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TOWN OF CANANDAIGUA PLANNING BOARD RESOLUTION
DIMARCO GROUP REPRESENTING GREG WESTBROOK
CREEKVIEW APARTMENTS AT WOODLAND PARK
3000 COUNTY ROAD 10 – COMMUNITY COMMERCIAL/ MUO-3
CPN 013-17 TM# 84.00-1-19.000
PRELIMINARY OVERALL (PHASED) SITE PLAN APPROVAL

PRELIMINARY OVERALL (PHASED) SITE PLAN APPROVAL RESOLUTION

WHEREAS, the Town of Canandaigua Planning Board (hereinafter referred to as Planning Board) is considering a Preliminary Overall (Phased) Site Plan approval for 4 lots (Lot 1 at 28.413 acres, Lot 2 at 18.383 acres, Lot 3 at 74.282 acres, and Lot 4 at 16.194 acres) for the construction of three phases of 96 affordable apartments, and a fourth phase of 96 market rate apartments for a total of 384 units and 48 apartment buildings, including two community buildings, parking, and drainage improvements, on a 140.18 acre parcel located at 3000 County Road 10 within the Community Commercial/ MUO-3 District and detailed on plans last revised June 23, 2017, and all other relevant submitted as of June 27, 2017 (the current application); and

WHEREAS, in compliance with NYS Town Law and the regulations of the State Environmental Quality Review Act (SEQR), the Town of Canandaigua Planning Board declared this to be a Type I Action and a Determination of Non-Significance was adopted June 27, 2017; and

WHEREAS, in compliance with NYS Town Law, the Planning Board held a public hearing on the Preliminary Overall (Phased) Site Plan application on June 27, 2017; 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. The Preliminary Overall (Phased) Site Plan Approval with conditions as specified is valid for a period of 180 days from today. If revised Preliminary Overall (Phased) Site Plans meeting all conditions of approval have not been submitted and signed prior to the end of this period than this resolution shall become null and void unless an extension is requested by the Applicant and approved by the Planning Board at a later date with a separate resolution.
2. The Administrative Lot Line Adjustment Plan is to be forwarded to the Town Development Office for review and approval. It's to be signed by the Planning Board Chairman prior to the Preliminary Overall (Phased) Site Plans being signed and filed in the office of the Ontario County Clerk within sixty-two (62) days from the date of approval or such approval shall expire (NYS Town Law Section 276-11).
3. Payment of a fee in lieu of a set aside of parkland shall be made at the time of issuance of building permits pursuant to Town Code Chapter 111 and NYS Town Law.
4. A Management and Operation Plan/ Agreement for the overall project shall be submitted to the Town Planning Board Attorney for review and approval and such approval shall be obtained prior to the Planning Board Chairman's signature being affixed to the Preliminary Overall (Phased) Site Plans.
5. Cross access easements are to be submitted to the Town Planning Board Attorney and for review and approval prior to the Planning Board Chairman's signature being affixed to the Preliminary Overall (Phased) Site Plans.

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6. The Town Engineer shall review the plans submitted by the applicant last revised June 23, 2017 and submit a comment letter to the Planning Board Chairman and Development Office. All comments within said letter are to be addressed to the satisfaction of the Town Engineer prior to signing by the Planning Board Chairman.
7. The Town Highway Superintendent shall review the plans submitted by the applicant last revised June 23, 2017 and submit a comment letter to the Planning Board Chairman and Development Office. All comments within said letter are to be addressed to the satisfaction of the Town Highway Superintendent prior to signing by the Planning Board Chairman.
8. All comments from Ontario County Department of Public Works are to be addressed and approval of the sanitary sewer design within the Preliminary Overall (Phased) Site Plan received prior to signing by the Planning Board Chairman.
9. Prior to receiving final Phase 1 Site Plan approval, the proposed Creekview Apartments at Woodland Park project is to receive an approval from the Town of Canandaigua Town Board regarding the rezoning request for 4599 County Road 46, 3000 and 3076 County Road 10 from Community Commercial (CC) to Mixed Use Overlay (MUO-3).
10. The design engineers are to submit a written phasing plan detailing the items to be completed in each proposed phase including but not limited to the Town road, sidewalk along County Road 10, and public utilities.

