

Town of Canandaigua

5440 Routes 5 & 20 West • Canandaigua, NY 14424 • (585) 394-1120

Established 1789

ZONING LAW DETERMINATION

PROPERTY OWNER: West Corners LLC
PROPERTY ADDRESS: 2970 County Road 10
TAX MAP NUMBER: 84.00-1-17.100
ZONING DISTRICT: IND - Industrial

DETERMINATION REFERENCE:

- Application for One Stage Site Plan Approval, dated 09/15/2016, received for review by Town on 09/16/2016.
- Plans titled "New Energy Equity: Canandaigua Westbrook Solar Array" by Hunt Engineers, dated 08/23/2016, received by the Town on 09/16/2016.

PROJECT DESCRIPTION:

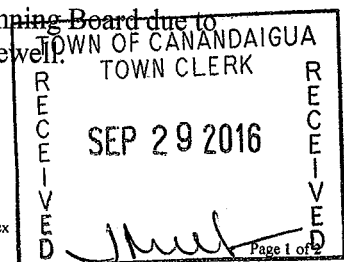
- Owner proposes to construct a large scale commercial photovoltaic power station within a 7.65 acre fenced compound on a parcel that is currently residential.

DETERMINATION:

- Continuation of an existing residential use is a principally permitted use within the Industrial Zoning District.
- Proposed development is an accessory commercial use.
- Where it is deemed appropriate by the Town Planning Board, any of the following provisions related to Accessory Commercial Uses may be waived:
 - o The proposed use does not involve new development.
 - Project does involve new development
 - o Bulk density requirements for accessory commercial uses shall be the same as that required for accessory structures for the principal permitted use.
 - Coverage is 34% when 20% is maximum coverage permitted
 - o The proposed use is on a lot where the existing principal permitted use is industrial.
 - Existing principal permitted use is residential.
- Due to disturbance in excess of 1 acre the property owner is required to submit a Notice of Intent to the DEC and provide SWPPP and associated documents to the Town.
- Proposed driveway to the Solar Array is permissible as each separate use shall be entitled to one point of access.
- Plans incorrectly detail a side setback adjacent to tax parcel 84.00-1-18.000 of 75ft. Side setback is 40ft. When the correct criterion is applied, proposed photovoltaic structures adhere to setback requirements and do not require a variance.

REFERRAL TO ONTARIO COUNTY PLANNING BOARD FOR:

- This application is required to be reviewed by the Ontario County Planning Board due to proximity to County Road 46, County Road 10, and the Town of Hopewell.




REFERRAL TO PLANNING BOARD FOR:

- Applicant shall submit a special use permit application. This application is required to be reviewed by the Town Planning Board as it relates to Special Use Permit review.
- Development exceeds 1,000sq.ft. within the Industrial Zoning District and Site plan review/approval is required from the Town Planning Board.

CODE SECTIONS: Chapter §1-17, §220-26B(10); §220-34; §220-75B; §220-9; §220-52; §220a Sch 1 Zoning Schedule

DATE: 9/29/2016

BY: 
Chris Jensen - Zoning Officer

CPN-067-16

NYS Town Law, Section 267-a(5)(b), an appeal may be made to the ZBA within 60 days of the date of this determination.

c: Binder
Property File
Property Owner
Town Clerk