and discourage development in environmentally sensitive areas (revise ordinances as needed to achieve this goal.)
- Training Updates
 - Mr. Obenauer is taking the Del Lago training. Ms. Venezia, Ms. Davey, and Ms. Burkard took the NY Kitchen training event.

o. Future Training Opportunities:

■ 2022 Municipal Bootcamp

Hancock Estabrook and MRB Group are offering a free annual training program to assist local governments, municipal officials, and planning and zoning boards. The program will include 10 hours of remote training designed to provide a comprehensive education that encompasses all aspects of municipal governance.

Use this link for the 2022 Municipal Bootcamp information page. RSVP and registration tab are at the bottom of the website page: <https://www.hancocklaw.com/events/the-2022-municipal-bootcamp/>

- October 27, 2022, 6–7pm.
A History Lesson: Managing Projects with Historic Significance
- December 22, 2022, 6–7pm.
Santa's Nice and Naughty List: The Best and Worst of 2022

■ General Code e-Code

Daily drop-in lunchtime training Q&A sessions plus webinars in several categories. Information: <https://www.generalcode.com/training/>

■ NYS Department of State Local Government Training posted here:

<https://dos.ny.gov/training-courses>

■ Training Opportunities Online and Recorded Webinars:

Ontario County Planning Department website now lists upcoming training:

<https://www.co.ontario.ny.us/192/Training>

■ iMap Invasives Trainings & Events Online:

<https://www.nyimapinvasives.org/training>

■ New York Planning Federation Recorded Webinars:

For information: (518) 512-5270 or nypf@nypf.org

- The Essentials of Planning and Zoning:
- Introduction to Planning, Zoning and Land Use
- Everything You've Ever Wanted to Know About Preparing a Comprehensive Plan
- Understanding and Applying SEQRA (NY State Environmental Quality Review Act)
- The What, Why, and How of Site Plan Review

- Common Mistakes and Mishaps in Site Plan Review
- Meeting Process and Communication:
- Enhancing Transparency Effectiveness in Planning Proceedings
- Innovations and Best Practices for Planning/Zoning Boards
- Engaging Diverse Communities and Dealing with Difficult People
- Working with Elected Officials and Understanding Everyone's Role in Planning
- The Open Meetings Law for Zoning and Environmental Conservation Boards, Part 2
- Working with Developers to Foster Investment in the Community
- Communication, the Media and Social Media
- Open Government and Planning and Zoning Decision Making

q. Adjournment and Next Meeting

Ms. Miller made a motion to adjourn and Ms. Davey seconded the motion. Motion carried by voice vote. Adjourned at 6:02 pm.

Next meeting: **November 3, 2022, 4:30 p.m.**

Respectfully submitted,

Kimberly Burkard L.S.