The above resolution was offered by Charles Oyler and seconded by Ryan Staychock at a meeting of the Planning Board held on Tuesday, June 27, 2017. Following discussion thereon, the following roll call vote was taken and recorded:

Gary Humes - Aye
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 June 27, 2017 meeting.

L. S.

John Robortella, Secretary of the Board

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1. The Planning Board is considering an application for the Preliminary Overall (Phased) Site Plan approval for 4 lots (Lot 1 at 28.413 acres, Lot 2 at 18.383 acres, Lot 3 at 74.282 acres, and Lot 4 at 16.194 acres) for the construction of three phases of 96 affordable apartments, and a fourth phase of 96 market rate apartments for a total of 384 units and 48 apartment buildings, including two community buildings, parking, and drainage improvements, on a 140.18 acre parcel.
2. The project is located at 3000 County Road 10 within the Community Commercial District and detailed on plans last revised June 23, 2017, and all other relevant submitted as of June 27, 2017
3. An application for rezoning from the Community Commercial District to Mixed Use Overlay (MUO-3) for the purpose of constructing apartments was received by the Town of Canandaigua Town Board.
4. A presentation of the project and rezoning request was provided to the Town Board at the August 15, 2016 and November 21, 2016 meetings.
5. A Resolution (#2016-192) referring the project to the Planning Board and Environmental Conservation Board for advisory report was completed at the November 21, 2016 Town Board meeting.
6. The Planning Board reviewed the proposed rezoning application at their September 27, 2016 meeting and provided their advisory report to the Town Board dated September 30, 2016.
7. As per §220-33 C (2) of the Town Code, the Town Board at their November 21, 2016 meeting directed the owner to prepare and submit an application for Preliminary Overall (Phased) Site Plan approval to the Planning Board which is required prior to the rezoning to the MUO-3 being approved.
8. The Town Board classified the rezoning action as a Type 1, declared their intent to be lead agency and initiated lead agency coordination at their November 28, 2016 meeting.
9. The Town Board at their July 17, 2017 meeting, with no objections received, anticipates to designate themselves as lead agency and made a determination of non-significance on the rezoning application.
10. The Planning Board received an application for Preliminary Overall (Phased) Site Plan approval on February 16, 2017.
11. Planning Board classified the Preliminary Overall (Phased) Site Plan approval application action as a Type 1 Action, declared their intent to be lead agency and initiated lead agency coordination at their April 25, 2017 meeting.
12. This project was coordinated with a number of agencies including Ontario County Public Works, the City of Canandaigua Fire Department, Town of Hopewell, Canandaigua Lake County Sewer District, RG&E, NYSEG, NYS Department of Environmental Conservation,

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Town of Hopewell Water Department, NYS Department of Health, Town of Canandaigua Highway Department, and Army Corps of Engineers.

13. Town Development Office has not received any written objections from the above listed agencies to the Town of Canandaigua Planning Board being designated as the lead agency under the SEQR Regulations.
14. On June 27, 2017 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.
15. On June 27, 2017 the Planning Board designated itself as lead agency for the proposed development and determined that the development **WILL NOT** result in any significant adverse environmental impacts based on the review of the Full Environmental Assessment Form (EAF) Parts 1, 2, and 3 and the supporting information provided by the design engineers.
16. The project includes the construction of 384 apartments on a 140.18-acre parcel.
17. The project is proposing 4 phases with each phase including the construction of 96 apartments.
18. Federal Wetlands are located within the project area and therefore, a Wetland Delineation Report was completed by BME for this project and included within the Engineers Report dated February 2017, and last revised February 16, 2017.
19. A Jurisdictional Determination from the Army Corps of Engineers was provided in a letter dated May 19, 2016 by the ACOE.
20. Also a portion of this project is located within a mapped FEMA Flood Plain.
21. No improvements or construction is proposed within this area.
22. The project is located within a designated Archeological Sensitive Area and a Phase I Cultural Resource Investigation Report was required and prepared dated December 5, 2016.
23. A "No Impact" letter was received from SHPO.
24. A Traffic Impact Study was prepared by McFarland Johnson dated March 14, 2017 and concluded that the projected traffic can be accommodated within the current highway system with no degradation in service.
25. Landscaping Calculations:
 - Lot Size: 140.18 acres (6,106,240.8 sq ft)
 - 30% (required green space) = 42.1 acres (1,831,872.2 sq ft)
 - 1,250 sq ft = **1,465 canopy shade trees are required**
 - 250 sq ft = **7,327 deciduous shrub / evergreens are required**
26. The project proposes to provide a conservation area over \pm 83 acres (3,615,480 sq ft) of the 140.18-acre parcel to protect the wetlands, flood plain, and provide a buffer to the Canandaigua Outlet.
27. Parking spaces required: (2) spaces / dwelling = 768 parking spaces required.

