

whole row of parking. She thinks that changes have happened to the plan and not all documents (ie artist rendering) have been appropriately updated. She offered that this rendering should be either updated to show the parking area (17 spots) or the rendering should not be used. Ms. Bonshak said that if they are amenable to moving the parking behind the building it would be wonderful but this may be an access issue. She will discuss this with the developer.

- Ms. Hooker questioned the access to the location and its curb cut. Plan looked to have a new curb cut by the railroad tracks. Ms. Bonshak thinks this will be the new access point and the older curb cut (by Monroe Muffler) will be abandoned.

Recommendation:

- The applicant presents a detailed project design which addresses drainage concerns and embraces aspects of the Form Based Code which is proposed but currently not approved for implementation. The setback variances are consistent with current neighboring properties and consistent with setbacks outlined in the FBC.
- The request for a decrease in open space requirement is related to a rather large number of parking spaces for this building with its proposed purposes. This should be better justified by the applicant. Also, “any off-street parking area with at least 20 off-street parking spaces shall designate a minimum of 10% of those spaces as reserved only for the handicapped”, so accessible parking spaces would need to increase.
- The ECB suggests that consideration be given to the use of permeable ground cover in the parking lot or patio / outdoor dining areas.
- The Form Based Code speaks to supporting a connected environment for bicyclists. The concrete sidewalk could become a future shared use path accommodating pedestrian and bicycle traffic, but would require a wider walkway not possible with this proposal. Paving with this project extends all the way to the sidewalk.

■ A motion to approve the recommendations was made by MS. HOOKER, seconded by MR. DAMANN. Voice vote carries.

CPN-21-057

Professional Engineering Group, c/o Scott A. Harter, P.E., 7171 Pittsford–Victor Road, Victor, N.Y. 14564; representing Tim and Shelia Oostdyk, 365 Harvest Drive, Lititz, Pennsylvania 17543; owners of property at 3551 County Road 16
TM #98.17-1-14.000

Requesting a Single-Stage Site Plan approval to demolish an existing single-family residence and construct a new single-family residence.

Ms. Hooker reported and shared photos.

Summary of key points:

- Applicant seeks site plan approval to demolish and replace an existing single family home on a small lot (c. 62' x 65' total).
- Site is in the section of lakefront on County Road 16 between the Yacht Club and Butler Road, generally characterized by very narrow lots with minimal yards and parking within the county right-of-way.
- Existing condition includes a single story house of 1,020 sq. ft. with a carport of 103 sq. ft., a driveway, two levels of wood deck, various other site structures and a boathouse for a total lot coverage of 2,959 sq. ft. (65%). The carport and a corner of the house extend into the County road right of way. This and other non-conformities such as lot area and setbacks are not itemized in the application, but non-conformities will be maintained or reduced.
- Proposed house will be two story with a footprint of 1,514 sq. ft. Upper deck and carport will be removed and other modifications to site structures will result in a total lot coverage of 2,908 sq. ft., a small reduction from 65% to 64%. Encroachments into the right of way will be eliminated. Height will be under 25 feet, in compliance.
- The site has a few trees along the north and south boundaries, possibly on the adjacent properties. These will remain in place, supplemented by three new small trees and container shrubs at the new home perimeter.
- The existing site has space for one car in the carport and space for an additional car on the south side of the house in the side yard. The proposed plan will have space for one car within the structure and the side yard parking (part asphalt, part on grass) is unchanged.
- A drywell is proposed to accommodate roof drainage for the new house.

Environmental concerns:

- While the project complies with the Town's current policy of honoring prior non-conformities on lot size, coverage and setbacks, ECB questions whether this policy is appropriate for cases which result in substantial increases in living space and occupancy through the addition of a second floor.

Additional Comments from the ECB Meeting:

- Ms. Hooker noted that this parcel is immediately south of the Yacht Club and there are typically small lots in this area with this one being approx. 4000 square feet. The only portions that are not covered on this lot are the small blocks of lawn on the northwest and southeast corners. There is a large multi-level deck covering much of the area that the house is not covering.
- Ms. Hooker suggested that the Ordinance Committee and Town Board should review this plan as it is an extreme example of these

demolition/rebuild projects of existing residences with nonconformities that are coming for review with increasing frequency. She said that although they are not increasing established nonconformities, there is no review of the increased living space and occupancy that will increase the population density, traffic, and other resource demands in the lake area.

- Mr. Simpson said he will have a discussion with Mr. Davis to recommend that the Ordinance Committee review and discuss this. He also noted that increased occupancy should require a review of sewer and water requirements and that two-story homes filling the lakefront and increasing density would be undesirable. Ms. Davey and Ms. Venezia both agreed that this would be an important topic for the Ordinance Committee to review.
- Mr. Kochersberger worried about precedent being set by the project for future development. Ms. Hooker said that the precedent was already set but changing that should be tried.
- Mr. Damann agreed with Ms. Hooker's assessment that people acquire a property and then try to get the most put in on those properties. He also said that while it probably isn't possible to apply screening for Lake views on this lot, it is a concern. Mr. Simpson commented that much cannot be done with this property but perhaps going forward a difference can be made. Mr. Simpson hoped that the Ordinance Committee could tighten restrictions on nonconformities to include not only lot coverage but square footage to avoid future situations like this.
- Mr. Simpson suggested that the Ordinance Committee and Town Attorney work together to review and address the addition of second stories and increased square footage with such properties.

Recommendation:

- No recommendation on the application. ECB suggests that the Ordinance Committee and Planning Board review the Town's policy on non-conformities concerning the addition of upper levels of living space on a non-conforming parcel. In this and other recent applications, this policy is resulting in an undesirable increase in the density of development on small non-conforming lots.

■ A motion to approve the recommendations was made by MR. KOCHERSBERGER, seconded by MS. DAVEY. Voice vote carries.

CPN-21-058

**Marks Engineering, c/o Brennan Marks, P.E., 42 Beeman Street, Canandaigua, N.Y. 14424; representing Donald and Monica Miller, 3392 County Road 46, Canandaigua, N.Y. 14424; owners of property at 0000 Hickox Road
TM #96.00-1-20.111**