

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: March 10, 2020

Project: CPN-19-073

Applicant

Venezia Land Surveyors
and Civil Engineers
5120 Laura Lane
Canandaigua, NY 14424

Owners

Roger and Kathleen
Schutt
90 Timber Lane
Hilton Head, SC
29926

Project Type

Amended Single-Stage
Subdivision Plan

Project Location

0000 County
Road 16

Tax Map #

140.07-1-5.100

TYPE OF APPLICATION:

- ☐ Preliminary ☒ Amended Single-Stage
☒ Subdivision ☐ Site Plan ☐ Special Use Permit

Applicant Request:

- ☒ Granted ☐ Denied ☐ Tabled
☐ Continued to:
☒ See attached resolution(s)

STATE ENVIRONMENTAL QUALITY REVIEW (SEQR):

- ☐ Type I ☐ Type II ☐ Unlisted
☐ See Attached resolution(s):

Negative Declaration Date:

Positive Declaration Date:

Recommendation To:

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

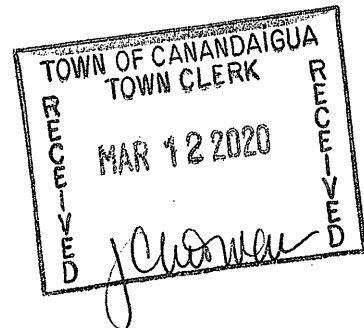
Recommendation:

THIS APPROVAL SHALL EXPIRE IF YOU FAIL TO
OBTAIN THE PLANNING BOARD CHAIR'S SIGNATURE
ON THE FINAL PLAN BY: 9/10/2020
YOU ARE RESPONSIBLE FOR REQUESTING AN
EXTENSION PRIOR TO THIS EXPIRATION DATE IF
THIS REQUIREMENT CANNOT BE MET.

Surety Requirements:

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

Surety Release:



Certified By:

Chairperson, Planning Board

Date:

3/12/2020

TOWN OF CANANDAIGUA PLANNING BOARD RESOLUTION
VENEZIA ASSOCIATES REPRESENTING ROGER & KATHLEEN SCHUTT
(FORMALLY THE SWADLING SUBDIVISION)
2-LOT SUBDIVISION
4526 COUNTY ROAD 16 – R-1-30 ZONING DISTRICT
CPN 19-073 TM# 140.07-1-5.100
AMENDED SINGLE-STAGE SUBDIVISION PLAN APPROVAL

AMENDED SINGLE-STAGE SUBDIVISION PLAN APPROVAL RESOLUTION

WHEREAS, the Town of Canandaigua Planning Board (hereinafter referred to as Planning Board) is considering an Amended Single-Stage Subdivision Plan approval for a two (2) lot subdivision, subdividing a 1.675 Acre parent parcel to create Lot #1 at 0.837 Acres where previously it was to be 0.789 Acres and Lot #2 at 0.838 Acres where previously it was 0.885 Acres located within the R-1-30 zoning district and detailed on Amended Subdivision Plans last revised February 21, 2020 prepared by Venezia Land Surveying and Civil Engineers Services, and all other relevant information submitted as of March 10, 2020 (the current application); and

WHEREAS, the Planning Board completed a formal review of the proposed subdivision in compliance with the implementing regulations of the State Environmental Quality Review Act (SEQR) as part of the original subdivision plat review on October 22, 2019; and