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28. Parking spaces provided 789 total spaces, including 65 handicapped spaces, and 82 landbanked spaces.

29. Zoning Determination dated February 24, 2017 was completed and offer the following:

PROJECT DESCRIPTION:

- Proposed project to adjust lot lines and construct 48 apartment buildings containing 384 Units, 2 clubhouse buildings, and associated infrastructure.

DETERMINATION:

- As applicant is requesting local law adoption pursuant to Town Code Chapter 220 Section 33 MUO Districts, the Town Board will be responsible for reviewing and subsequently approving the setbacks, density requirements, lot width, building height, and other applicable zoning regulations proposed by the applicant.
- Proposed lot standards as noted in Plans by BME Associates:
 - o 75 ft. Setback from County Road ROW
 - o 30 ft. Setback from Internally Dedicated Road ROW
 - o 20 ft. Setback from Side and Rear Property Lines
 - o 35 ft. Maximum Building Height
 - o 35% Maximum Building Coverage (+ or – 3.6% provided)
- Applicant proposes 51% Minimum Open Space when 40% is required.
- Applicant proposes 895 total parking spaces when 768 are required.
- Proposed Landscaping plan provides 99 shade trees in parking lots when 90 trees are required.

30. This application was referred to the following agencies for review and comment by the Development Office:

- Ken Potter, Canandaigua-Hopewell Water District
- John Berry, Canandaigua Lake County Sewer District
- William Wright, Ontario County DPW
- Town Environmental Conservation Board
- Ontario County Planning Board
- Jim Fletcher, Town of Canandaigua Highway Superintendent
- Mark Marentette, Chief of the Canandaigua City Fire Department
- MRB Group, Town Engineer
- Geoff Brennessel, NYSEG
- Wayne Dunton, RGE
- Chief Steve Metivier, ACOE
- Ben Groth, NYSDEC
- Scott Sheeley, NYSDEC
- Sheryl Robbins, NYSDOH
- Town of Hopewell

31. A referral to the Ontario County Planning Board (OCPB) was completed with comments.

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32. The Planning Board has reviewed these comments and has considered them as part of their review of the application.
33. A comment letter from the Town Engineer dated March 15, 2017 was provided to which a response letter from BME dated March 24, 2017 was provided.
34. Comments were received from the following:
 - Ontario County DPW dated April 28, 2017
 - C&S Companies for Ontario County provided comments in a letter dated April 14, 2017 regarding their review of the TIS.
 - ECB provided comments in a letter dated March 3, 2017.
 - Canandaigua-Hopewell Water District in a letter dated March 6, 2017
 - NYSDEC in a letter dated March 7, 2017
 - Town of Hopewell in a letter dated March 29, 2017.
35. The Planning Board has reviewed these comments and has considered them as part of their review of the application.
36. Pursuant to Chapter 111 of Town Code and NYS Town Law the Planning Board may choose to require set aside of parkland or payment of a fee in lieu thereof when reviewing plans for residential development.
37. 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 subdivision plat because of the increase in population that will be created by the proposed new developments.
 - a. The Town Comprehensive Plan indicates that the Town is in need of more land for parks and recreation.
 - b. The Town Parks and Recreation Master Plan indicates that the Town is in need of more land for parks and recreation.
 - c. The proposed subdivision will increase the Town's population.
 - d. This increase in population will intensify the need for land to be used for parks and recreation.
 - e. A suitable park of adequate size to meet the Town's needs cannot be properly located on the proposed subdivision plat.
 - f. The area of the proposed subdivision is 140.18 ± acres.
 - g. There is not an existing park in the vicinity of the proposed subdivision.
 - h. A fee in lieu of parkland shall be paid at the time of issuance of a building permits in the amount as established by the Town Board pursuant to Town Code § 111-8.