WHEREAS, on October 22, 2019 the Planning Board, serving as lead agency, made a determination of significance and filed a negative declaration thereby concluding review pursuant to SEQR; 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. Subdivision Plan Approval with conditions specified above herein is valid for a period of 180 days from today. Once all conditions of Subdivision Plan Approval have been met and shown on revised drawings including the revision dates, the Planning Board Chairperson will then sign the plans.
2. A note is to be added to the subdivision plan stating no new development is proposed on lot #1, and lot #1 is not an approved “build-able” lot, requiring Site Plan approval from the Town of Canandaigua Planning Board prior to development occurring on the lot.
3. A note shall be added to the subdivision plans that a perc test has not been conducted for the proposed new lot #1, and that the proposed new lot shall not be considered as a “buildable” lot until satisfactory perc tests have been completed and forwarded to the Town Development Office.
4. Payment of a fee in lieu of a set aside of parkland shall be made at the time of issuance of a building permit pursuant to Town Code Chapter 111 and NYS Town Law for lot #1.
5. A note shall be added to the subdivision plans indicating that any work within the County Right-of-way will be subject to an OCDPW permit/approval.
6. The subdivision plans to be revised to adjust the property line as discussed at the March 10, 2020 Planning Board meeting to the satisfaction of the Planning Board Chairman.

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The above resolution was offered by Gary Humes and seconded by Karen Blazey at a meeting of the Planning Board held on Tuesday, March 10, 2020. Following discussion thereon, the following roll call vote was taken and recorded:

Gary Humes -	<i>Aye</i>
Charles Oyler -	<i>Aye</i>
Ryan Staychock -	<i>Aye</i>
Karen Blazey -	<i>Aye</i>
Bob Lacourse -	<i>Absent</i>

(ALT) Amanda VanLaeken - *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 March 10, 2020 meeting.

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



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FINDINGS

1. The Town of Canandaigua Planning Board is considering Amended Single Stage Subdivision Plan approval for a two (2) lot subdivision, subdividing a 1.675 Acre parent parcel to create Lot #1 at 0.837 Acres and Lot #2 at 0.838 Acres within the R-1-30 zoning district.
2. The project is located on County Road 16 and shown on the Amended Subdivision Plans last revised February 21, 2020 prepared by Venezia Land Surveying and Civil Engineers Services, and all other relevant information submitted as of March 10, 2020.
3. Proposed Lot #1 will remain vacant.
4. Proposed Lot #2 includes the existing single-family dwelling unit.
5. No improvements are proposed at this time.
6. This is an Unlisted Action under SEQR and does not require coordination. A Short Environmental Assessment Form (EAF) Part 1 was completed by the Applicant.
7. The EAF Part 2 and Part 3 were completed by the Planning Board as part of their original review of the subdivision application on October 22, 2019.
8. The Planning Board declared themselves as lead agency and made a SEQR Determination of Significance and issued a Negative Declaration at the October 22, 2019 Board meeting, concluding SEQR.
9. Zoning Law Determination was prepared dated February 26, 2020:

DETERMINATION:

- Existing 1.675 Acre parcel contains a single-family dwelling.
- Proposed lots are of sufficient area and dimension to meet minimum requirements for zoning and building purposes within the R-1-30 zoning district.

REFERRAL TO ONTARIO COUNTY PLANNING BOARD FOR:

- This application is not required to be reviewed by the Ontario County Planning Board as it relates to the subdivision of land into two lots that meet all applicable local municipal code requirements. Exception #11.

REFERRAL TO PLANNING BOARD FOR:

- Planning Board Subdivision Approval is required for the subdivision of a parcel of land.
10. The Planning Board makes the following findings pursuant to New York State Town Law § 276 and Town Code § 111-8 and § 111-9.
 - The Town Comprehensive Plan indicates that the Town is in need of more land for parks and recreation.
 - The Town Parks and Recreation Master Plan of 2018 indicates that the Town is in need of more land for parks and recreation.
 - The proposed 2-lot subdivision will enable an increase the Town's population.
 - This increase in population will intensify the need for land to be used for parks and recreation.

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FINDINGS

- The area of the proposed subdivision is 1.675 acres.
- Should the owner pursue the development of residential dwelling units, a fee in lieu of parkland shall be paid at the time of issuance of building permits in the amount per family dwelling unit as established by the Town Board pursuant to Town Code § 111-8.